

“ रेगिंग एक दण्डनिय अपराध है ”

रेगिंग के दोषी व्यक्ति के लिए निम्न दण्ड का प्रावधान है-

1. रेगिंग के दोषी विद्यार्थी को कक्षा में उपस्थित होने और शैक्षणिक विशेषाधिकार से निलंबित कर दिया जायेगा।
2. शैक्षणिक संस्था से मिलने वाली छात्रवृत्ति और अन्य लाभों को रोक दिया जायेगा।
3. शैक्षणिक संस्था में होने वाली किसी भी परीक्षा या अन्य मूल्यांकन पर रोक लगा दी जाएगी।
4. विद्यार्थी के शैक्षणिक परिणाम पर रोक लगा दी जाएगी, दोषी को हॉस्टल से निलंबित या निष्कासित कर दिया जाएगा।
5. दोषी विद्यार्थी का दाखिला रद्द कर दिया जाएगा।
6. रेगिंग की अवधि से 1 से 4 सेमेस्टर तक संस्था से निष्कासित कर दिया जाएगा।
7. रेगिंग के दोषी को संस्था से निकाल दिया जाएगा और निश्चित अवधि तक किसी अन्य शैक्षणिक संस्था में प्रवेश लेने पर रोक लगा दी जाएगी।
8. रेगिंग के दोषी विद्यार्थी पर 25000 रु. जुमाने से लेकर 100000 रु. तक जुर्माना से दण्डित किया जाएगा।
9. सामूहिक सजा से दण्डित किया जाएगा, जहां पर व्यक्ति के द्वारा किये गए रेगिंग की पहचान नहीं होती।
10. उ. ग. शैक्षणिक संस्था में रेगिंग प्रतिबंध अधिनियम 2001 की धारा 3 कोड भी विद्यार्थी प्रत्यक्ष या अप्रत्यक्ष किसी भी प्रकार से न तो रेगिंग करेगा न शामिल होगा यदि कोई दोषी पाया जाता है तो 5 साल कारावास या 5000 रु. से दण्डित किया जाएगा।

विशाखा दिशा-निर्देश

भारतीय सर्वोच्च न्यायालय ने अगस्त 1997 (विशाखा तथा अन्य बनाम राजस्थान सरकार तथा अन्य) में जारी एक ऐतिहासिक निर्णय में कहा कि यौन उत्पीड़न की हर घटना भारत के संविधान के अनुच्छेद 14, 15 तथा 21 के तहत "मौलिक अधिकारों" का उल्लंघन है तथा अनुच्छेद 19 (1) (जी) के अधीन "स्वतंत्रता का अधिकार" का उल्लंघन है।

विशाखा मामले में सर्वोच्च न्यायालय ने कार्यस्थल पर यौन उत्पीड़न की समस्या से निपटने के लिए व्यापक दिशा-निर्देश जारी किए।

पूर्व तथ्य : 50 वर्षीय एक सामाजिक कार्यकर्ता भंवरी देवी के साथ उच्च तथा प्रभावी वर्ग के व्यक्तियों ने सामूहिक बलात्कार किया, क्योंकि वह जयपुर के समीप अपने गाँव में बाल विवाह की प्रथा को रोकने का प्रयास कर रही थी। न्याय पाने के दृढ़ संकल्प के साथ भंवरी देवी ने अपराधियों के खिलाफ मुकदमा दायर करवाया। हालाँकि उस मामले में सभी आरोपियों को ट्रायल कोर्ट द्वारा बरी कर दिया गया, क्योंकि गाँव के अधिकारियों, डॉक्टर तथा पुलिस सभी ने उसकी स्थिति को खारिज कर दिया था।

न्यायालय के इस निर्णय ने विशाखा के सामूहिक मंच के तहत (विशाखा तथा अन्य बनाम राजस्थान सरकार तथा अन्य, 1997) कई महिला समूहों तथा गैर-सरकारी संगठनों को सर्वोच्च न्यायालय में एक याचिका दायर करने के लिए प्रेरित किया। अपनी याचिका में उन्होंने भंवरी देवी के लिए न्याय की माँग की और कार्यस्थल पर यौन उत्पीड़न के विरुद्ध कार्यवाही का अनुरोध किया।

सर्वोच्च न्यायालय ने यौन उत्पीड़न को किसी ऐसे अप्रिय हाव-भाव, व्यवहार, शब्द या पहल के रूप में परिभाषित किया, जो यौन प्रकृति के हों। न्यायालय ने पहली बार एक अंतर्राष्ट्रीय मानवाधिकार विधि पत्र, दी कंवेंशन ऑन दी एलिमिनेशन ऑफ ऑल फॉर्मर्स ऑफ डिस्क्रिमिनेशन अगेस्ट वुमन (सीईडीएडब्ल्यू) का संदर्भ लेते हुए दिशा-निर्देश संग्रह का निर्धारण किया, जिसे आम तौर पर विशाखा दिशा-निर्देश के नाम से जाना जाता है, जिसमें शामिल हैं :

- यह रोजगार प्रदाता का दायित्व है कि वह यौन उत्पीड़न से निवारण के लिए कंपनी की आचार संहिता में एक नियम शामिल करें।
- संगठनों को अनिवार्य रूप से शिकायत समितियों की स्थापना करनी चाहिए, जिसकी प्रमुख महिलाओं को बनाया जाना चाहिए।
- उल्लंघनकर्ताओं के खिलाफ अनुशासनात्मक कार्यवाही की जानी चाहिए तथा पीड़िता के हितों की रक्षा करनी चाहिए।
- महिला कर्मचारियों को उनके अधिकारों के बारे में जागरूक करवाया जाना चाहिए।

वर्ष 1997 से पूर्व, कार्यस्थल पर यौन उत्पीड़न का शिकार होने वाली महिलाएँ भारतीय दंड संहिता, 1860, एसएस.354 तथा 509 के तहत शिकायत दर्ज करवाती थीं।

तत्पश्चात् विशाखा मामले के उल्लिखित निर्णय के अनुसार शिकायत समिति के पास वास्तविक प्राधिकार और कानूनी दर्जा है ।

विशाखा फैसले के अनुरूप सेंट्रल सिविल सर्विसेज़ (आचरण) नियम 1964 में, आर.3सी को शामिल करने के लिए वर्ष 1998 में सुधार किया गया जो कार्यरत महिलाओं के यौन उत्पीड़न पर रोक लगाता है ।

सेंट्रल सिविल सर्विसेज़ (आचरण) का नियम 1964, आर.3सी कहता है :

- (1) कोई भी सरकारी कर्मचारी अपने कार्यस्थल पर किसी महिला के साथ किसी प्रकार के यौन उत्पीड़न के आचरण में लिप्त नहीं होगा ।
- (2) प्रत्येक सरकारी कर्मचारी जो कार्यस्थल का प्रभारी होता है, ऐसे कार्यस्थल पर किसी महिला के साथ होने वाले यौन-उत्पीड़न को रोकने के लिए समुचित उपाय करेगा ।

हालाँकि यह स्पष्ट रूप से वर्णित नहीं है, पर यह नियम सभी महिलाओं पर लागू होगा, भले ही वे सरकारी प्रतिष्ठान में कार्यरत हों या सरकारी कार्यालय/अधिकारियों के संपर्क में हों ।

इसके अलावा 'मेधा कोटवाल लेले तथा अन्य बनाम भारतीय संघ तथा अन्य' के मामले में दिए अपने फैसले में सेंट्रल सिविल सर्विसेज़ (आचरण) नियम, 1964 के लिए एक जाँच अधिकारी के निर्धारण का निर्देश दिया गया तथा शिकायत समिति की रिपोर्ट को उन नियमों के अधीन एक जाँच रिपोर्ट के रूप में माना गया ।

इस निर्देश के अनुरूप केंद्र सरकार (कार्मिक तथा प्रशिक्षण विभाग) ने सेंट्रल सिविल सर्विसेज़ (वर्गीकरण, नियंत्रण तथा अपील) नियम, 1965 आर.14, उप-आर.(2) में संशोधन कर आवश्यक प्रावधान को शामिल किया ।

विशाखा मामले के फैसले के बाद कई प्रारूपों के पश्चात् 4 नवंबर 2010 को संसद द्वारा 2010 को 'कार्यस्थल पर यौन-उत्पीड़न के विरुद्ध महिला सुरक्षा विधेयक' का जन्म हुआ । गौरतलब है कि यह विधेयक न केवल महिला कर्मचारियों को सुरक्षा प्रदान करता है, बल्कि कार्यस्थल पर क्लाइंट, ग्राहक, अप्रेंटिस, दिहाड़ी मजदूरी श्रमिक या तदर्थ क्षमता के रूप में प्रवेश करने वाली किसी भी महिला को सुरक्षा प्रदान करता है । कॉलेज/विश्वविद्यालयों में छात्राएँ, शोध विद्वान एवं अस्पताल में रोगी भी शामिल किए गए । इस विधेयक का लंबित क्रियान्वयन, विशाखा दिशा-निर्देश अभी भी इन समस्याओं के समाधान हेतु एक कार्य-प्रणाली के रूप में कार्य कर रहे हैं ।

**UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI - 110 002**

NO. F 1-16/2007 (CPP-II)

April, 2009

**UGC REGULATION ON CURBING THE MENACE OF RAGGING IN HIGHER
EDUCATIONAL INSTITUTIONS, 2009**

In exercise of the powers conferred by Clause (g) of Sub-Section (1) of Section 26 of the University Grants Commission Act, 1956, the University Grants Commission hereby makes the following Regulations, namely -

1. Title, commencement and applicability:-

- 1.1. These regulations shall be called the "UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009".
- 1.2. They shall come into force with immediate effect.
- 1.3. They shall apply to all the universities established or incorporated by or under a Central Act, a Provincial Act or a State Act, to all institutions deemed to be university under Section 3 of the UGC Act, 1956, to all other higher educational institutions, including the departments, constituent units and all the premises (academic, residential, sports, canteen, etc) of such universities, deemed universities and other higher educational institutions, whether located within the campus or outside, and to all means of transportation of students whether public or private.

2. Objective:-

To root out ragging in all its forms from universities, colleges and other educational institutions in the country by prohibiting it by law, preventing its occurrence by following the provisions of these Regulations and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.

3. Definitions:- For the purposes of these Regulations:-

- 3.1. "college" means any institution, whether known as such or by any other name, which provides for a programme of study beyond 12 years of schooling for obtaining qualification from a university and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification.

- 3.2. "Head of the institution" means the 'Vice-Chancellor' in case of a university/deemed to be university, 'Principal' in case of a college, 'Director' in case of an institute.
- 3.3. "institution" means a higher educational institution (HEI), like a university, a college, an institute, etc. imparting higher education beyond 12 years of schooling leading to a degree (graduate, postgraduate and/or higher level) and/or to a university diploma.
- 3.4. "Ragging" means the following:
Any 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.
- 3.5. "Statutory/Regulatory body" means a body so constituted by a Central/ State Government legislation for setting and maintaining standards in the relevant areas of higher education, such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Dental Council of India (DCI), the Distance Education Council (DEC), the Indian Council of Agricultural Research (ICAR), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc. and the State Higher Education Councils.
- 3.6. "University" means a university established or incorporated by or under a Central Act, a Provincial Act or a State Act, an institution deemed to be university under Section 3 of the UGC Act, 1956, or an institution specially empowered by an Act of Parliament to confer or grant degrees.

4. Punishable ingredients of Ragging:-

- 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 unnatural offences;
- Extortion;
- Criminal trespass;
- Offences against property;
- Criminal intimidation;

- Attempts to commit any or all of the above mentioned offences against the victim(s);
- Physical or psychological humiliation;
- All other offences following from the definition of "Ragging".

5. Measures for prohibition of ragging at the institution level:-

- 5.1 The institution shall strictly observe the provisions of the Act of the Central Government and the State Governments, if any, or if enacted, considering ragging as a cognizable offence under the law on a par with rape and other atrocities against women and ill-treatment of persons belonging to the SC/ST, and prohibiting ragging in all its forms in all institutions.
- 5.2 Ragging in all its forms shall be totally banned in the entire institution, including its departments, constituent units, all its premises (academic, residential, sports, canteen, etc) whether located within the campus or outside and in all means of transportation of students whether public or private.
- 5.3 The institution shall take strict action against those found guilty of ragging and/or of abetting ragging.

6 Measures for prevention of ragging at the institution level:-

6.1 Before admissions:-

- 6.1.1 The advertisement for admissions shall clearly mention that ragging is totally banned in the institution, and anyone found guilty of ragging and/or abetting ragging is liable to be punished appropriately (for punishments, ref. section 8 below).
- 6.1.2 The brochure of admission/instruction booklet for candidates shall print in block letters these Regulations in full (including Annexures).
- 6.1.3 The 'Prospectus' and other admission related documents shall incorporate all directions of the Supreme Court and /or the Central or State Governments as applicable, so that the candidates and their parents/ guardians are sensitized in respect of the prohibition and consequences of ragging. If the institution is an affiliating university, it shall make it mandatory for the institutions under it to compulsorily incorporate such information in their 'Prospectus'.
- 6.1.4 The application form for admission/ enrolment shall have a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the applicant (English version given in Annexure I, Part I), to be filled up and signed by the candidate to the effect that he/she is aware of the law regarding prohibition of ragging as well as the punishments, and to the effect that he/she has not been expelled and/or debarred from admission by any institution and that he/she, if found guilty of the offence of ragging and/or abetting ragging, is liable to be punished appropriately.

- 6.1.5 The application form shall also contain a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the parent/ guardian (English version given in Annexure I, Part II), to be signed by the parent/ guardian of the applicant to the effect that he/ she is also aware of the law in this regard and agrees to abide by the punishment meted out to his/ her ward in case the latter is found guilty of ragging and/or abetting ragging.
- 6.1.6 The application for admission shall be accompanied by a document in the form of the School Leaving Certificate/Transfer Certificate/ Migration Certificate/ Character Certificate which shall include a report on the behavioral pattern of the applicant, so that the institution can thereafter keep intense watch upon a student who has a negative entry in this regard.
- 6.1.7 A student seeking admission to the hostel shall have to submit additional undertaking in the form of Annexure I (both Parts) along with his/ her application for hostel accommodation.
- 6.1.8 At the commencement of the academic session the Head of the Institution shall convene and address a meeting of various functionaries/agencies, like Hostel Wardens, representatives of students, parents/ guardians, faculty, district administration including police, to discuss the measures to be taken to prevent ragging in the Institution and steps to be taken to identify the offenders and punish them suitably.
- 6.1.9 To make the community at large and the students in particular aware of the dehumanizing effect of ragging, and the approach of the institution towards those indulging in ragging, big posters (preferably multicolored with different colours for the provisions of law, punishments, etc.) shall be prominently displayed on all Notice Boards of all departments, hostels and other buildings as well as at vulnerable places. Some of such posters shall be of permanent nature in certain vulnerable places.
- 6.1.10 The institution shall request the media to give adequate publicity to the law prohibiting ragging and the negative aspects of ragging and the institution's resolve to ban ragging and punish those found guilty without fear or favour.
- 6.1.11 The institution shall identify, properly illuminate and man all vulnerable locations.
- 6.1.12 The institution shall tighten security in its premises, especially at the vulnerable places. If necessary, intense policing shall be resorted to at such points at odd hours during the early months of the academic session.
- 6.1.13 The institution shall utilize the vacation period before the start of the new academic year to launch wide publicity campaign against ragging through posters, leaflets, seminars, street plays, etc.
- 6.1.14 The faculties/ departments/ units of the institution shall have induction arrangements (including those which anticipate, identify

and plan to meet any special needs of any specific section of students) in place well in advance of the beginning of the academic year with a clear sense of the main aims and objectives of the induction process.

6.2 On admission:-

- 6.2.1 Every fresh student admitted to the institution shall be given a printed leaflet detailing when and to whom he/she has to turn to for help and guidance for various purposes (including Wardens, Head of the institution, members of the anti-ragging committees, relevant district and police authorities), addresses and telephone numbers of such persons/authorities, etc., so that the fresher need not look up to the seniors for help in such matters and get indebted to them and start doing things, right or wrong, at their behest. Such a step will reduce the freshers' dependence on their seniors.
- 6.2.2 The institution through the leaflet mentioned above shall explain to the new entrants the arrangements for their induction and orientation which promote efficient and effective means of integrating them fully as students.
- 6.2.3 The leaflet mentioned above shall also inform the freshers about their rights as bona fide students of the institution and clearly instructing them that they should desist from doing anything against their will even if ordered by the seniors, and that they have nothing to fear as the institution cares for them and shall not tolerate any atrocities against them.
- 6.2.4 The leaflet mentioned above shall contain a calendar of events and activities laid down by the institution to facilitate and complement familiarization of freshers with the academic environment of the institution.
- 6.2.5 The institution shall also organize joint sensitization programmes of 'freshers' and seniors.
- 6.2.6 Freshers shall be encouraged to report incidents of ragging, either as victims, or even as witnesses.

6.3 At the end of the academic year:-

- 6.3.1 At the end of every academic year the Vice-Chancellor/ Dean of Students Welfare/ Director/ Principal shall send a letter to the parents/ guardians of the students who are completing the first year informing them about the law regarding ragging and the punishments, and appealing to them to impress upon their wards to desist from indulging in ragging when they come back at the beginning of the next academic session.
- 6.3.2 At the end of every academic year the institution shall form a 'Mentoring Cell' consisting of Mentors for the succeeding academic year. There shall be as many levels or tiers of Mentors as

the number of batches in the institution, at the rate of 1 Mentor for 6 freshers and 1 Mentor of a higher level for 6 Mentors of the lower level.

6.4 Setting up of Committees and their functions:-

- 6.4.1 The Anti-Ragging Committee:- The Anti-Ragging Committee shall be headed by the Head of the institution and shall consist of representatives of faculty members, parents, students belonging to the freshers' category as well as seniors and non-teaching staff. It shall monitor the anti-ragging activities in the institution, consider the recommendations of the Anti-Ragging Squad and take appropriate decisions, including spelling out suitable punishments to those found guilty.
- 6.4.2 The Anti-Ragging Squad:- The Anti-Ragging Squad shall be nominated by the Head of the institution with such representation as considered necessary and shall consist of members belonging to the various sections of the campus community. The Squad shall have vigil, oversight and patrolling functions. It shall be kept mobile, alert and active at all times and shall be empowered to inspect places of potential ragging and make surprise raids on hostels and other hot spots. The Squad shall investigate incidents of ragging and make recommendations to the Anti-Ragging Committee and shall work under the overall guidance of the said Committee.
- 6.4.3 Monitoring Cell on Ragging:- If the institution is an affiliating university, it shall have a Monitoring Cell on Ragging to coordinate with the institutions affiliated to it by calling for reports from the Heads of such institutions regarding the activities of the Anti-Ragging Committees, Squads, and Mentoring Cells, regarding compliance with the instructions on conducting orientation programmes, counseling sessions, etc., and regarding the incidents of ragging, the problems faced by wardens and other officials, etc. This Cell shall also review the efforts made by such institutions to publicize anti-ragging measures, cross-verify the receipt of undertakings from candidates/students and their parents/guardians every year, and shall be the prime mover for initiating action by the university authorities to suitably amend the Statutes or Ordinances or Bye-laws to facilitate the implementation of anti ragging measures at the level of the institution.

6.5 Other measures:-

- 6.5.1 The Annexures mentioned in sub-clauses 6.1.4, 6.1.5 and 6.1.7 of these Regulations shall be furnished at the beginning of each academic year by every student, that is, by freshers as well as seniors.

- 6.5.2 The institution shall arrange for regular and periodic psychological counseling and orientation for students (for freshers separately, as well as jointly with seniors) by professional counselors during the first three months of the new academic year. This shall be done at the institution and department/ course levels. Parents and teachers shall also be involved in such sessions.
- 6.5.3 Apart from placing posters mentioned in sub-clause 6.1.9 above at strategic places, the institution shall undertake measures for extensive publicity against ragging by means of audio-visual aids, by holding counseling sessions, workshops, painting and design competitions among students and other methods as it deems fit.
- 6.5.4 If the institution has B.Ed. and other Teacher training programmes, these courses shall be mandated to provide for anti-ragging and the relevant human rights appreciation inputs, as well as topics on sensitization against corporal punishments and checking of bullying amongst students, so that every teacher is equipped to handle at least the rudiments of the counseling approach.
- 6.5.5 Wardens shall be appointed as per the eligibility criteria laid down for the post reflecting both the command and control aspects of maintaining discipline, as well as the softer skills of counseling and communicating with the youth outside the class-room situations. Wardens shall be accessible at all hours and shall be provided with mobile phones. The institution shall review and suitably enhance the powers and perquisites of Wardens and authorities involved in curbing the menace of ragging.
- 6.5.6 The security personnel posted in hostels shall be under the direct control of the Wardens and assessed by them.
- 6.5.7 Private commercially managed lodges and hostels shall be registered with the local police authorities, and this shall be done necessarily on the recommendation of the Head of the institution. Local police, local administration and the institutional authorities shall ensure vigil on incidents that may come within the definition of ragging and shall be responsible for action in the event of ragging in such premises, just as they would be for incidents within the campus. Managements of such private hostels shall be responsible for not reporting cases of ragging in their premises.
- 6.5.8 The Head of the institution shall take immediate action on receipt of the recommendations of the Anti-Ragging Squad. He/ She shall also take action suo motto if the circumstances so warrant.
- 6.5.9 Freshers who do not report the incidents of ragging either as victims or as witnesses shall also be punished suitably.
- 6.5.10 Anonymous random surveys shall be conducted across the 1st year batch of freshers every fortnight during the first three months of the academic year 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 surveys.

- 6.5.11 The burden of proof shall lie on the perpetrator of ragging and not on the victim.
- 6.5.12 The institution shall file an FIR with the police / local authorities whenever a case of ragging is reported, but continue with its own enquiry and other measures without waiting for action on the part of the police/ local authorities. Remedial action shall be initiated and completed within the one week of the incident itself.
- 6.5.13 The Migration / Transfer Certificate issued to the student by the institution shall have an entry, apart from those relating to general conduct and behaviour, whether the student has been punished for the offence of committing or abetting ragging, or not, as also whether the student has displayed persistent violent or aggressive behaviour or any inclination to harm others.
- 6.5.14 Preventing or acting against ragging shall be the collective responsibility of all levels and sections of authorities or functionaries in the institution, including faculty, and not merely that of the specific body/ committee constituted for prevention of ragging.
- 6.5.15 The Heads of institutions other than universities shall submit weekly reports to the Vice-chancellor of the university the institution is affiliated to or recognized by, during the first three months of new academic year and thereafter each month on the status of compliance with anti-ragging measures. The Vice Chancellor of each university shall submit fortnightly reports of the university, including those of the Monitoring Cell on Ragging in case of an affiliating university, to the Chancellor.
- 6.5.16 Access to mobile phones and public phones shall be unrestricted in hostels and campuses, except in class-rooms, seminar halls, library etc. where jammers shall be installed to restrict the use of mobile phones.

6.6 Measures for encouraging healthy interaction between freshers and seniors:-

- 6.6.1 The institution shall set up appropriate committees including the course-in-charge, student advisor, Warden and some senior students to actively monitor, promote and regulate healthy interaction between the freshers and senior students.
- 6.6.2 Freshers' welcome parties shall be organized in each department by the senior students and the faculty together soon after admissions, preferably within the first two weeks of the beginning of the academic session, for proper introduction to one another and where the talents of the freshers are brought out properly in the presence of the faculty, thus helping them to shed their inferiority complex, if any, and remove their inhibitions.
- 6.6.3 The institution shall enhance the student-faculty interaction by involving the students in all matters of the institution, except those relating to the actual processes of evaluation and of faculty appointments, so that the students shall feel that they are responsible partners in managing the

affairs of the institution and consequently the credit due to the institution for good work/ performance is due to them as well.

7. Measures at the UGC/ Statutory/ Regulatory body level:-

7.1 Regulatory measures:-

- 7.1.1 The UGC and other Statutory /Regulatory bodies shall make it mandatory for the institutions to compulsorily incorporate in their 'Prospectus' the directions of the Supreme Court and/or the Central or State Governments with regard to prohibition and consequences of ragging, and that non-compliance with the directives against ragging in any manner whatsoever shall be considered as lowering of academic standards by the erring institution making it liable for appropriate action.
- 7.1.2 The UGC (including NAAC and UGC Expert Committees visiting institutions for various purposes) and similar Committees of other Statutory/Regulatory bodies shall cross-verify that the institutions strictly comply with the requirement of getting the undertakings from the students and their parents/ guardians as envisaged under these Regulations.
- 7.1.3 The UGC and other funding bodies shall make it one of the conditions in the Utilization Certificate for sanctioning any financial assistance or aid to the institution under any of the general or special schemes that the institution has strictly complied with the anti-ragging measures and has a blemish-less record in terms of there being no incidents of ragging during the period pertaining to the Utilization Certificate.
- 7.1.4 The NAAC and other accrediting bodies shall factor in any incident of ragging in the institution while assessing the institution in different grades.

7.2 Incentives for curbing ragging:-

- 7.2.1 The UGC shall consider providing special/ additional annual financial grants-in-aid to those eligible institutions which report a blemish-less record in terms of there being no incidents of ragging.
- 7.2.2 The UGC shall also consider instituting another category of financial awards or incentives for those eligible institutions which take stringent action against those responsible for incidents of ragging.
- 7.2.3 The UGC shall lay down the necessary incentive for the post of Warden in order to attract the right type of eligible candidates, and motivate the incumbents.

7.3 Monitoring mechanism to ensure compliance:-

Apart from the monitoring mechanism built in under different sub-clauses of these Regulations, there shall also be the following monitoring mechanism:

7.3.1 The UGC shall constitute an Inter-Council Committee for prevention of Ragging consisting of representatives of the AICTE, the IITs, the NITs, the IIMs, the MCI, the DCI, the NCI, the ICAR and such other bodies which have to deal with higher education to coordinate and monitor the anti-ragging movement across the country and to make certain policy decisions. The said Committee shall meet at least twice a year in the normal course.

7.3.2 The UGC shall also have an Anti-Ragging Cell within the Commission as an institutional mechanism to provide secretarial support for collection of information and monitoring, and to coordinate with the State level and university level Committees for effective implementation of anti-ragging measures.

8 Punishments:-

8.1 At the institution level:-

Depending upon the nature and gravity of the offence as established by the Anti-Ragging Committee of the institution, the possible punishments for those found guilty of ragging at the institution level shall be any one or any combination of the following:

- 8.1.1 Suspension from attending classes and academic privileges
- 8.1.2 Withholding/ withdrawing scholarship/ fellowship and other benefits
- 8.1.3 Debarring from appearing in any test/ examination or other evaluation process
- 8.1.4 Withholding results
- 8.1.5 Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
- 8.1.6 Suspension/ expulsion from the hostel
- 8.1.7 Cancellation of admission
- 8.1.8 Rustication from the institution for period ranging from 1 to 4 semesters
- 8.1.9 Expulsion from the institution and consequent debarring from admission to any other institution for a specified period
- 8.1.10 Fine ranging between Rupees 25,000/- and Rupees 1 lakh
- 8.1.11 Collective punishment: When the persons committing or abetting the crime of ragging are not identified, the institution shall resort to collective punishment.

8.2 At the university level in respect of institutions under it:-

If an institution under a university (being constituent of, affiliated to or recognized by it) fails to comply with any of the provisions of these Regulations

and fails to curb ragging effectively, the university may impose any one or any combination of the following penalties on it:

- 8.2.1 Withdrawal of affiliation/ recognition or other privileges conferred on it
- 8.2.2 Prohibiting such institution from presenting any students then undergoing any programme of study therein for the award of any degree/diploma of the university
- 8.2.3 Withholding grants allocated to it by the university, if any
- 8.2.4 Withholding any grants channellised through the university to the institution
- 8.2.5 Any other appropriate penalty within the powers of the university.

8.3 At the appointing authority level:-

The authorities of the institution, particularly the Head of the institution, shall be responsible to ensure that no incident of ragging takes place in the institution. In case any incident of ragging takes place, the Head shall take prompt and appropriate action against the person(s) whose dereliction of duty lead to the incident. The authority designated to appoint the Head shall, in its turn, take prompt and appropriate action against the Head.

8.4 At the UGC/Statutory/Regulatory body level:-

If an institution fails to curb ragging, the UGC/Statutory/Regulatory body concerned may impose any one or any combination of the following penalties on it:

- 8.4.1 Delisting the institution from section 12B of the UGC Act or any similar provision in the Act of the Statutory/Regulatory body concerned
- 8.4.2 Withholding any grants allocated to it
- 8.4.3 Declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the UGC/Statutory/ Regulatory body concerned
- 8.4.4 Declaring that the institution does not have the minimum academic standards and warning the potential candidates for admission accordingly through public notice and posting on the UGC Website/ Website of the Statutory/Regulatory body concerned.
- 8.4.5 Taking such other action within its powers as it may deem fit and impose such other penalties as provided till such time as the institution achieves the objective of curbing ragging.
- 8.4.6 Collaborating with one another to work out other possible deterrents.

-:0:-

ANNEXURE I, Part I

UNDERTAKING BY THE CANDIDATE/STUDENT

1. I, _____
S/o. D/o. of Mr./Mrs./Ms. _____
have carefully read and fully understood the law prohibiting ragging and the
directions of the Supreme Court and the Central/State Government in this regard.

2. I have received a copy of the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009, and have carefully gone through it.
3. I hereby undertake that
 - I will not indulge in any behavior or act that may come under the definition of ragging,
 - I will not participate in or abet or propagate ragging in any form,
 - I will not hurt anyone physically or psychologically or cause any other harm.
4. I hereby agree that if found guilty of any aspect of ragging, I may be punished as per the provisions of the UGC Regulations mentioned above and/or as per the law in force.
5. I hereby affirm that I have not been expelled or debarred from admission by any institution.

Signed this _____ day of _____ month of _____ year

Signature

Name:

Address:

ANNEXURE I, Part II

UNDERTAKING BY PARENT/GUARDIAN

1. I, _____
F/o. M/o. G/o _____
have carefully read and fully understood the law prohibiting ragging and the directions of the Supreme Court and the Central/State Government in this

regard as well as the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009.

2. I assure you that my son/ daughter/ ward will not indulge in any act of ragging.
3. I hereby agree that if he/she is found guilty of any aspect of ragging, he/she may be punished as per the provisions of the UGC Regulations mentioned above and/or as per the law in force.

Signed this _____ day of _____ month of _____ Year

Signature

Name:

Address:



University Grant Commission

Decisions agreed upon in the Central Inter-Council/Statutory Bodies, State Councils of Higher Education and Education Secretary of State Government in the meeting held 13th April, 2009 in UGC, New Delhi.

The following were present:-

UGC:

Prof. Sukhadeo Thorat, Chairman
Dr. R.K. Chauhan, Secretary.
Dr. C.S. Meena, JS (CPP-II).
Shri V.K. Jaiswal, US (CPP-II).

In Chair.

Members of the UGC Committee for preparation of Regulations:-

Prof. K.P.S Unni
Dr. R.P. Gangurde
Prof. Virbala Aggarwal

Representatives of the Statutory Councils:

Medical Council Of India
National Council of Teacher Education
Indian Council of Agricultural Research
Distant Educational Council
Dental Council of India
Pharmacy Council of India
Bar Council of India

Representative of the State Governments:-

A.P. Council of Higher Education
H.P. Government,
Punjab Government,
U.P. Government

Following decisions were taken:-

- a) The participants discussed the Draft Regulations for Prevention of Ragging and made various suggestions. Most of the suggestions were agreed and it was decided that these suggestions would be incorporated in the Regulations after taking into account the legal provisions. The UGC expert committee may do the same preferably by 20th April, 2009.
- b) The various Councils generally agreed with draft Regulations and decided that they would frame their Regulations taking the UGC Regulations as the base and only add some additional provisions to address the specific issues peculiar to each one of them

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- c) The Council agreed that they will make effort to finalize their Regulations latest by the end of May duly approved by their respective statutory bodies.
- d) The members agreed to constitute an Inter-Council Committee for prevention of Ragging to address the issue relating to ragging which are of national importance and to sort out the issue of overlapping and cross cutting issues. The Committee will meet at least twice a year.
- e) The UGC will finalize the Regulations by next week and send to various councils for follow up action at their end. These will also be placed on the UGC Website for the convenience of the Councils.
- f) The UGC would get the approval of the Commission by circulation, which is expected by the end of April, 2009.
- g) The participants discussed the Monitoring mechanism proposed by Edcil and the presentation made by Prof. Raj Kachroo. The Ed.Cil was requested to finalize the same duly approved by the Ministry of HRD urgently so that the mechanism could also be brought to the notice of Universities and colleges along with these Regulations. The Ed. Cil would sent the communication to all the statutory bodies/councils for the monitoring mechanism agreed by it.
- h) These Regulations would be in place before the commencement of the next academic year in June 2009.

The meeting ended with a vote of thanks to the Chair.


(R. K. CHAUHAN)
13.4.2009


(SUKHADEO THORAT)

**UNIVERSITY GRANTS COMMISSION
BAHADLURSHAH ZAFAR MARG
NEW DELHI-110002**

F.1-16/2007(CPP-II)

List of participants of meeting of UGC Expert Committee on Regulation to curb the menace of ragging in Higher Educational Institutions-2009 held in UGC Office, New Delhi on 13.4.2009 with State/UT Higher Education Secretary, Professional Councils, State Council of Higher Education

Members UGC Expert Committee

1. Prof. KPS Unny
Former Registrar, JNU, Brindawvan
Near DP office, West Yakkara Road
Palakkad-678014 (Kerala)
Phone 09895865526, kpsunny39@gmail.com
2. Prof. Virbala Aggarwal
H.P. Univ.
Shimla-171005
Phone 09418168234
3. Dr. R.P.Gangurde,
Former Addl. Secretary, UGC
C-13/26, Sector 38, Kendriya Vihar
Nerul, New Mumbai-400706
4. Prof. M.Z. Khan
UGC Consultant
B-59, City Apartments
Vasundhara Enclave
Delhi-110096

Special invitee

Special invitee

Mr.Raj Kachroo
Aman Movement

Present (UGC)

1. Prof. S.K.Thorat, Chairman, UGC
2. Dr. R.K.Chauhan, Secretary, UGC
3. Dr.C.S.Meena, Joint Secretary, UGC
4. Sh. A.N.Sharma, Deputy Secretary UGC
5. Sh. V.K.Jaiswal, Under Secretary, UGC
6. Smt. Lalitha Ganeshan, S.O., UGC

Professional Councils

1. Dr. Prem Kumar,
Additional Secretary
Medical Council of India
Pocket- 14, Sector-8
Dwarka Phase-1
New Delhi-110077
2. Prof. SVS Choudhary
Vice Chairman
National Council for Teacher Education
Hans Bhavan, Wing II,
1, Bahadursha Zafar Marg
New Delhi-110002
3. Shri C.L. Bhatia
Consultant
Dental Council of India, Aiwan E Galib Marg
Kotla Road
Temple Lane
New Delhi-110002
4. Shri Shiv Kumar
Section Officer
Dental Council of India, Aiwan E Galib Marg
Kotla Road
Temple Lane
New Delhi-110002
5. Ms Archana Mudgal
Pharmacy Council of India
Kotla Road, Aiwan E Ghalib Marg
New Delhi-110002
Phone 23239184
6. Sh. J.R. Sharma
Joint Secretary
Bar Council of India
21, Rouse Avenue, Institutional Area
New Delhi-110002

7. Sh. S.K.Mitra
Deputy Secretary (Education)
Indian Council of Agricultural Research, Krishi Bhavan
Dr. Rajendra Prasad Road, New Delhi-110114
Phone 25848033, Sujitkmitra@gmail.com

8. Dr. S.S.Bisht
CSO
Indira Gandhi National Open University
New Delhi-110068
Phone: 9868106047, 29533237, 29572121 (O)

9. Sh. D .Singh
Director
Edcil , India Ltd., Noida
Phone- 0120-2512008, 9971409065

State Council of Higher Education

1. Prof. K.C.Reddy
Chairman
Andhra Pradesh State Council of Hr. Education
Opposite Mahavir Hospital
Masab Tank, Hyderabad-500028
Phone 9866726222, 040- 23417030

State Education Secretary

1. Dr. Narinder Dhillon
DPI College, Punjab
Phone- 0172-2703549, 9814085651

2. Shri P.C.Dhiman
Secretary (Education Dept)
Govt. of Himachal Pradesh
H.P. Secretariat, Shimla-171002

3. Sh. Prabhat Sinha
Spl. Secretary
Dept. of Higher Education
Govt. of U.P., Lucknow
Phone- 09415171471, 0522-2238601

College

4. Dr. Vijay Shanker
Principal
Govt. P.G.College, Badalpur
GB Nagar, U.P.
Phone: 9873885480
Shankerfiji@yahoo.co.in

छत्तीसगढ़ शासन द्वारा लागू नवीन अधिनियम
छत्तीसगढ़ शैक्षणिक संस्थाओं में प्रताड़ना
(रैगिंग) का प्रतिषेध अधिनियम, 2001

क्रमांक 27 सन् 2001*

[दिनांक 17 जनवरी, 2002 को राज्यपाल की अनुमति प्राप्त हुई; अनुमति छत्तीसगढ़ राजपत्र (असाधारण) में दिनांक 17 जनवरी, 2002 को प्रथम बार प्रकाशित की गई।]

राज्य में शैक्षणिक संस्थाओं में रैगिंग तथा उससे संबंधित मामलों और आनुगंगिक विषयों के निवारण हेतु अधिनियम।

भारत गणराज्य के बावनवें धर्म में छत्तीसगढ़ की विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो, अर्थात् :—

1. संक्षिप्त नाम, विस्तार और प्रारंभ— (1) इस अधिनियम का संक्षिप्त नाम छत्तीसगढ़ शैक्षणिक संस्थाओं में प्रताड़ना का प्रतिषेध अधिनियम, 2001 है।

(2) इसका विस्तार संपूर्ण छत्तीसगढ़ में होगा।

(3) यह ऐसी तारीख से प्रवृत्त होगा जो राज्य सरकार अधिसूचना द्वारा नियत करे।

2. परिभाषाएँ— इस अधिनियम में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,—

(क) "रैगिंग" से अभिप्रेत है किसी छात्र को मजाकपूर्ण शब्दों से या अन्य प्रकार से उत्प्रेरित, बाध्य या मजबूर करना जिससे उसके मानवीय मूल्यों का हनन या उसके व्यक्तित्व का अपमान या उपहास अभिदर्शित होता हो, या किसी विधि पूर्ण कार्य करने से प्रविरक्त करना आपराधिक, दोषपूर्ण अवरोध, दोषपूर्ण परिरोध, या उसे क्षति पहुँचाना, या उस पर आपराधिक बल के प्रयोग द्वारा या ऐसी आपराधिक धमकी, दोषपूर्ण अवरोध, दोषपूर्ण परिरोध, क्षति या आपराधिक बल प्रयोग करना;

(ख) "शैक्षणिक संस्था" से अभिप्रेत है राज्य की कोई भी शासकीय अथवा अशासकीय शैक्षणिक संस्था।

3. रैगिंग का प्रतिषेध— किसी शैक्षणिक संस्था का छात्र या तो प्रत्यक्षतः या परोक्ष या अन्य प्रकार से रैगिंग में भाग नहीं लेगा।

4. दण्ड— यदि कोई व्यक्ति धारा 3 के उपबंधों का उल्लंघन करता है या उल्लंघन करने का प्रयास करता है या रैगिंग करने के लिये दुप्रेरित करता है तो वह या तो कारावास से जो 5 वर्ष से अधिक नहीं होगा या जुमाने से जो 5 हजार रुपये से अधिक नहीं होगा या दोनों से दंडित किया जा सकेगा।

5. अपराध का संज्ञेय, अजमानतीय एवं अप्रशमनीय होना— इस अधिनियम के अधीन प्रत्येक अपराध संज्ञेय, अजमानतीय एवं अप्रशमनीय होगा।

छत्तीसगढ़ राजपत्र (असाधारण) दिनांक 17-1-2002 पृष्ठ 28-28 (1) पर प्रकाशित।

6. अपराधों का विचारण— (1) इस अधिनियम के अधीन दण्डनीय प्रत्येक अपराध का विचारण प्रथम वर्ग के न्यायिक दण्डाधिकारों द्वारा किया जाएगा।

(2) इस अधिनियम के उपबंधों के अधीन अपराधों के अन्वेषण, जाँच तथा विचारण में अपराध प्रक्रिया संहिता, 1973 (क्रमांक 2 सन् 1974) के उपबंध लागू होंगे।

7. छात्र के निष्कासन के लिये निर्णयिता— (1) इस अधिनियम के अधीन अन्वेषण या विचारण लंबित होने पर शिक्षण संस्था के प्रधान को इस अधिनियम के अधीन किसी अपराध के लिये अभियुक्त छात्र को निलंबित करने और शैक्षणिक संस्था परिसर तथा इसके छात्रावास में प्रवेश से वर्जित करने का अधिकार होगा।

(2) किसी शैक्षणिक संस्था का कोई छात्र, जो धारा 4 के अधीन सिद्धदोष पाया गया हो, शैक्षणिक संस्था से निष्कासन के लिये जिम्मेदार होगा।

(3) ऐसे छात्र को जो निष्कासित किया गया हो या अन्य कोई व्यक्ति जो इस अधिनियम के अधीन सिद्धदोष पाया गया हो, किसी अन्य शैक्षणिक संस्था में राज्य के क्षेत्राधिकार के भीतर तीन वर्ष की अवधि तक प्रवेश नहीं दिया जायेगा।

7/1/77

रैगिंग क्या है ?

रैगिंग के अंतर्गत—

कोलाहलपूर्ण अनुचित व्यवहार करना, धिक्काना, भद्दे या अशिष्ट आचरण करना, उपद्रवी एवं अनुशासनहीन क्रिया-कलापों में नलग्न जिससे नए छात्र को गुस्सा, अनावश्यक परेशानी, भाारीरिक अथवा मानसिक क्षति हो, अथवा उसमें आशंका या भय बढ़ाने वाला हो, अथवा छात्रों को कार्य करने के लिए कहना, जो छात्र/छात्रा सामान्यतया नहीं कर सकता/सकती और जिससे उसे शर्म या अपमान का अनुभव होता हो अथवा जीवन के लिए खतरा हो।

छत्तीसगढ़ राज्य की शैक्षणिक संस्थाओं में रैगिंग रोकथाम अधिनियम, 2002

कर्नाटक शिक्षा अधिनियम, 1983 (कर्नाटक अधिनियम नं 1, 1995) अनुच्छेद 2(29) के अनुसार रैगिंग की परिभाषा इस प्रकार है—

किसी छात्र को मजाक में या अन्य किसी प्रकार से ऐसा कार्य करने के लिए कहना, प्रेरित करना या बाध्य करना, जो मानव-मर्यादा का हो या जो उसके व्यक्तित्व के विपरीत हो या जिससे वह हास्यास्पद हो जाए या डरा-धमकाकर गलत ढंग से रोककर गलत ढंग से बंद करके चोट पहुँचाकर या उस पर अनुचित दबाव डालकर या उसे इस प्रकार की धमकी, गलत अवरोध, गलत ढंग से बंदी बनाने, चोट या अनुचित दबाव दिखा कर वैधानिक कार्य करने से मना करना।

रैगिंग का स्वरूप :-

रैगिंग निम्नांकित रूपों (सूची केवल निर्देशात्मक है, संपूर्ण नहीं) में पाई जाती है :-

स्पष्ट आदेश

- * सीनियर छात्रों को 'सर' कहने के लिए
- * सामूहिक कवायद करने के लिए
- * सीनियरों के बलास - नोट्स उतारने के लिए
- * अनेक सौंपे हुए कार्य करने के लिए
- * सीनियरों के लिए भृत्योचित कार्य करने के लिए
- * अश्लील प्रश्न पूछने या उनका उत्तर देने के लिए
- * नये छात्रों को अपने सीधेपन के विपरीत आघात पहुँचाने हेतु अश्लील चित्रों को देखने के लिए
- * शराब, उबलती हुई चाय, आदि पीने के लिए बाध्य करना
- * कामुक संकेताथं वाले कार्य-समलैंगिक कार्य सहित करने के लिए बाध्य करना
- * ऐसे कार्य करने के लिए बाध्य करना, जिससे भाारीरिक क्षति, मानसिक पीड़ा, या मृत्यु तक हो सकती है।
- * नगा करना, चुबन लेना, आदि
- * अन्य अश्लीलताएँ करना।

रैगिंग में लिप्त होने पर दिए जाने वाले दंड

1. प्रवेश निरस्त किया जाना।
2. कक्षा/छात्रावास से निष्कासित किया जाना।
3. छात्रवृत्ति अथवा अन्य सुविधा रोकना।
4. परीक्षाओं से वंचित करना।
5. परीक्षा-परिणाम रोकना।
6. राष्ट्रीय, अंतरराष्ट्रीय तथा युवा उत्सव में भाग लेने पर प्रतिबंध।
7. संस्था से रेस्ट्रिकेट किया जाना।
8. आर्थिक दण्ड रु. 25000/- तक।

उपर्युक्त ये यह विदित होता है कि प्रथम पाँच को छोड़कर अधिकतर रैगिंग के विकृत रूपों से युक्त हैं।

Following guidelines have been laid down by Hon'ble Supreme Court to fight menace of ragging in Educational Institutions.

1. The prospectus, the form for admission and/or any other literature issued to aspirants for admission must clearly mention that ragging is banned in the institution and any one indulging in ragging is likely to be punished appropriately.
2. If there be any legislation governing ragging or any, provisions in the Statute/Ordinances they should be brought to the notice of the students/patents seeking admissions.
3. Form for admission/enrolment shall have a printed undertaking to be filled up and signed by the candidate to the effect that he/she is aware of the institution's approach towards ragging and the punishments to which he or she shall be liable if found guilty of ragging. A similar undertaking shall be obtained from students already admitted and their parents.
4. A printed leaflet detailing when and to whom one has to turn for information, help and guidance for various purposes, keeping in view the needs of new entrants in the institution, alongwith the addressee and telephone numbers of such persons, should be given to freshers at the time of admissions so that the freshers need not look up to the seniors for help in such matters and feel indebted to or obliged by them.
5. The management, the principal, the teaching staff should interact with freshers and take them in confidence by apprising them of their rights as well as obligation to fight against ragging and generate confidence in their mind.
6. Institution to constitute a proctorial committee to keep a continuous watch and vigil over ragging and promptly deal with the incidents of ragging.
7. All vulnerable location shall be identified and specially watched.
8. Failure to prevent ragging shall be construed as an act of negligence on part of management, hostels wardens / superintendents. .
9. The hostels/accommodations where freshers are accommodated shall be carefully guarded, and entry of seniors/outsideers to be regulated.
10. If individuals committing or abetting ragging are not identified collective punishment could be resorted to.
11. Migration certificate to contain entry indicating whether the student had participated in and in particular was punished for ragging.
12. Stoppage of financial assistance by UGC/funding agency to institutions falling to curb ragging.
13. Institution to face disaffiliation.
14. Institutions / Universities to hold activities where seniors and freshers can interact and develop friendly relationship.