

## 50 recommendations of the RK Raghavan Committee on ragging

### 5. Recommendations

5.01 Based on its interactions and the elaborate methodology followed by it, the Committee is convinced that the society at large considers ragging as a definite menace. We are equally convinced that softer options have not worked and therefore it is time for tough measures. The Committee's recommendations, in terms of actions necessary, fall in six levels, namely, schools, higher educational institutions, district administration, universities, State authorities and Central authorities. At each level, we recommend that the active involvement of media and the civil society is essential in tackling the problem of ragging.

5.02 At the School level, the Committee recommends that on the same lines as topics on environment education were introduced in the school curriculum, the National Council of Educational Research and Training (NCERT) and the respective State Council of Educational Research and Training (SCERT), should devise methodologies and content for introducing Human Rights education of which awareness against ragging should be a compulsory part. Where inputs in Human Rights already exist, the same should be reviewed to ensure that awareness and exposure to the evil of ragging are highlighted in the syllabi. In the lower classes, respect for human rights, consciousness against violating others' rights, and respect for privacy, diversity and quality should be discreetly grafted into the lessons and exercises right from the primary and elementary stages of schooling in order to inculcate the desirable value system from the formative years of every child.

5.03 At the secondary and senior secondary stages of schooling, every school should be required to arrange regular and periodic psychological counselling sessions for every student till the time he/she passes out from the school. Parents and teachers should also be involved in such sessions. Every year there should be a certain number of mandatory counselling sessions with experienced psychologists. The Committee was informed by experts that 20 counselling workshop/sessions were desirable each year. Since it may not be immediately possible to avail the services of a vast number of trained psychologists, it is recommended that the B.Ed. and Teacher training programmes should be mandated to provide for anti-ragging and human-rights appreciation inputs so that every teacher is equipped to provide at least the rudiments of the counselling approach.

5.04 What would be desirable is that the school leaving certificate and the character certificate categorically mentions the status of the student in terms of his/her behavioural pattern; which should be mandatory to be submitted at the time of admission at the institute of higher learning. This certificate should mention whether the student has displayed persistent violent or aggressive behaviour or any desire to harm others. It is recommended that each State should create a pool of professional counsellors at the level of the district, who visit each and every school in every state to fill the obligation stated above. The District Institutes of Educational Technology (DIETs) should be reoriented for the purpose.

5.05 The Committee endorses the view that bullying and corporal punishments at the school level legitimize ideas of power abuse, harassment, violation of dignity and privacy, and as such may prepare the ground for ragging at the college level. Bullying is a phenomenon in which the students tease and humiliate other students in various ways. Corporal punishment has been banned by some states viz. Goa, Delhi and Tamil Nadu. Therefore, teachers at the school level must be made conscious of this fact. The curriculum for B.Ed. and other teacher training courses, as well as inservice training courses for the teachers, should include topics on sensitization against corporal punishment and checking of bullying amongst students.

5.06 At the level of the Higher educational institutions, it should be mandatory for the student at the time of admission to submit documentation in respect of (i) the school leaving certificate/character certificate which will include a report on behavioural pattern; (and, in due course include the report by a professional counsellor). The institution may thereupon keep intense watch upon a student who has a negative entry in this regard. (ii) an annual undertaking to be signed by each student, whether fresher or senior, and his/her parent(s) jointly stating that each of them have read the relevant instructions/regulations against ragging, as well as punishments, and that if the ward has been found guilty he/she will be proceeded against. The UGC Committee (1999) had also recommended so and the directions of the Apex Court also included this. While endorsing these recommendations, we emphasize specifically the following: First, we strongly recommend that such an undertaking should be provided in English as well as in the vernacular (mother tongue of the parent); second, the undertaking should be furnished at the beginning of each academic year by every student; third, the undertaking should be obtained every year from each student admitted to the hostel; and finally, the undertaking should be appended to a brochure containing the guidelines and other relevant instructions in regard to ragging and consequences of indulging in ragging - so that there is no denial of the responsibility on the one hand, and there is also a clear understanding of the requirement by all concerned, including parents who may be otherwise deficient in their facility with the English language. Merely getting an undertaking signed from students and parents, without linking it with the information relevant to ragging in our opinion would be ineffective, and hence our modified recommendations.

5.07 We feel that it is extremely important that this requirement of a binding undertaking is complied with by all institutions, and some superior level bodies must cross-verify and vouch that there is strict compliance thereto. This has to be ensured by the affiliating university and also verified by bodies such as the National Assessment and Accreditation Council (NAAC), the UGC Expert Committees, including those which visit institutions for

recognition under section 2(f) and 12(B) of the UGC Act, AICTE's Committees, and Committees of other statutory councils or authorities such as the Medical Council of India (MCI), the Dental Council of India (DCI), the Nursing Council of India (NCI) etc. At present these bodies appear to perceive ragging merely as a disciplinary issue in which the regulatory authorities have little or no role, and in the context of curbing the menace of ragging appropriate directions must be given defining their role and responsibility. Indeed, without the active involvement of the multitude of bodies and authorities, a continuous vigil cannot be maintained. We are constrained to remark that while ensuring a ragging-free environment in campuses has a direct bearing on the standards of higher education, none of the bodies responsible for coordinating/ establishing or maintaining standards of higher education (technical and medical etc. included) with whom we interacted, radiate the confidence that they consider the continuing practice of ragging as contributing to lowering of the standards.

5.08 The University Grants Commission and the statutory bodies such as the AICTE, MCI, DCI, NCI, ICAR as well as affiliating universities and Directorates of Higher, Technical, Agricultural and Medical etc. Education of State Governments, must make it mandatory and ensure that each institution compulsorily incorporates in the 'prospectus' and in other admission related documents, the earlier directions or any future directions of the Apex Court and/ or of the Central or State Governments as applicable, so that candidates and their parents are sensitized in respect of the prohibition and consequences of ragging. Non-compliance with the directives against ragging in any manner whatsoever shall be considered as lowering of academic standards by the errant institution. The regulatory authorities must proceed against such errant institutions by imposing the prescribed penalties already provided under their respective statutes/regulations etc. which they would otherwise have exercised in matters of lowering of academic standards.

5.09 Just as there ought to be disincentives as mentioned in paragraph 5.08 above for failure to prevent ragging, there should be incentives to institutions for curbing it. By way of incentives, the Central government, State Governments, University Grants Commission and other funding bodies such as the AICTE and the Indian Council of Agricultural Research etc. should provide special/additional annual financial grants-in-aid to those of the universities and colleges, which report a blemish-less record in terms of there being no incidents of ragging. These bodies should also institute another category of financial awards or incentives for colleges or universities which take stringent action against those responsible in respect of ragging incidents. This would overcome the present problem of institutions covering up incidents for fear of adverse impact on reputation.

5.10 The Committee notes that while there have been some isolated efforts at publicizing the concern and ban in respect of ragging, it could not come across any meaningful advertisement campaign through the various news media, either nationally or regionally, despite the 2001 direction of the Apex Court. This indicates a general apathy and a failure to sensitize society. The entire approach to ragging appears to be viewed as a seasonal issue, to be attended to only during the admission time and put on the back-burner after the heat and dust of admissions settle down. We recommend that there has to be a concerted effort on the part of Central and State Governments as well as the universities in publicizing the ills of ragging and in sensitizing and building public opinion.

5.11 We have described the need to launch effective advertisement campaigns at the national and regional level - the Central Government through the Directorate of Audio Visual Publicity (DAVP) and the State Governments through their Directorates of Information or Public Relations have the primary responsibility in this regard. This apart, multi-pronged campaigns have to be launched and sustained by universities as well as the institutions, locally. Extensive publicity must be undertaken by the institution by means of creative posters, audio-visual aids, by holding counselling sessions, workshops, painting and design competitions among students and other methods as it deems fit. We came across a number of initiatives by institutions, one such effort forms the back cover of our report.

5.12 The Committee recommends that it is critical that institutions promote a sense of confidence among every student entering the portals of higher education. It is important that the natural anxiety among the 'freshers' is addressed by institutional authorities. We recommend that there should be a clear gap of one to two weeks between the date of joining of 'freshers' and the seniors, classes for the seniors should commence later. This would enable the 'freshers' to familiarize themselves with the campus environment and adjust to the sudden changeover from schools to higher education. In addition, this period would be critical in building and consolidating a definite sense of bonding among the 'freshers' who would be better equipped to deal with the seniors with confidence acquired during the interim. It must be ensured that senior students are not allowed to enter the campus, including the hostels, under any pretext. The only exception to this rule may be for a few senior students who have been appointed by the institutional authorities for assisting in the orientation programme. We recommend that it should be mandatory for institutions to inform parents of senior students to send their wards only on the due date and not earlier. This system is in practice in some institutions and the Committee recommends that this must be implemented in all institutions. We further recommend that every university - whether established by Central law or State law or declared by the Central Government as an institution deemed to be university - must compulsorily amend its relevant Ordinances or bye-laws to ratify the schedule of the first two weeks described above as well as in the following paragraphs. We acknowledge that in some professional programmes - medicine and engineering in particular - there could be some practical difficulties in ensuring that senior students are not present on the campus when freshers join, however we feel that if the respective Councils make a sincere effort to adapt their academic calendar suitably this should not be such an insurmountable problem.

5.13 We further recommend that social events such as 'welcome parties' or 'freshers' day celebrations in honour of 'freshers' is a sound tradition that needs to be encouraged by institutions. However, what is lamentable is that such events which often mark the ending of ragging and beginning of bonhomie among seniors and 'freshers', is scheduled only after a prolonged bout of ragging. Therefore, we recommend that in every institution, the 'freshers' day or 'welcome party' shall be concluded within the first two weeks of the beginning of the academic session, that is not later than one week after the commencement of classes for the seniors in the context of our recommendation in 5.12 above. In any such event, celebrating the 'freshers' day or party, college faculty must be present and must ensure that no ragging or untoward incident takes place on the occasion.

5.14 We also recommend that every institution should engage or seek the assistance of professional counsellors at the time of admissions to counsel 'freshers' in order to prepare them for the life ahead, particularly for adjusting to the life in hostels. The Committee feels that preparing students in this manner would enable them to cope with the stresses of the hitherto unknown life in the campus.

5.15 The Committee recommends that each institution, and where required the affiliating university, should lay down a calendar of events and activities to facilitate and complement familiarization of juniors with the academic environment of the institution. This calendar must be automatically ratified under the relevant Ordinances of the affiliating university. There should be an introductory interaction with faculty members, members of the staff and senior students as was suggested by the UGC Committee (1999) as well. The breakup of the orientation programme should be as follows: (i) the head of the institution must address all fresh students on the first day of the academic session, and the address must amongst other issues educate them about their rights against harassment of any kind including ragging; and all faculty members must invariably be present on the occasion; (ii) the second orientation programme for fresh students should be held for each course/class, during which all the respective departmental faculty must be present. The main purpose of this orientation would be to inculcate a sense of bonding and a feeling of fraternity among the freshers, as well as to develop an affinity towards the teaching faculty; (iii) the third orientation programme for fresh students should be conducted at the level of the class/section/division; (iv) one or more counselling sessions must be arranged through out the first week as part of the orientation sessions, during which a professional counsellor should address 'freshers' and motivate them to confidently deal with strangers/seniors; (v) during this week each institution should organize cultural events, sports and other activities, for 'freshers' to get to know each other; there should be very little or no 'serious' academic activity which digresses from the familiarization and sensitization programmes chalked out by the institution; we also recommend that the UGC and other funding bodies must make special allocations for the purpose of enabling institutions to engage counsellors and organize various events that contribute to the building of confidence among the 'freshers'. (vi) the institution must not only work out a variety of alternative methods of interactions, but should also publicize the details of the orientation programmes described above.

5.16 We recommend that on the arrival of senior students after the first week or after the second week as the case may be, further orientation programmes must be scheduled as follows (i) joint sensitization programme and counselling of both 'freshers' and seniors by a professional counsellor; (ii) joint orientation programme of 'freshers' and seniors to be addressed by the Principal/Head of the institution, and the anti-ragging committee; (iii) organisation on a large scale of cultural, sports and other activities to provide a platform for the 'freshers' and seniors to interact in the presence of faculty members; (iv) in the hostel, the warden should address all students; may request two junior colleagues from the college faculty to assist the warden by becoming resident tutors for a temporary duration; and, the UGC and other funding bodies should provide financial grants for meeting the expenditure on resident tutors (v) It is strongly recommended that as far as possible faculty members should dine with the hostel residents in their respective hostels to instill a feeling of confidence among the fresh residents.

5.17 The Committee agrees with the views expressed by student leaders of various ideological affiliations with whom it interacted that a thriving and active students' association of comprising of genuinely enrolled students helps in minimising incidents of ragging, as each competing student group during elections to the student body would have a vested interest in 'protecting' target group of fresher voters from being subjected to ragging by others. As a matter of fact, it was repeatedly brought to the notice of the Committee that one of the reasons for engineering and medical or professional colleges being highly ragging prone is due to the absence of genuine student election activity. Although much can be said in this regard, including the evidence that ragging has slowly spread to other types of institutions as well, we recommend that the reforms in student body elections approved by the Hon'ble Supreme Court on the basis of the recommendations of the J.M.Lyngdoh Committee should be implemented expeditiously and the students' union election must be held within 15 days of the beginning of the academic session. This will undermine the nexus, reported in some places, between campus politics and ragging.

5.18 We recommend that every institution must have an Anti-Ragging Committee and an Anti-Ragging Squad. It is essential to have a diverse mix of membership in terms of levels as well as gender in both the Anti-Ragging Squad as well as the Anti-Ragging Committee. The Anti-Ragging Committee at the level of the institution should consist of the representatives of civil and police administration, local media, Non Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of students belonging to the freshers' category as well as seniors, non-teaching staff and should be headed by the Head of the Institution. The Anti-Ragging Squad, in contrast, should be a body with vigil, oversight and patrolling functions and should appropriately be a smaller body which should be nominated by the Head of the institution with such representation as considered necessary to keep it mobile, alert and active at all times. The Squad may be called upon to make surprise raids on hostels and other hot spots and should be empowered to inspect places

of potential ragging. The Squad should work under the overall guidance of the Anti-Ragging Committee. The Squad should not have any outside representation and should only consist of members belonging to the various sections of the campus community.

5.19 We recommend that there should also be a 'Mentoring Cell' in each institution to oversee and involve senior students as Mentors for the 'freshers'. The Mentoring Cell should be formed at the end of every academic year where applications should be invited from students to join the Mentoring Cell as Mentors for the succeeding academic year. There should be as many levels or tiers of Mentors as the number of batches in the institution. The Anti-Ragging Squad of the institution and the Head/Principal should be involved in selecting the first level of Mentors who would be chosen from among the batch of students immediately senior to the 'freshers'. A diverse mix of Mentors would be desirable who would be selected at the ratio of one student for a certain number of 'freshers'. It has been observed that a ratio of 1:6 is optimal. There should be a hierarchy of Mentors, that is, for every group of six Mentors chosen from the 2nd year or the batch immediately senior to the 'freshers', there should be one second level Mentor. Then there would be one third year student per six Mentors of the second level and so on. At every level of Mentors, there should be a Faculty Adviser. The warden and faculty would directly deal with the highest level of Mentors, which is not to say that they would not interact with the other tiers of Mentors, but such interaction would be more indirect. Every Mentor at the first level should be allowed in to the hostel when 'freshers' join and, 'freshers' and Mentors should be introduced to each other. The Mentors would help 'freshers' in settling down. This makes sure that 'freshers' have some seniors to fall back on without the fear of ragging and would serve by way of "peer counselling". This model has been implemented in some places and has been successful. The third year Mentors and the faculty in-charge should oversee the working of the Mentoring Cell and make sure that the Mentors don't misuse their powers.

5.20 We also recommend that anonymous random surveys must be conducted by each institution, across the entire 1st year batch of students ('freshers') every fortnight during the first three months of the academic session in order to verify and cross-check whether the campus is indeed free of ragging or not. The institution may design its own methodology of conducting such a survey. It is extremely important that the institution does not compromise the anonymity of the whistle blowers.

5.21 The job requirement for the warden calls for a dedicated cadre of trained and specially qualified professionals. In a situation of shortage of teachers in higher education, sparing academics for the duties of wardens also needs to be reviewed. We feel that it is unfair to thrust this specialized responsibility on teachers and other academics who have to discharge the functions in addition to the demands of teaching or research. This is not, however, to suggest that academics can not discharge the obligations of the warden, indeed a large number of them are already doing it successfully, but this arrangement is not desirable in all cases. We recommend that the UGC and other regulatory bodies should lay down the eligibility of the post of warden reflecting both the command and control aspects of maintaining discipline, as well as the softer skills of counselling and communicating with the youth outside of the class-room situations. The post of warden must carry the necessary incentive to attract the right type of eligible candidates, and motivate the incumbent.

5.22 We recommend that in the light of the increasing number of private commercially managed lodges or hostels outside campuses, such hostels and management must be registered with the local police authorities and permission to start such hostels or register them must necessarily be recommended by the Heads of educational institutions. It should be mandatory for both local police, local administration as well the institutional authorities to ensure vigil on incidents that may come with in the definition of ragging. Managements of such private hostels should be responsible for non-reporting of cases of ragging in such premises. Local authorities as well as the institutional authorities should be responsible for action in the event of ragging in such premises, just as they would be for incidents within campuses. The Committee also recommends that besides registering private hostels as stated above, the towns or cities where educational institutions are located should be apportioned as sectors among faculty members, as is being done by some institutions, so that they could maintain vigil and report any incidents of ragging outside campuses and en route while 'freshers' commute.

5.23 The Committee respects the autonomy of academic institutions and believes that to the extent possible incidents of harassment of 'freshers' by seniors should be dealt with under the prevalent ordinances or statutes and the procedures prescribed thereunder or under the provisions of the relevant State law. However, where the victim or his/her parent/guardian is not satisfied with the action taken by the Head of the institution or by other institutional authorities, or where the Head of the institution is of the opinion that the incident ought to be so reported, it must be mandatory for the institution to file a First Information Report with the local police authorities. Such reports should also be made to the civil Authorities (such as Sub Divisional Magistrate, Deputy Commissioner or District Magistrate), the higher Police Authorities (Commissioner or Superintendent of Police or his Deputies) and also to the media for wider dissemination. In incidents of extreme sensitivity or grave consequences, such reports should also be made to the appropriate State Authorities. Media reports may at times kindle the interest of civil society activists and Non Government Organizations, whose involvement in tackling incidents of ragging or the prevention of such incidents must be welcomed and not looked upon as any hindrance. Universities and State or Central Governments should also encourage institutional authorities to share information in respect of ragging, rather than sweeping any incident under the carpet; we believe that reporting information about incidents of ragging contributes to the prevention and recurrence of such incidents, while attempts to cover up only result in more unreported incidents taking place and matters getting out of control for the authorities. The Committee expects the sub-divisional, district and divisional or State level authorities also to share information rather than prevent access to information for the media and the civil society.

5.24 The Committee recommends that institutions must adhere to complaints in regard to ragging or any suo motu information in respect thereof, which its authorities may come across promptly, and all relevant and necessary action must be attended to with great despatch. The complaints or information in regard to ragging could be oral or written and even from third parties and the confidentiality of the source of information must be protected at all costs. Remedial action must be initiated and completed within the week of the incident itself so that complaints do not linger on and allow either interest in pursuing the matter to wane or enable the culprits to tamper evidence or influence witnesses.

5.25 The Committee recommends that preventing or acting against ragging should be the collective responsibility of all levels and sections of authorities or functionaries within the institution i.e. administrative head, teaching faculty and non-teaching employees and not merely that of the specific body constituted for prevention of ragging. In case of any incident taking place all the sections must co-ordinate with the sense of moral propriety and share the responsibility and accountability.

5.26 The burden of proof must, in the opinion of the Committee, lie on the perpetrator and not on the victim to prove that ragging did not take place. As mentioned earlier in the previous Chapter, dealing with the Observations of the Committee, we did not come across any significant instance of implementing the earlier directions of the Apex Court in regard to collective punishment in those cases where the perpetrators could not be identified. Nevertheless, the concept of collective fines or punishment is a time-tested method of making both active as well as passive participants or abettors pay for the crime and therefore we recommend that collective punishment must continue to be in force, with a more effective monitoring at higher levels.

5.27 Wardens must be accessible at all hours and therefore it is important that they be available on telephone and other modes of communication - therefore, we recommend that wardens must be issued mobile phones by the institutions and the details of their telephone number must be widely publicised. Similarly, the telephone numbers of the other important functionaries - Heads of institutions, faculty members, members of the anti-ragging committees, district and sub-divisional authorities and state authorities where relevant, should also be widely disseminated for the needy to get in touch or seek help in emergencies. The Committee recommends that brochures or booklet/leaflet distributed to each student at the beginning of each academic session for obtaining undertaking not to indulge or abet ragging, shall contain the blueprint of prevention and methods of redress.

5.28 At the level of the District, we recommend a District level Anti-Ragging Committee, which should consist of the Heads of Higher Education Institutions as members. It should be headed by the District Collector/ Deputy Commissioner/District Magistrate and should also have the Superintendent of Police/ SSP of the District as member. The Additional District Magistrate should be a member-secretary of the Committee, which should also have representation of the local media and district level Non Government Organizations actively associated in youth development programmes, as well as representatives of all student organizations. The District level Committee should hold preparatory meetings during the summer vacation meetings to take stock of the state of preparedness of each institution and their compliance with the policies and directions or guidelines of the appropriate bodies, the university/State/Central authorities; and the Apex Court's guidelines in regard to curbing the menace of ragging. We have already emphasized on the need for publicity campaigns, summer months may be appropriate to launch such campaigns. Some of the role expectations from the District level Committees have already been mentioned in the preceding paragraphs dealing with activities at the level of Schools as well as higher education institutions and therefore are not being repeated.

5.29 We have thought through the suggestion that the District level Committee should function as some sort of an appellate forum to the action taken by the institution level Anti-Ragging Committee. We feel that this is neither necessary nor desirable. It is not necessary in the context of the recommendation that we propose to make in respect of the scheme of penalty later in this Chapter. It is not desirable from the point of view that such a mechanism lends an extra-campus dimension to the tackling of intra-campus disciplinary matters. All matters of discipline within teaching institutions, in our opinion, must be resolved within the campus - except those impinging on law and order or breach of peace or public tranquility, all of which should be dealt with under the penal laws of the land; fortifying of which is being suggested by us later on.

5.30 At the level of the University, we recommend that there should be a Monitoring Cell on Ragging, which should coordinate with the affiliated colleges and institutions under its domain. The Cell should call for reports from the Heads of institutions in regard to the activities of the Anti-Ragging Committees, Anti-Ragging Squads, Mentoring Cells at the level of the institution, the compliance with instructions on conducting orientation programmes, counselling sessions, the incidents of ragging, the problems faced by wardens or other officials. It should also keep itself abreast of the decisions of the District level Anti-Ragging Committee. This Monitoring Cell should also review the efforts made by institutions to publicize anti-ragging measures, soliciting of undertaking from parents and students each year to abstain from ragging activities or willingness to be penalized for violations; and should function as the prime mover for initiating action on the part of the appropriate authorities of the university for amending the Statutes or Ordinances or Bye-laws to facilitate the implementation of anti-ragging measures at the level of the institution.

5.31 At the State level, we recommend that there should be a Monitoring Cell at the level of the Chancellor of the State Universities, who may also coordinate with those of the Central Government institutions located in the State in which the Governor has a defined role under the relevant law. Governors, in their capacity as Chancellors of State Universities, can leverage the influence of their office to ensure that the State Government as well as the university authorities are suitably instructed to be alert in regard to ragging. The involvement of Governors would

also ensure that the autonomy of institutions of higher learning is not compromised. In addition, Governors of States are associated with Central Universities in their role as Chief Rector/Chancellor etc. and can oversee the function of coordination where required vis a vis the office of the President of India in his capacity as the Visitor of the Central Universities and also the Central Government in the Ministry of Human Resource Development. The State level Monitoring Cell should receive periodically, and at such frequencies that it may lay down, status reports from the University level Monitoring Cells and District level Anti-Ragging Committees.

5.32 The Heads of institutions should be required to submit, to the Vice Chancellor of the University, weekly reports during first three months of the reopening of the institution and there after reports each month on the status of compliance with anti-ragging measures. The Vice Chancellor should submit fortnightly reports of the University level Monitoring Cell to the State level Cell under the Chancellor. The fortnightly reports as well as the weekly reports should be compulsorily shared with the media, so that 'nil' reports if any are also in the public domain. Wide publicity, including mandatory hosting of information on the institutional web-site, should be given to such 'nil' reports so that the media acts as a 'watchdog' for feed back and citizens exercise their Right to Information, in case false claims are made by institutions with a view to protect their "reputation".

5.33 At the National level, we recommend that the University Grants Commission should be responsible for coordinating and monitoring the anti-ragging movement across the country and should constitute a Board for Coordination consisting of the following : (i) representative of the AICTE (ii) a representative of the IITs (iii) a representative of the NITs (iv) a representative of the IIMs (v) a representative of the MCI (vi) representative of the DCI (vii) a representative of the NCI (viii) a representative of the ICAR (viii) a representative of the Veterinary Council and such other representatives as have to do with higher education and are not represented in the categories mentioned above. The Committee has already expressed its disappointment that despite the passage of over six years since the directions of the Apex Court, neither the UGC nor any of the statutory authorities in the different sectors of higher education have focussed their attention in dealing with the menace of ragging. The UGC should constitute an institutional mechanism - such as a Cell within the Commission to provide secretarial support for collection of information and monitoring. There should be no delay on this account for any reason, the Cell should be carved out of its existing secretariat and should coordinate with the State level and University level Committees for effective implementation of anti-ragging measures. The UGC and the other statutory authorities should intervene wherever their existing guidelines or academic instructions come in the way of implementation of the recommendations being made in this report. The Commission and the other funding bodies should also provide adequate funds to universities and colleges for carrying out the mandate of curbing incidents of ragging. It should coordinate with the other statutory authorities (AICTE, MCI, DCI, ICAR, NCTE, NCI etc) so that timely instructions are sent by such authorities for enabling or mandating institutions to prevent and prohibit ragging as well as to take action against institutions that tolerate or do not report incidents of ragging. The UGC and the other funding agencies should also work out a mechanism of providing grants-in-aid where institutions successfully prevent occurrence of ragging or where stern action is taken by institutions against ragging incidents.

5.34 The UGC and the statutory bodies must issue the necessary guidelines or regulations prescribing the qualifications and eligibility of persons for holding the post of wardens in hostels. They should work out a suitable scale of pay for the post of wardens and also assist institutions to create sufficient number of posts in the cadre of wardens during the XIth Plan period for which allocations should be provided by the Commission. Just as the UGC must ensure that every hostel in the academic institutions must have a professional warden as stated above the AICTE, MCI etc. and State Governments should be responsible for the appointments of the respective Cadre of wardens. The necessary facilitating amendments must be carried out in the statutes of universities and other institutions for the purpose of creating the new Cadre. The UGC may also consider encouraging universities to start specialized courses and programmes of study in Hostel Administration.

5.35 One class of institutions not covered under our recommendations above is that of the institutions deemed to be universities, which come under the purview of the UGC and the Central Government. These institutions, commonly referred to as "deemed universities" consist of constituent units which impart all types of higher education including professional education in engineering, medicine etc. Ragging is stated to be as prevalent in several of them as in other public institutions or universities established by legislatures of States or by Parliament. Monitoring the status of anti-ragging measures and prevention of incidents of ragging in these institutions would logically be the responsibility of the University Grants Commission's national level Monitoring Cell. It should be ensured that the directions in regard to the setting up of Anti-Ragging Committees, Anti-Ragging Squads, Mentoring Cells recommended by us in respect of institutions are complied with by the constituent units of deemed universities as well. The anti-ragging mechanism at the level of such constituent units of deemed universities must coordinate its activities vis a vis the district level mechanism recommended by us in earlier paragraphs. Similarly, each deemed university should constitute the university level monitoring cell which should coordinate the anti-ragging activities at the level of the constituent units and should also report to the Monitoring Cell at the UGC.

5.36 Compliance with anti-ragging measures recommended and required to be brought in to effect by institutions of higher education, universities as well as deemed universities, should be adequately recognized by the UGC and other statutory authorities while earmarking financial assistance to them as well as while according them academic recognition or while granting expansion in capacity of seats in various branches of study or while sanctioning new programmes of study.

5.37 What should be the role of the State Governments and the Central Government in the efforts to curb the menace of ragging? We recommend that the responsibility of generating mass awareness and public opinion against ragging is a function which the appropriate Governments through the machinery at their disposal and through intelligent use of the media as well as cooption of civil society activists can accomplish efficiently. We recommend that there should be media advisory committees at the level of each State Government and at the national level with the Central Government which should chalk out campaign strategies and prepare effective messages for propagation. The Press Information Bureau of the Central Government should cull out all reported incidents of ragging and forward the same to the MHRD / UGC for monitoring - the fact that the Committee had to depend on the assistance provided by Non Government Organizations for documentation in regard to the reported incidents of ragging over the years, points to the absence of any centralized mechanism to monitor such incidents in an authentic manner.

5.38 Non Government initiatives in anti-ragging movement need to be supported in order to bring about qualitative improvement and efficient outcomes. The Committee recommends that the Government of India, and State Governments support such organizations to widen and intensify their activities. They could be helped to launch awareness programmes either on their own or in collaboration with the media related efforts of the Central or State Governments. Such efforts by the civil society may encourage parents and other well-wishers of 'freshers' to exercise various rights including the Right to Information for ascertaining the real situation in our campuses.

5.39 Similarly, the Directorates of Information and Public Relations of State Governments should ensure that there is widest possible publicity to anti-ragging measures adopted in each State or what is prescribed under national guidelines. In States with anti-ragging laws in place, the responsibility of enforcement also lies squarely with the State Governments, including the responsibility to make rules under the Act. There is a larger reason for launching a sustained media campaign to sensitize the public, with less than 10% of the population in the relevant age group of 18 years to 23 years enrolled in all sectors of higher education, due to the low access to higher education, even less in professional colleges, lower still in hostels, the public at large being too distanced from the problems that beset higher educational campuses. The problem of ragging may therefore seem too exclusive to most and too remote to happen to oneself - precisely why it needs to occupy centre stage in public debates on higher education.

5.40 Yet another role of the Central Government, through its agency for censoring and certifying films, would be to ensure that appropriate directives are in place so that films which have a deep impress on young minds do not eulogize ragging; we recommend that such directives should be issued by the Centre Board of Film Certification, similar to the instructions on alcoholism, smoking or in regard to vulgarity.

5.41 We also recommend that the policy in regard to migration of students from one university or institution to another whether in the same State or outside the State needs to be reviewed by the UGC and the appropriate statutory authorities. While victims of ragging would find it helpful to be 'evacuated' from a notorious institution, the misuse of such a facility by students trying to gain transfer to institutions of their choice, pretending to be victims of ragging can also not be ruled out. This issue needs to be approached with circumspection. Also, it is not necessary that the institution to which a student victim of ragging is migrated would be less trouble prone than the one being left behind. In any case there has to be a case to case approach based on the merit of each.

5.42 We recommend that the National Assessment and Accreditation Council (NAAC) or other accrediting bodies should factor any incident of ragging while accrediting institutions in different grades. Thus an institution which has been unable to prevent ragging or where incidents of ragging do not abate should be given a negative rating appropriately so that its overall grading is affected.

5.43 The committee recommends that at the national level, the UGC should fund a toll-free Helpline which could be accessed by students in distress owing to ragging related incidents. The Ministry of Communication and Information Technology should facilitate the establishment, infrastructure and operation of the proposed Helpline. Any distress message should be simultaneously relayed to the Head of the Institution, warden or officer of the Hostels, District authorities including the Superintendent of Police, and should be web-linked so as to be in the public domain simultaneously for the media and citizens to access it. A genuine message of distress from the victim of ragging should make it obligatory for the Head of the institution and civil authorities to initiate action on the lines already suggested by us.

5.44 Timely communication being the key to attending to distress signals from victims of ragging, we recommend that access to mobile phones as well public phones should be unrestricted in hostels and campuses with reasonable restrictions on the use of mobile phones in class rooms or other prohibited places in the Campus through the use of technology (using jammers) rather than banning the use of cell phones by students. If necessary the UGC or the universities/institutions should issue appropriate instructions in this regard.

5.45 The Committee recommends that rather than subjecting each incident of ragging to a different penal treatment under various sections of the Indian Penal Code, a new section should be added to the IPC, making ragging a punishable offence on the analogy of section 498A dealing with cruelty towards women (against dowry related incidents). We have already explained that ragging is an offence with a multiplicity of ingredients, each of which constitutes an offence punishable under the existing provisions of the Indian Penal Code. We further recommend that the Indian Evidence Act should also be suitably amended on the analogy of section 113A of that Act, to shift the burden of proof on those accused of ragging.

5.46 We recommend that a comprehensive definition should be included by way of explanation in the proposed new section on ragging in the IPC, and all the punishable ingredients namely, abetment to ragging, criminal conspiracy to rag, unlawful assembly and rioting while ragging, public nuisance created during ragging, violation of decency and morals through ragging, injury to body, causing hurt or grievous hurt, wrongful restraint, wrongful confinement, use of criminal force, assault as well as sexual offences or even unnatural offences, extortion, criminal trespass, offences against property, criminal intimidation and attempts to commit any or all of the above mentioned offences against the victim should be incorporated thereto, prescribing appropriate punishments in respect of one or a group of offences.

5.47 The Committee believes that there can not be a half way house in dealing with the menace of ragging. Mild and soft approach to ragging, even though required, has clearly not worked so far in curbing the menace. For example, punishments in the form of cancellation of admission, suspension from attending the classes, withholding/ withdrawing scholarships, fellowship and other benefits, individual or collective fines, debarring from appearing in any test/examination and other evaluation process, withholding results, debarring from representing the institution in any national and international meet, tournament, youth festival, etc, suspension/expulsion from the hostel, rustication from the institution for periods varying from one or more semesters, expulsion from the institution and consequent debarring from admission to any other institution - all exist. The existing punishments can not be substitutes for the penal provisions of law, but only in addition to the punishments that must be handed out under the Indian Penal Code. We see no reason why enrolment in an institution or an academic programme should immunize perpetrators of heinous crimes which otherwise attract the penal provisions of law if committed by an adult citizen outside the academic precincts. Our message to the academic community is to ensure good governance which will respect human dignity by all concerned. It would indeed be sad if the penal provisions of law were to be used as a matter of routine to enforce deterrence in campuses.

5.48 Times have changed since the Hon'ble Supreme Court's caution of treating those indulging in ragging not as criminals and advising restraint in the use of the police force. While the intervention and presence of police in campuses is to be avoided normally, considering the alarming proportions the severity of ragging has grown to, we recommend that even as every possible measure to prevent ragging is taken on the lines recommended by us in the preceding paragraphs of this Chapter and such action is taken at every level - that of Schools, Institutions, Districts, Universities, States and finally at the national level - even as every possible strategy should be adopted to sensitize the public against the evils and ills of ragging through the use of the media and the civil society at each of the levels described by us; the time has come to treat every single incident of ragging, however isolated or "mild" or "positive" it may appear, with the heaviest hand possible. In support of our argument we could come across no judicial pronouncement better than the one in the matter of Thiruvananthapuram Government Engineering College Vs State of Kerala [WP (C) 656 of 1998; 2000 (2) KLT 11] in which Arijit Pasayat, CJ (as his Lordship then was) writing for a division bench of the High Court of Kerala held; "...What was intended to be in good faith and provide untainted fun is now characterized as physical torture with a sadistic tendency and sexual perversions. There are few reported cases of loss of life also. One thing is clear that ragging, which was originally thought of to be a mere joke, as crossed bounds of decency and had entered the arena of physical and mental torture. It needs to be dealt with iron hands"❖

5.49 We recommend that the punishment to be meted out has to be exemplary and justifiably harsh to act as a deterrence against recurrence of such incidents. We therefore recommend that 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 must be filed compulsorily by the institutional authority with the local police authorities. We believe that the institutional authorities would become aware of such incidents through one of the many channels already identified by us - the anti-ragging squads, anti-ragging committees, mentoring cells, distress calls redirected by the Help Line, by NGOs, by the media and so on. Any failure or negligence or deliberate delay on the part of the institutional authority (comprising of the Head of Institution, the Warden etc.) to file an FIR with the local police, on the dissatisfaction of the victim with the institutional redress mechanism or suo motu by the Head of institution, should render the negligence culpable. Needless to add that every victim or his parent/guardian of ragging can also file an FIR directly with the police, but failure on the part of the victim to do so should not justify the delay, or neglect or failure on the part of the institutional authorities.

5.50 We recommend that the Criminal Procedure Code should be amended to ensure that cases involving ragging are tried on the fast-track so that there are no delays in dealing with such matters, keeping in mind the academic priorities of students who may be required to depose before the courts to assist the prosecution while the matter is subjudice.