



## WHY THIS MONOGRAPH

Obviously creating awareness about ragging is the first and the last answer to this most pertinent question. In our core of hearts, we felt an inner urge to bring out this monograph on ragging to create a total and complete awareness about the evil and damaging effects of ragging on students, nay, on the whole of academic world. The urge was felt with a sense of fellow feeling with the student community aspiring for **the** best in their career, who are the jewels of the nation.

Unfortunately data on ragging is not available; reliable and tested information / statistics are also not available. Neither college authorities dare to indicate number of ragging incidents per year nor is the hostel <http://rerf.in/index.html> management spontaneous enough with their information to share. Many of the state governments are busy to give lip service for the cause of the students' community and simply did not feel it necessary as its duty to maintain a 'special cell' to monitor and control unwanted barbaric incidents of ragging in educational institutes even after the epoch making historic verdict from the apex court of the country. When we approached so many engineering colleges of repute in the state of west Bengal, we were astonished at their casual approach to this crucial problem of the day. It is a real pity that many of those so-called prestigious educational Institutions even did not felt it necessary to return us the filled-in- questionnaire containing some simple but basic queries pertaining to ragging in campus and the built-in-measures to check it. And all of those institutions in their nicely crafted advertisements do not hesitate to declare that they maintain the best campus on the earth!

Students unions, although it seems funny but unfortunate, are also not committed enough about the plight of the students who are ragged in campus and sometimes are forced to return without completing their dream courses because of the intolerable ragging.

Often parents, particularly coming from rural bases, find it very difficult to deal a case of ragging while lodging an FIR with appropriate authority. In many occasions, police administration gives lip services and practically does nothing to bring culprits to book citing some built-in-defects in FIR lodged.

In this monograph, utmost attempts have been made by us to pass on much required information so that hapless guardians / parents (and of course the students) can take liberal help and complete guidance from this monograph in taking preventive, protective and curative shields. Besides, the monograph mentions many Do's and Don'ts for students while they at the new colleges, which are the results of our year long study. We have also indicated some suggestions for the worried parents and guardians. Through this monograph, we also intend to make an appeal to senior students (who till yester years were fresher!), college as also the hostel authorities. We expect that district administration shall rise to real need of the hour by taking stock of situation at last in order to make educational institutions ragging free.

Telephone numbers of District Magistrates and Superintendents of Police of all districts apart from address and telephone numbers of all such authorities who matters in critical hours are given in this monograph.

We are sure that this monograph on ragging which is the first of its kind in India shall be able to set the ball rolling in the desired direction.

We regret any mistake and lapses despite our best efforts and intentions. We welcome suggestions / other inputs and feedbacks from all concerned which shall be of great help to us in our efforts and will be duly acknowledged and incorporated in next edition of this monograph.

We know that we have our weaknesses in writing this monograph as of course we have, due to various factors which intervened in our efforts

to meet time management for bringing out this maiden edition for use of the students stepping into educational campus for higher education in this year itself. More ever, responses from engineering, medical, technical and other colleges were discouraging in spite of our approaching them a number of times. We expected far more spontaneous co-operation and positive support from those colleges of higher education who are supposed to be pro-active for the well being of students. But, we are always hoping against hope. We are sure, this publication of monograph, which is a maiden effort in the entire country as on date shall go a long way and surely blast open the so-called 'shell of confidentiality' practiced by some of the educational institutes. We shall be earnestly requesting for availability of data and other related information forthwith for the sake of students. All these shall help us to make educational campuses ragging free in the near future.

Till such time we, at IEPM, shall be with you. Always.

This is our commitment to the society. To the students. And obviously to you.

*"If you want something very badly, you can achieve it.  
It may take patience, very hard work, a real struggle  
& a long time, but it can be done.  
That much faith is a pre-requisite of any undertaking artistic or  
otherwise"*

**- Margo Jones**

## RAGGING - MEANING & DEFINITION

Ragging is a form of mental and physical abuse, which the seniors impose on the new comers. The senior students think that this will help

- to get acquainted with the new comers
- to get respect from the juniors
- to inspire discipline among them
- to help them in learning endurance

The term “Ragging” is commonly known in India, Pakistan, Sri Lanka and in many other countries and is a form of abuse on newcomers to educational institutions. It is almost similar to the western form, known as “Hazing”, but is commonly much more severe. Ragging is different from “hazing” in that it is forced on the victim, whereas “hazing” is done with the consent of a person.

There is a reference to ragging, racking and ducking in Everyman’s Encyclopedia, London, Ed. 1938, Vol. II, (Pg. 382) and the Random House Dictionary of the English language, Ed. 1967 (Pg. 487). Ragging, racking and ducking as also teasing differ considerably in details so far as the original practices are concerned.

Oxford English Dictionary, Volume – VIII, 1961 Edition, mentions that the term ‘to rag’ is university slang and is of obscure origin. It is especially an extensive display of noisy, disorderly conduct, carried on in defiance of authority or discipline. The word ‘ragging’ is defined as an action of scolding, annoying, teasing etc. and to torment or assail in a rough noisy fashion or to create wild disorder.

The Rutledge Dictionary of Historical Slang edited by Eric Patridge, defines ragging as “display of noisy, disorderly conduct and great high

spirits considered by the perpetrators (raggers) as excellent fun and by many outsiders as a bloody nuisance.”

After establishment of residential educational campuses, the practice of ragging became a fashion. The practice aimed at creating a relation between the new and the old students and the seniors used to joke and tease at the juniors. Subsequently, however, ragging entirely changed from normal and human methods to very rough, cruel and inhuman methods in absence of adequate supervision and guidance. Sometimes, situation goes too far, resulting in serious physical injury, irreparable psychological damage, and even death.

There is no fixed rule(!) for ragging. It depends on the whims and fancies of the senior students. Consequently, ragging may stretch from the first day to a considerably longer period. After that seniors suddenly become friends; and they go out of the way to help the fresher they ragged. But this is not always be true as many fresher already suffer from stress and trauma, and may thereafter continue to suffer from post traumatic stress disorders. Many leave their institution and some commit suicide. But most survive ragging and are only too happy to forget their trauma and move on. Those who rise up against it are shunned; revenge may also take the form of physical assault, leading to serious injuries.

The broader implication of ragging, which the Apex Court itself set out in the ‘Vishwa Jagriti Mission’ matter as:

“Any disorderly conduct whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any other student, indulging in rowdy or undisciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not in the ordinary course and which has the effect of causing or

generating a sense of shame or embarrassment so as to adversely affect the physique or psyche of a fresher or a junior student.”

The Supreme Court of India appointed a High Powered Committee headed by Shri R. K. Raghavan (Ex-CBI Chief) to look into ragging issues in details by holding detailed enquiry. The report submitted by Raghavan Committee has been accepted by the Govt. of India. The Committee came across a variety of aspects of the menace of ragging which are as follows:

### **OBSERVATIONS OF RAGHAVAN COMMITTEE**

Ragging has several aspects with among others psychological, social, political, economic, cultural, and academic dimensions.

Any act that prevents, disrupts or disturbs the regular academic activity of a student should be considered with in the academics related aspect of ragging.

Any act of financial extortion or forceful expenditure burden put on a junior student by senior students should be considered as an aspect of ragging of economic dimensions.

Any act of physical abuse including sexual abuse, homosexual assaults and stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person can be put in the category of ragging with criminal dimensions.

Any act or abuse by spoken words, e-mails, snail-mails, public insults should be considered with in the psychological aspects of ragging. Any act that affects mental health and self-confidence of students also can be described in terms of psychological aspect of ragging.

Human rights perspective of ragging involves injury caused to fundamental right to human dignity through humiliation heaped on junior students by seniors.

## **RAGGING – GENERAL CONCEPTS**

The result of the sample survey done by us to assess and measure general concepts of people about ragging is very unfortunate one. Most of the members of general public are completely unaware of existence of ragging at all. Judging by the fact that illiteracy percentage of this country is quite high even after more than 60 years of independence, it is, perhaps, nothing surprising. General awareness even among the people of relatively higher strata of society cuts a sorry figure as they are simply non-committal about the menace of ragging in educational campuses. This is perhaps due to the fact that often the sad incidents of ragging at various college campuses are not reported in the print and electronic media with due importance.

The common people still are inclined to believe ragging as a somewhat form of jokes and merry-making at the beginning of academic sessions by some handful merry loving senior students at college class rooms, canteens or at hostels to get themselves acquainted with newly admitted students in new academic session.

*“We don't see things as they are;  
We see things as we are”*

*- Anais Nin*

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## **RAGGING – HISTORICAL BACKDROP**

in almost all other countries. But in other countries ragging is looked upon as crime and is handled with an iron hand by all concerned viz. the college / university, administration and obviously the police.

Ragging originated about 1200 years ago and the first ragging death was reported in 1873 at Cornell University (USA). It was then also known as hazing, fagging, bullying, pleading, horse-playing etc. Ragging could be traced back to ancient Greece where it was practiced amongst warriors and soldiers only. Ragging was practiced as a local style of being introduced to the seniors in the armed forces.

Subsequently the concept of ragging on newcomers spread to other parts of the globe and gradually spread in military bases as a popular pass time among the forces. But incidents of ragging were never flashed in public. There were two basic reasons: Firstly, ragging was a sort of pass time in their otherwise boring camp life. And secondly, ragging was at a mild dose mostly in far away barracks as any cases of ragging was severely dealt with by higher military authorities.

Since World War II, ragging started spreading in other fields of civilian life. Here again the main reason was that soon after world war II, many of war brigades were dislocated and soldiers returned to civilian life. Some of them also got admitted in colleges and universities. And with them the concept of ragging spread to colleges and universities. Thus educational campuses were infected with ‘ragging syndrome. The senior students started practicing ragging on their juniors.

## **RAGGING IN OTHER COUNTRIES**

Among the other countries presently Sri Lanka is known to be the worst affected country in regard to incidents of ragging. Ragging has a long history and was a part of early – civilized societies. At ancient seats of learning such as Beirut and Athens, ragging was known. It was a part of the army and English public school tradition. From the army training institutions the practice of ragging came into the fold of engineering, medical and other residential institutions.

In European countries, ragging flourished in the fifteenth century. By the 17<sup>th</sup> century, master’s degree students needed to obtain a document that affirmed they had gone through the equivalent of middle ages hell night. Veteran students’ extorted money from fresher ill-treated them physically and forced them to dress in old garbs. One such French custom that immigrated to American universities was the cap or beanie that American fresher and many Greek pledges routinely wore for a term of a year. The custom still exists on a voluntary basis at a few American colleges such as Phillips University in Edin, Oklahoma. The system of pennialism, fortunately, disappeared from the continent, but not before many young men were humiliated, injured and killed.

Early Egyptians, Romans and Greeks knew ragging. The Duke of Exeter is supposed to be responsible for beginning of ragging in practice in England. Racking was also in practice parallel to ragging with a special instrument of torture known as ‘rack’. But later, it got mixed up into ragging.

In the Netherlands in 1962 there was uproar because fresher were given ‘Dachan treatment’, a reference to the dreaded World War II concentration camps. According to Time, one fresher suffered a brain

injury when a senior student tried to knock a ball off his head with a hockey stick. In another custom, more than 200 young men were packed naked or half naked into a small room. The seniors then performed various kinds of barbarities on them.

France has also had its problems controlling young men. The French term 'brimade' includes hazing, ragging, silly and dangerous jokes and forced drinking. During 1920s in France, a national campaign raged against brimades. The minister of public instruction forbade them in all French schools, and the minister of war ordered an end to such practices. According to a 1928 notice in the New York Times, brimades had too often gone beyond the limits of fun, and, especially win anxious boys, who often voiced persecution and cruelty. In the military schools practical jokes had been pushed much further. The ministers of instruction and war emphasized that new boys must be welcomed cordially, fairly and kindly.

Brimades have also been a problem in Canada, perhaps because that country has imported such customs from the British, French and American Greeks. Hazing activities flourished on the Canadian border. Many incidents reported in Canada during orientation week, the conventional method for introducing new students to college life.

*Source : Ms. Jayasree Sar, Ragging : Is it a pathological or casual phenomenon of college culture? an exploratory study, unpublished M.Sc. dissertation from Dept of Psychology, Univ. of Calcutta, 2006.*

*"The glory is not in never failing,  
but in rising every time you fall"  
- A Chinese proverb*

## **RAGGING IN INDIA**

### **Ragging In Ancient India**

In ancient India, students used to visit teachers' home at an early age. The students used to stay at the house of teacher for a couple of years along with other students coming from far away areas learning and practicing lessons from their 'Gurus' & 'Guru-Matas'. They used to stay at 'Guru-grihas' (Gurukul) till they were declared successfully passed out by gurus and allowed to return to their homes where they could practice and utilize acquired knowledge. In the mythological stories or in such ancient documents, we do not find any reference of ragging in those days.

### **Ragging In Medieval India**

In medieval India, students from abroad used to visit India for getting admission in various seats of learning. Many famous sites of learning and educational campuses were scattered all over India. Some of the popular ones were Nalanda, Taxilla and Bikrampur to name a few. All those famous centers of learning were frequented by many students even from far away countries. Some of the students who came to India to study and learn specially the teachings of Lord Buddha were Hieun Tsang, Fa-hien & Megasthenes. Those students from foreign countries lived many years in India for the purpose of study. They also visited many other centers of learning. They have made vivid accounts of their stay in India in their travelogues but there was no mention of any sort of ragging of students especially the students from abroad in any of those places of learning in spite of their being residential in nature.

### RAGGING IN POST INDEPENDENCE INDIA

In India, incidents of ragging came into our attention with introduction of modern education system under the British rule. Starting from simple jokes and time pass, the degree and gravity of ragging started to show its ugly powers and negative elements with passage of time. The vulgar and barbaric practices of ragging in some of the educational campuses would even shame the ones in practice in some of the foreign countries. 'Fresher Welcome' (the great grand 'Nabin Baran Utsav' ) gradually transformed into ragging of fresher and ultimately turned into a great nightmare not only for fresher students but also caused serious concern to worried parents and guardians, college and hostel authorities and the administration at different levels.

Most of the campus authorities have allowed ragging, over the years, as it is limited to moderation and in a healthy form, which is liked, by both the seniors and fresher alike. They also maintain some sort of indirect and low profile supervision. In some campuses, however, ragging degenerated into some vulgar, brutal, sadist and even sexual harassment.

Many engineering colleges and coveted places of learning particularly IIT's, Bengal Engineering College (now BESU), R. E. College now NIT-Durgapur, Jalpaiguri Engineering College to name a few witnessed major incidents of ragging during last couple of years.

With more and more mash-rooming of degree and diploma colleges in engineering, medical, technical and general stream of education with acute dearth of infrastructure and administrative control over huge number of students also gives rise to so many incidents of uncontrolled ragging shattering dreams of many young hearts with so much shocks & pains to hapless parents and worried guardians.

In India, according to reliable sources, during the period of only 3 years from 2005 – 2007, there were as many as 11 unfortunate deaths, 10 suicide attempts by students and 33 cases of physical and 13 cases of sexual abuses. Some of the incidents of ragging as reported in media especially in newspapers and news magazines have been mentioned under the heading 'recent incidents of campus ragging' in this monograph which is not only shocking and undesirable but portrays a horror picture of the affair. We should still remember that whatever is published in news papers are only the tip of the ice.

We are really afraid and concerned that with the passage of time, we are coming across more and more incidents of campus ragging. The nature of torture on fresher by senior students shows that new and newer methods of ragging are constantly being developed which was unheard earlier much to the chagrin of parents, guardians and administration. Alarmed at the growing incidents of ragging in which violence and sexual abuses had been perpetrated against fresher, both boys and girls, the Government seems to be serious to put an end to this horrid practices by invoking criminal laws and, if necessary, by enactment of special Acts.

*"To become a champion,  
fight one more round"*  
--James J. Corbett

## **RAGGING AND THE LEGAL PROVISIONS**

**E**nactment of Central and the state laws, makes ragging a cognizable offence with identifying the perverse forms of ragging under such law(s), and giving punishments appropriate with the cruelty of the offence -

A student indulged in the act of raging his / her juniors may be expelled from college / university.

He/ she may be banned / debarred from staying in hostel / mess

Scholarship / stipend / financial grant can be withdrawn / cancelled by the college / university

He /she may be debarred from appearing at future examinations of university

He /she may be debarred from taking admission to any other educational institute in the state or even in the entire country accused student.

He /she may be charge sheeted and court of law may try the

It may, after taking all precautions, give severe punishment to meet the end of justice.

### *Specific Sections to Deal with Ragging Cases and Ensuring Justice under the Indian Penal Code (IPC)*

#### **Minor Complaints Against Ragging :**

##### Sections

339	Wrongful restraint
340	Wrongful confinement
341	Punishment for wrongful restraint
342	Punishment for wrongful confinement
294	Obscene acts and songs
506	Punishment for criminal intimidation

#### **Major Complaints Against Ragging :**

##### Sections

323	Punishment for voluntarily causing hurt	or
324	Voluntarily causing hurt by dangerous weapons means	
325	Punishment for voluntarily causing grievous hurt	
326	Voluntarily causing grievous hurt by dangerous weapons or means	

#### **Death or loss of life :**

##### Sections

304	Punishment for culpable homicide not amounting to murder
306	Abetment of suicide
307	Attempt to murder

*Extracts from the Code of Criminal Procedure 1973**Information to the Police and Their Powers to Investigate***Section 154 : Information in cognizable cases**

1. Every information relating to the commission of a cognizable offence, if given orally to an officer-in-charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the state government may prescribe in this behalf.

2. A copy of the information as recorded under sub-section (1) above shall be given forthwith, free of cost, to the informant.

3. Any person aggrieved by a refusal on the part of an officer-in-charge of a police station to record the information referred to in sub-section (1) may send the substance of such information, in writing and by post, to the superintendent of police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this code, and such officer shall have all the powers of an officer-in-charge of the police station in relation to that offence.

Note : *FIR is the earliest report made to the police officer with a view to his taking action in the matter. (Soma Bhai v. state of Gujarat AIR 1975 SC 1453)*

**Section 155 : Information as to non-cognizable cases and investigation of such cases**

1. When information is given to an officer-in-charge of a police station of the commission within the limits of such station of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer in such form as the state govt. may prescribe in this behalf, and refer the information to the Magistrate.

2. No police officer shall investigate a non-cognizable case without the order of a magistrate having power to try such case or commit the case for trial.

3. Any police officer receiving such order may exercise the same powers in respect of the investigation (except the power to arrest without warrant) as an officer-in-charge of a police station may exercise in a cognizable case.

4. Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding that the other offences are non-cognizable.

Note : *Police can investigate even, if there is a case a single cognizable offence ( Naresh Chandra v. state 1978 A CrR 60)*

**Section 156 : Police officer's power to investigate cognizable**

1. Any officer-in-charge of a police station may, without the order of a magistrate, investigate, any cognizable case which a court having

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jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of chapter XIII

2. No proceedings of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

### ***Section 157 : Procedure of investigation***

1. If, for information received or otherwise, an officer-in-charge of a police station has reason to suspect the commission of an offence which he is empowered under section 156 to investigate, he shall forthwith send a report of the same to a Magistrate empowered to take cognizance of such offence upon a police report and shall proceed in person, or shall depute one of his subordinate officer not being below such rank as the state govt. may prescribe, to proceed to the spot, to investigate the facts and circumstances of the case, and, if necessary to take measures for the discovery and arrest of the offender. Provided that –

(a) where information as to the commission of any such offence is given against any person by name and the case is not of a serious in nature, the officer-in-charge of a police station need not proceed in person or depute a subordinate officer to make an investigation on the spot.

(b) if it appears to the officer-in-charge of a police station that there is no sufficient ground or entering on an investigation, he shall not investigate the case.

2. In each of the cases mentioned in clauses (a) (b) of the proviso to sub-section (1), the officer-in-charge of the police station shall state in his report his reasons for not fully complying with the requirements of that sub-section, and in the case mentioned in clause (b) of the proviso, the officer shall also forthwith notify to the informant if any. in such manner as may be prescribed by the state govt. the fact that he will not investigate the case or cause it to be investigated.

### ***Section 158 : Report submission***

1. Every report sent to a Magistrate under section 157 shall, if the state govt. so directs, be submitted through such superior officer of police as the state govt. by general or special order, appoints on that behalf.

2. Such superior officer may give such instructions to the officer-in-charge of the police station as he thinks fit, and shall, after recording such instructions on such reports, transmit the same without delay to the Magistrate.

### ***Section 159 : Power to hold investigation or preliminary***

Such Magistrate, on receiving such report, may direct an investigation, or, if he thinks fit, at once proceed, or depute any Magistrate subordinate to him to proceed, to hold a preliminary inquiry into or otherwise to dispose of, the case in the manner provided in this code.

### ***Section 164 : Recording of confessions and statements***

1. Any Metropolitan Magistrate or Judicial Magistrate may, whether or not he has jurisdiction in that case, record any confession or statement made to him in the course of an investigation under this chapter or under any other law for the this being in force, or at any time afterwards before the commencement of the inquiry or trial.

Provided that no confession shall be recorded by a police officer on whom any power of a Magistrate has been conferred under any law for the time being in force.



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2. The Magistrate shall, before recording any such confession, explain to the person making it that he is not bound to make a confession and that, if he does so, it may be used as evidence against him: and the Magistrate shall not record any such confession unless, upon questioning the person making it, he has reasons to believe that it is being made voluntarily

3. If at any time before the confession is recorded, the person appearing before the Magistrate states that he is not willing to make the confession, the Magistrate shall not authorize the detention of such person in police custody.

### **STATE LAWS**

Some of the states in India have enacted state laws to prevent ragging in educational institutions following the recommendations of the Supreme Court of India.

1) Andhra Pradesh state law defines ragging as doing an act, which causes or is likely to cause insult or annoyance or fear or apprehension or threat or intimidation or outrage modesty or insult to a student.

2) According to the Assam Prohibition of Ragging Bill 1998, ragging means display of noisy or disorderly conduct or doing of any act which causes or is likely to cause social, physical or psychological harm or raise apprehension or fear or shame or embarrassment to any student in any educational institution and includes teasing, abusing of playing practical jokes on or causing hurt to such students; or asking the student any act or perform something which such student will not in the ordinary course willingly do.

3) The Chattisgarh Shaikshanik Sansthaon Me Pratarna Ka Pratishedh Adhiniyam, 2001 defines ragging as causing, inducing, compailing or forcing a student, whether by way of a practical joke or otherwise, to do

any act which detracts from human dignity or violets his person or exposes him to ridicule or forbear from doing any unlawful act, by intimidating, wrongfully restraining, wrongfully confining, or injuring him or by using criminal force to him or by holding out to him any threat or such intimidation, wrongful restraint, wrongful confinement, injury or the use of criminal force.

4) Goa Prohibition of Ragging Bill 2006, defines ragging as ‘display of, doing any act disorderly conduct which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes teasing, abusing, threatening or playing practical jokes on, causing hurt to, such students; or asking a student to do any act or perform something which such student will not, in the ordinary course, willingly do’.

5) The Karnataka Education Act 1983, defines ragging as ‘Causing, inducing, compelling or forcing a student, whether by way of practical joke or otherwise, to do any act which detracts from human dignity or violates his persons or exposes him to ridicule or forbear from doing any lawful act, by intimidating, wrongfully restraining, wrongfully confining, or injuring him by using criminal force to him or by holding out to him any threat of such intimidation, wrongful confinement, injury or the use of criminal force.’

6) The Kerala Prohibition of Ragging Act 1998 defines ragging as ‘teasing, abusing or causing hurt or asking student to do an act which he is unwilling to do’.

7) Ragging as defined by The Maharashtra Prohibition of Ragging Act 1999 is ‘a display or disorderly conduct, doing of any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational

8) Tamil Nadu Prohibition of Ragging Act 1997, states that ragging means 'display of noisy, disorderly conduct, doing any act, which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes teasing, abusing of playing practical jokes on or causing hurt to, such students; or asking the students to do any act or perform something, which such student will not, in the ordinary course, willingly do'.

The Expert Committee formed by the apex court found that only the Chattisgarh State Act on ragging is intended to 'prevent' ragging whereas all other state laws enacted by other states merely seek to 'prohibit' ragging. There are very few states in India that have enacted comprehensive laws in respect of ragging. Even those few existing state laws are lacking in provisions intended to prevent ragging. No state laws provide for any detailed scheme of prevention of ragging in educational campus which is needed very much. Supreme Court guidelines on ragging are stated to be followed by the states; however, no state law has been modified or amended to bring them in line with the guidelines and directions of the apex court.

### **The West Bengal Prohibition of Ragging in Educational Institutions Act, 2000**

The state of West Bengal is the only state in India where the Indian Penal Code has been amended to make ragging an offence.

The West Bengal Prohibition of Ragging in Educational Institutions Act, 2000 (W.B. Act XIII of 2000) includes the following provisions

☞ "Ragging" means the 'doing of any act which causes, or is likely to cause any physical, psychological or physiological harm of apprehension or shame or embarrassment to a student, and includes:

(a) teasing or abusing of, playing practical jokes on, or causing hurt to any student. or

(b) asking any student to do any act, or perform any thing, which he/she would not, in the ordinary course, be willing to do or perform'.

### ☞ **Proviso for Prohibition of Ragging**

(a) Ragging within an educational institution is hereby prohibited.

(b) No person shall participate in, abet, or propagate, ragging in any educational institution.

### ☞ **Stipulated Penalty for Ragging**

(a) Expulsion from the educational institution, if found guilty on enquiry by the institution against a complaint lodged by any other student.

(b) Imprisonment of either description up to two years or fine up to five thousand rupees or both.

(c) Any student convicted under 3 (b) shall be dismissed from the educational institution in which he/she has been prosecuting his/her studies for the time being, and shall not be re-admitted to that educational institution.

Source : [www.stopragging.org](http://www.stopragging.org)

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*“You can't shake hands with  
clenched fist”  
- Indira Gandhi*

## **INITIATION TO STOP RAGGING IN INDIA**

In the year 1999, the University Grants Commission appointed a Committee for framing course of action to fight the threat of ragging in Universities/Educational Institutions. The Committee in its report recommended the following –

Enactment of Central and the state laws, making ragging a cognizable offence, identifying the perverse forms of ragging under such law(s), giving punishments appropriate with the cruelty of offence

Anti-ragging movement in respect of ban on ragging and the consequences of violation should start from the publication of advertisements for admissions. Prospectus, application forms and admission forms should contain clear message against ragging

An undertaking for not indulging in ragging is made mandatory for admission to student hostels.

Various actions should be taken at the beginning of each academic session, like an address by Head of institution to wardens, student activists, parents/guardians, police and faculty and constituting Anti-Ragging Vigilance Committees comprising some senior faculty members, students and wardens

Defaulting institutions should be penalized in the form of reduction in Grants-In-Aid or even dis-affiliation from UGC

Different grades of punishments ranging from suspension of offenders from institution to a fine of Rs. 25,000/- and, even rigorous imprisonment up to 3 years depending on degree of severity of offence. In addition, punishments shall also be given by the concerned institutional authorities. Positive steps and incentives to create an anti-ragging environment

The University Grants Commission had circulated the 1999 Report to all universities on 13th January, 2000 for necessary action. Similarly, the directions of Hon'ble Supreme Court in W.P.(Civil) No. 656 of 1998 [Vishwa Jagriti Mission] on curbing the menace of ragging in educational institutions have also been circulated by the University Grants Commission to all the States / Union Territory Governments and institutions for strict compliance.

## **RAGHAVAN COMMITTEE**

The Hon'ble Supreme Court of India formed a Committee headed by Shri RK. Raghavan, former Director, Central Bureau of Investigation (CBI) in December, 2006 to look into ragging issues in details by holding detailed enquiry and to give suggestions on means of prevention of ragging in educational institutions.

In its Interim Order of 27th November 2006, the Hon'ble Supreme Court of India expressed its disappointment by expressing that “*practically very little has been done to prevent the menace of ragging in educational institutions*”. The Apex Court expected that the Raghavan committee shall make recommendations ‘as to how the provisions already enacted in several States and Statutes to be framed to prevent the menace, can effectively eliminate the menace.’

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The Committee after elaborately evaluating existing state legislations in India observed that incidents of ragging have increased manifold particularly from 2001 onwards. The Committee also noted that very few States have enacted laws in respect of ragging. Even these few existing State laws are woefully lacking in provisions intended to prevent ragging.

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Some of the observations of the Committee are -

The Committee found no instance where educational institutions approached police authorities in reporting even the extreme incidents of ragging. Usually, complaints with police are lodged by parents/ guardians of the victims.

The Committee is concerned with the evasive attitude of educational institutions and it is therefore necessary that institutional authorities are made accountable in a variety of ways.

The Committee views absence of civil society initiatives on the issue of ragging as a matter of serious concern.

The locations of hostels are often unknown to institutional authorities or even to local law and order authorities and this is another cause of ragging.

Possession of mobile phone was the best and immediate source for the ragged to communicate with relevant authorities.

State Governments haven't monitored whether ragging has been restricted or not in their State. The authorities of institutions have not played a pro-active role which was necessary as primary responsibility was cast on institutional authorities.

Given below are the observations of the Committee specifically in respect of the guidelines of the Apex Court :-

The Apex Court had prescribed that educational institutions should generate an 'atmosphere of discipline by sending a clear message that no act of ragging shall be tolerated and any act of ragging shall not go unnoticed or unpunished'. The continuation of ragging in various forms sometimes in the garb of 'mild ragging', 'introductions' etc. in the opinion of this Committee is equally deplorable and often such 'surrogate' ragging practices are patronized by institutional authorities themselves. This is established by the fact that 'social interaction' sessions or 'fresher,' 'welcome' parties are traditionally organized only after sufficient time is available to seniors to rag 'fresher' – often months after the date of admission to institutions.

In our country the first real initiation to stop ragging was taken in the state of Tamil Nadu in 1997 which witnessed a series of violent incidents of campus ragging at that time. Many incidents of brutal ragging were reported in media which depicts ragging is prevalent in educational campuses in the state. All these ultimately prompted the Govt. of Tamil Nadu to pass an Anti-Ragging Act in the state legislature. Some of the other states are also following steps and have, of late, come up with anti-ragging legislation. The major boost to anti-ragging efforts was given by a landmark judgment of Supreme Court of India in May 2001 in response to a Public interest litigation (PIL) filed by the Vishwa Jagriti Mission- an NGO. Ragging, often a matter of great legal concern is defined by Supreme Court as :

*'Any disorderly conduct, whether by words spoken or written or by an act which is the effect of teasing or handling with rudeness any other student, indulging in rowdy or in-disciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not do in the ordinary course and which has the effect of causing or generating a sense of shame or*

*embarrassment so as to adversely affect the physique or psyche of a fresher or a junior student.’*

Very recently, UP Govt. has taken up legislation of an Act completely banning ragging in the educational institutes in the state. But it is needed to be emphasized that real initiation to stop ragging from college campus only came from the apex court of the land. The Supreme Court, in its epoch-making Judgment, desired that all educational institute campuses shall be completely ragging free. Secondly, the report submitted by Raghavan Committee has been accepted by the Govt. of India. Necessary instructions have been passed on to state governments, University Grants Commission and the Ministry of higher education. Educational Institutions all over the country have been advised to file FIR with local police against those who rag or even abet ragging. A list of proposed action plan has been passed out to the educational institutes. Recently, the Ministry of Human Resource Development under Department of Higher Education, Govt. of India has also taken some pro-active positive steps towards awareness campaign against campus ragging throughout the year for lasting and positive impact.

The All India Council of Technical Education (AICTE), New Delhi has put up a circular on its web site that ‘ragging in educational institutions in any form is banned under law; all the AICTE approved institutions must ensure that ragging does not take place at their campuses in any form; should such a case be reported or brought to the notice of the AICTE, then the Council shall take necessary action including withdrawal of approval’

The University Grants Commission, the regulatory body to control the affairs of the affiliated universities in India has also recently asked member-universities to follow recommendations of Supreme Court appointed Raghavan Committee to curb ragging. However, presently UGC does not intend to pressure the universities into implementing recommendation of Raghavan Committee by threatening to snap their purse strings. As per news published in the Telegraph dated 28.11.07, there is no plan to

link performance of universities in curbing ragging to the funding they receive from the apex body. Further, UGC, as it appears from reports, is doubtful about the workability in implementing the recommendations of Raghavan Committee.

We, however, express our complete disappointment over the issue.

*Sources :*

*Supreme Court of India Judgment 2001*

*‘Raghavan Committee Recommendation Report’, HRD Ministry, Govt. of India*

*‘Hon ble. Supreme Court interim order on Ragging’, Supreme Court Legal Correspondent. ‘Court :form panel to look into ragging’, The Hindu, Nov. 7, 2006*

*“We all have ability.  
The difference is how we use it”*

*– Stevie Wonder*