

DIRECTIVES OF THE HONOURABLE SUPREME COURT ON THE MENACE OF RAGGING

In view of the increasing incidents of ragging in colleges and elsewhere that reached proportions unbecoming of a civilised society the Hon'ble Supreme court admitted and heard the SLP No (s) 24295 of 2006 University of Kerala Vs Council, Principals', Colleges, Kerala & Ors (with SLP(C) No.24296-99/2004 & W.P. (CrI) No. 173/2006 and SLP(C) No.14356/2005).

Pursuant to an order of Hon'ble Supreme Court of India dated November 27, 2006, the Ministry of Human Resource Development has constituted a Committee under the Chairmanship of Shri R.K. Raghavan (former Director, CBI) to look into the issue of ragging and suggest means of prevention of ragging in educational institutions.

The Committee primarily examined the following broad aspects of ragging:

- a. Means and methods of prevention of ragging.
- b. Possible action that can be taken against persons indulging in ragging.
- c. Possible action that can be taken against college/university authorities in the event of ragging.

The Committee had carried out a very detailed study with the help of voluntary organizations including CURE (Coalition for Uprooting Ragging from Education) and SPACE (Society for Peoples Action Change and Enforcement) and collected voluminous public opinion on the various factors contributing for ragging. Noted psychologists and educationists assisted the committee. The National Informatics Centre at the Ministry of Human Resources hosted a guest book in their website. Nearly eleven press releases were made during this period of evaluation and committee visited several cities in the country. A subcommittee of the Medical Council of India was also constituted for this purpose. A questionnaire was prepared that elicited over 12500 responses. In short a wide cross-section of the society provided the necessary background information, data and suggestions on tackling ragging in the country for consideration by the esteemed committee.

Subsequently the committee submitted a detailed report with suitable recommendations and measures required to effectively curb the menace. The recommendations of the Committee were duly accepted and the following directives have been issued to all the educational institutions for necessary implementation by the Hon'ble Supreme Court on 16 May 2007.

- I. The following factors need to be focused to tackle with the problem:
 - a. Primary responsibility for curbing ragging rests with academic institutions themselves.
 - b. Ragging adversely impacts the standards of higher education.
 - c. Incentives should be available to institutions for curbing the menace and there should be disincentives for failure to do so.

- d. Enrolment in academic pursuits or a campus life should not immunize any adult citizen from penal provisions of the laws of the land.
 - e. Ragging needs to be perceived as failure to inculcate human values from the schooling stage.
 - f. Behavioural patterns among students, particularly potential 'raggers', need to be identified.
 - g. Measures against ragging must deter its recurrence.
 - h. Concerted action is required at the level of the school, higher educational institution, district administration, university, State and Central Governments to make any curb effective.
 - i. Media and the Civil Society should be involved in this exercise.
- II. The Committee has made several recommendations. For the present, the apex court felt that the following recommendations should be implemented without any further lapse of time

1. The punishment to be meted out has to be exemplary and justifiably harsh to act as a deterrent against recurrence of such incidents.
2. Every single incident of ragging where the victim or his parent/guardian or the Head of institution is not satisfied with the institutional arrangement for action, a First Information Report (FIR) must be filed without exception by the institutional authorities with the local police authorities. Any failure on the part of the institutional authority or negligence or deliberate delay in lodging the FIR with the local police shall be construed to be an act of culpable negligence on the part of the institutional authority. If any victim or his parent/guardian of ragging intends to file FIR directly with the police, that will not absolve the institutional authority from the requirement of filing the FIR.
3. Courts should make an effort to ensure that cases involving ragging are taken up on a priority basis to send the correct message that ragging is not only to be discouraged but also to be dealt with sternness.

- 1) In addition, the court directed the possibility of introducing in the educational curriculum a subject relating to ragging shall be explored by the National Council of Educational Research and Training (NCERT) and the respective State Council of Educational Research and Training (SCERT). This aspect can be included in the teaching of the subjects "Human Rights".
- 2) In the prospectus to be issued for admission by educational institutions, it shall be clearly stipulated that in case the applicant for admission is found to have indulged in ragging in the past or if it is noticed later that he has indulged in ragging, admission may be refused or he shall be expelled from the educational institution.
- 3) The Central Government and the State Governments shall launch a programme giving wide publicity to the menace of ragging and the

consequences which follow in case any student is detected to have been involved in ragging.

- a. It shall be the collective responsibility of the authorities and functionaries of the concerned institution and their role shall also be open to scrutiny for the purpose of finding out whether they have taken effective steps for preventing ragging and in case of their failure, action can be taken; for example, denial of any grant-in-aid or assistance from the State Governments.
- b. Anti-ragging committees and squads shall be forthwith formed by the institutions and it shall be the job of the committee or the squad, as the case may be, to see that the Committee's recommendations, particularly those noted above, are observed without exception and if it is noticed that there is any deviation, the same shall be forthwith brought to the notice of this Court.
- c. The Committee constituted pursuant to the order of this Court shall continue to monitor the functioning of the anti-ragging committees and the squads to be formed. They shall also monitor the implementation of the recommendations to which reference has been made above.

We at Seth G S Medical College request all students, parents and guardians to go through these directives and co-operate in the implementation of the directives of the Honorable Supreme Court of India. It is hoped that this will signal an end to the menace of ragging. Strict action shall be taken in accordance with the directives in case any student is found to indulge in ragging.

SUMMARY OF UGC REGULATIONS ON CURBING THE MENACE OF RAGGING IN HIGHER EDUCATIONAL INSTITUTIONS, 2009.

- 1. PREAMBLE:** In view of the directions of the Hon'ble Supreme Court dated 8.05.2009 and in consideration of the determination of the Central Government and the University Grants Commission to prohibit, prevent and eliminate the scourge of ragging.
- 2. OBJECTIVE:** To eliminate ragging in all its forms from universities, deemed universities and other higher educational institutions in the country by prohibiting it under these Regulations, preventing its occurrence and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.
- 3. WHAT CONSTITUTES RAGGING:** Ragging constitutes one or more of any of the following acts:

 - a) Any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student.
 - b) Indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any fresher or any other student.

- c) Asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student.
- d) Any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any other student or a fresher.
- e) Exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of students.
- f) Any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students
- g) Any act of physical abuse including all variants of it: sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person;
- h) Any act or abuse by spoken words, emails, post, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student.
- i) Any act that affects the mental health and self-confidence of a fresher or any other student with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student.

4. MEASURES FOR PROHIBITION OF RAGGING: There are a number of such measures at institution level, University Level, District level etc. Some of them that are important for students to know are as follows:

- No institution shall permit or condone any reported incident of ragging in any form; and all institutions shall take all necessary and

required measures, including but not limited to the provisions of these Regulations, to achieve the objective of eliminating ragging, within the institution or outside.

- All institutions shall take action in accordance with these Regulations against those found guilty of ragging and/or abetting ragging, actively or passively, or being part of a conspiracy to promote ragging.
- Every public declaration of intent by any institution, in any electronic, audiovisual or print or any other media, for admission of students to any course of study shall expressly provide that ragging is totally prohibited in the institution, and anyone found guilty of ragging and/or abetting ragging, whether actively or passively, or being a part of a conspiracy to promote ragging, is liable to be punished in accordance with these Regulations as well as under the provisions of any penal law for the time being in force.
- The telephone numbers of the Anti-Ragging Helpline and all the important functionaries in the institution, including but not limited to the Head of the institution, faculty members, members of the Anti-Ragging Committees and Anti-Ragging Squads, District and Sub-Divisional authorities, Wardens of hostels, and other functionaries or authorities where relevant, shall be published in the brochure of admission/instruction booklet or the prospectus.
- The application for admission, enrolment or registration must be accompanied by an Anti Ragging affidavit signed by a student in a prescribed format and another Anti Ragging Affidavit signed by a Parent/Guardian. (*Both these Affidavits can be downloaded from the Web*)

- Any distress message received at the Anti-Ragging Helpline shall be simultaneously relayed to the Head of the Institution, the Warden of the Hostels, the Nodal Officer of the affiliating University, if the incident reported has taken place in an institution affiliated to a University, the concerned District authorities and if so required, the District Magistrate, and the Superintendent of Police, and shall also be web enabled so as to be in the public domain simultaneously for the media and citizens to access it.
- On receipt of the recommendation of the Anti Ragging Squad or on receipt of any information concerning any reported incident of ragging, the Head of institution shall immediately determine if a case under the penal laws is made out and if so, either on his own or through a member of the Anti-Ragging Committee authorised by him in this behalf, proceed to file a First Information Report (FIR), within twenty four hours of receipt of such information or recommendation, with the police and local authorities, under the appropriate penal provisions.
- The Commission shall maintain an appropriate data base to be created out of affidavits, affirmed by each student and his/her parents/guardians and stored electronically by the institution, either on its or through an agency to be designated by it; and such database shall also function as a record of ragging complaints received, and the status of the action taken thereon.
- The Commission shall include a specific condition in the Utilization Certificate, in respect of any financial assistance or grants-in-aid to any institution under any of the general or special schemes of the

Commission, that the institution has complied with the anti-ragging measures.

- Any incident of ragging in an institution shall adversely affect its accreditation, ranking or grading by NAAC or by any other authorised accreditation agencies while assessing the institution for accreditation, ranking or grading purposes.
- The Commission may accord priority in financial grants-in-aid to those institutions, otherwise eligible to receive grants under section 12B of the Act, which report a blemishless record in terms of there being no reported incident of ragging.

5. ADMINISTRATIVE ACTION IN THE EVENT OF RAGGING: The institution shall punish a student found guilty of ragging after following the procedure and in the manner prescribed here in under:

- The Anti-Ragging Committee of the institution shall take an appropriate decision, in regard to punishment or otherwise, depending on the facts of each incident of ragging and nature and gravity of the incident of ragging established in the recommendations of the Anti-Ragging Squad.
- The Anti-Ragging Committee may, depending on the nature and gravity of the guilt established by the Anti-Ragging Squad, award, to those found guilty, one or more of the following punishments, namely;
 - a) Suspension from attending classes and academic privileges.
 - b) Withholding/ withdrawing scholarship/ fellowship and other benefits.
 - c) Debarring from appearing in any test/ examination or other evaluation process.
 - d) Withholding results.

- e) Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
 - f) Suspension/ expulsion from the hostel.
 - g) Cancellation of admission.
 - h) Rustication from the institution for period ranging from one to four semesters.
 - i) Expulsion from the institution and consequent debarring from admission to any other institution for a specified period.
- Provided that where the persons committing or abetting the act of ragging are not identified, the institution shall resort to collective punishment.
 - An appeal against the order of punishment by the Anti-Ragging Committee shall lie, (i) in case of an order of an institution, affiliated to or constituent part, of a University, to the Vice-Chancellor of the University; (ii) in case of an order of a University, to its Chancellor. (iii) in case of an institution of national importance created by an Act of Parliament, to the Chairman or Chancellor of the institution, as the case may be.
 - Where in the opinion of the appointing authority, a lapse is attributable to any member of the faculty or staff of the institution, in the matter of reporting or taking prompt action to prevent an incident of ragging or who display an apathetic or insensitive attitude towards complaints of ragging, or who fail to take timely steps, whether required under these Regulations or otherwise, to prevent an incident or incidents of ragging, then such authority shall initiate departmental disciplinary action, in accordance with the prescribed procedure of the institution, against such member of the faculty or staff. Provided that where such lapse is

attributable to the Head of the institution, the authority designated to appoint such Head shall take such departmental disciplinary action; and such action shall be without prejudice to any action that may be taken under the penal laws for abetment of ragging for failure to take timely steps in the prevention of ragging or punishing any student found guilty of ragging.

Seth G S Medical College and KEM Hospital

Anti Ragging Committee 2020-21 National Anti Ragging Helpline no - **1800 – 180 – 5522**

Sr No	Name	Designation	Contact no	Email id
1	Dr Hemant Deshmukh	Dean	022-24107020	deangsmc@kem.edu
2	Dr Milind Nadkar	Academic Dean	9820060705	milindnadkar@kem.edu
3	Dr ChetanaKantharia	Deputy Dean	9869239482	asstdeano2.kem@mcgm.gov.in
4	Dr D N Shenvi	HOD Physiology	9820096941	dshereshenvi@yahoo.co.in
5	Dr Yosheh Pawade	Assistant Professor Biochemistry	7506036750	yogeshpawade@gmail.com
6	Dr Mariya Jiandani	Associate Professor Physiotherapy	9820191106	mpjiandani@gmail.com
7	Dr Karuna Nadkarni	HOD Occupational therapy	7738922552	karunanadkarni@kem.edu
8	Dr Mahesh Belhekar	Warden	9702006438	Drmahesh.nadkarni@kem.edu
9	Dr Samadhan Mitkari	Warden	9224701535	drsamadhan.mitkari@gmail.com
10	Dr Anita Chalak	Warden	9850620123	dranitachalak@gmail.com
11	Sarthak Rathi	General Secretary	7558222020	rathisarthak14@gmail.com
12	Samyak Jinturkar	General Secretary	8888852548	jinturkar.samyak@gmail.com
13	Mr. Rajesh Kurhade	Administrative officer	9920781533	rajeshinhim@hotmail.com
14	Mrs.Madhuri Kochikar	Librarian	9322155296	infolibrary@kem.edu
15	Mrs Pratima Naik	Matron	9619272780	
16	Mr Rajesh Churi	Media Representative	9769444444	
17	Mr Nilaje	Asst Security officer	9167202159	
18	Mr. Pawar	Senior Inspector Bhoiwada	9820799373	