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# TRADITION OR OFFENCE? AN OVERVIEW OF RAGGING IN INDIA

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Adv. Pritha Sen, Delhi High Court

## ABSTRACT

The issue of ragging has been a continuing issue in India with no end in sight. It involves harassment of junior student in educational institutions by their seniors. This Article gives an overview of the nature, extent, and impact that ragging has on the students in India. the research highlights the history, various forms of ragging, the root cause for its evolution, and legal frameworks in force. The author in this article has endeavoured to explore the different view points on the definition of ragging and has tried to lay out a timeframe showing the various incidents that have led to the whole country taking note of this issue. This article also examines the role of institutions, law enforcement and society in addressing this issue by analysing not only the various anti-ragging measures in place but also a few landmarks judgments of the Supreme Court. By doing so the author has tried to point out the gaps and inefficiencies that are currently hindering efforts to combat ragging and foster a safe and conducive learning environment for future generations.

**Keywords:** ragging, India, education, harassment, institutions, anti-ragging laws, prevention

## INTRODUCTION

*“Vidya Dadaati Vinayam, Vinayaad Yaati Paatrataam. Paatratvaat Dhanamaaproti, Dhanaat Dharm Tatah Sukham”*

It is said that education imparts humility, humility begets worthiness, worthiness creates wealth and enrichment, enrichment leads to right conduct... but what happens when the institution that is responsible for one’s education, for cultivating and teaching right from wrong becomes the very source of pain and humiliation? What happens when one sees malice in the eyes of one’s peers instead of understanding and compassion?

It is widely understood that every new student needs to be made felt welcome and nothing breaks the ice than some good natures ribbing and fooling around. Jokes at the expenses of each other, sharing a few laughs lead to lightening the mood and lowering stress levels of freshers. However, with time, this custom of “ice-breaking” has taken a turn for the worse. Gradually, the pranks and jokes have become crueller, harsher, and even potentially life-threatening. This author would like to add that glorifying such activities in the media, including movies and series, has only acted as a catalyst for students to “up their game,” to try and find newer more inventive and creative ways of ragging juniors.

This practice, often disguised as a rite of passage or a tradition has far-reaching consequences that extend well beyond the walls of our campuses. It is imperative that we confront this issue head-on, for the health and well-being of our academic community depend on it.

## RAGGING DEFINED

As per Merriam-Webster dictionary ragging is defined as

*“to make (someone or something) the object of unkind laughter.”*<sup>1</sup>

The term ragging is used mostly with respect to universities, schools and even in some military institutions to define what is also commonly known as “initiation ceremonies or rituals”. It

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<sup>1</sup> <https://www.merriam-webster.com/thesaurus/ragging%20on> (Visited on 17<sup>th</sup> Aug 2024)

involves activities ranging from harmless practical jokes to the most extreme forms of humiliation and ridicule played on or forced upon new student or fresh recruits.

Seemingly innocent at first these activities have evolved to now constitute verbal, mental, physical, physiological, psychological forms of torture and abuse.

One of the earliest consolidated definitions for ragging given in India was by the Tamil Nadu State Legislation in India's first ever Anti-Ragging Act<sup>2</sup>, whereby it was defined as

*"... "ragging" means display of noisy, disorderly conduct doing any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes, -*

*(a) teasing, abusing of, playing practical jokes on, or causing hurt to such student; or*

*(b) asking the student to do any act or perform something which such student will not in the ordinary course willingly do."*<sup>3</sup>

In 1999, the SC in the Vishwa Jagriti case also defined the term as

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

The Raghavan Committee set up in 2009 wrote in its report that ragging was neither a means of familiarisation nor introducing oneself to the new batch of students, rather such behaviour could only be considered psychopathic and would reflect deviant personalities. It

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<sup>2</sup> Tamil Nadu Prohibition of Ragging Act, 1997, ACT No. 7 OF 1997.

<sup>3</sup> Section 2 Ibid.

was a cruder form of embodying the power configurations at play in the society at large.<sup>4</sup>

By 2009 even the UGC had adopted a Regulation on Curbing the Menace of Ragging in Higher Institutions based on the recommendations of the Raghavan Committee and given its own definition of ragging consisting of comprehensive list of activities that would fall under the offence of ragging.<sup>5</sup>

## HISTORY OF RAGGING

Ragging can be traced back to the Anno Domini era. The earliest mention of ragging can be found in the 8<sup>th</sup> Century A.D. in Greece during the Olympics and later – on in Grecian military training institutions. However, such traditions were very mild and not brutal in nature.

By the 18<sup>th</sup> century this practice had spread to Europe and USA but was mostly prevalent in English schools and military institutions. Even then activities ranged from harmless pranks and practical jokes in mild forms. It was during the first World War that ragging went through a massive transformation. Student who returned from war and rejoined classes brought with them new and more severe forms of ragging techniques – such as were practiced in army camps.<sup>6</sup>

## REASONS FOR THE PREVALENCE OF RAGGING

- Unsupervised responsibility given to seniors in looking after their juniors
- Dependence by the university/college administration on seniors and turning a blind eye when ragging is done under the garb of “teaching the new comers the ways and traditions of the institution”
- Sense of power, seniority, superiority, and influence cultivated among the seniors

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<sup>4</sup> Anti Ragging Policies, <https://vikaspedia.in/education/policies-and-schemes/anti-ragging-policies> (Visited on 17th Aug, 2024)

<sup>5</sup>UGC Modifies the Definition of Ragging, NDTV (15 June 2009), <https://www.ndtv.com/india-news/ugc-modifies-the-definition-of-ragging-396252> (Visited on 17th Aug, 2024)

<sup>6</sup> Hemamalie Gunatilaka, *Ragging; Its Evolution and Effects: A Literature Review with a Special Reference to Sri Lanka*, Volume III, Issue X, IJRIS (October 2019), ISSN 2454-6186, <https://www.rsisinternational.org/journals/ijriss/Digital-Library/volume-3-issue-10/92-99.pdf> (Visited on 17th Aug, 2024)

- As form of retaliation (they were ragged by their seniors now they will do the same. Why should only they suffer)
- Maintaining a public image and impression of being influential and powerful among the student body.
- Lack of any control or correction by the institution management.
- Making light of and normalising such acts.
- Lack of any laws that would cover the grey-areas that students misuse to get away with acts that would otherwise constitute as offences.<sup>7</sup>

## INTRODUCTION OF RAGGING IN INDIA

The practice of ragging was introduced in India during the colonial era when British-style institutions were established. As English schools began increasing in India, ragging also gained popularity among the students. Where these rituals were introduced as a means of assimilating new students into the prevailing system and create a sense of belonging, the nature of ragging took a darker turn and became more violent and abusive.<sup>8</sup>

## RAGGING IN INDIA THROUGH THE YEARS

As mentioned before by the author, ragging was a concept that had already been introduced during the colonial era. This practice continued into the post-independence years as well.

### 1970s

The first time that the Government of India had issued a notification banning ragging in the country was a result of the death of two freshers in a Regional Engineering College in the late

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<sup>7</sup> Prof. Mohan Rao et. al., *Psychosocial Study of Ragging in Selected Educational Institutions in India* (December, 2015), [https://www.ugc.gov.in/pdfnews/7661310\\_Psychosocial-Study-of-Ragging.pdf](https://www.ugc.gov.in/pdfnews/7661310_Psychosocial-Study-of-Ragging.pdf) (Visited on 17th Aug, 2024)

<sup>8</sup> Prajna Dutta, *Unveiling the History of Ragging: From Tradition to Condemnation*, (12 Aug. 2023), <https://www.prajnaduttaofficial.com/single-blog.php?blog=unveiling-the-history-of-ragging-from-tradition-to-condemnation#:~:text=In%20India%2C%20the%20practice%20of,create%20a%20sense%20of%20belonging.> (Visited on 17<sup>th</sup> Aug, 2024)

70s.<sup>9</sup>

## 1996

It was in 1996, a first-year medical student of University of Madras, Pon Navarasu, was found murdered brutally. The investigating authorities found that a senior of his had assaulted the victim during a ragging session to such an extent that the boy has died during the ragging session. The senior had then dismembered the body and scattered the body parts in different places. The Tamil Nadu trial judge convicted the perpetrator and sentenced him to two concurrent life imprisonment. It was this horrifying case that led the Tamil Nadu Government enacted an Anti Ragging legislation called The Tamil Nadu Prohibition of Ragging Act, 1997.<sup>10</sup>

## 1999

In the case of *Vishwa Jagriti Mission vs. Central Government*<sup>11</sup>, a non-profit organisation called the Vishwa Jagriti Mission filed a PIL before the Supreme Court to curb the widespread practice of ragging in India. While giving a comprehensive definition of ragging as encompassing various forms of harassment, intimidation and cruelty inflicted on students, the SC also held the institutions responsible. The Court directed the educational institutions as well as the State and Central governments to take strict measures to prevent ragging and to create a conducive learning environment. It also mandated the formation of anti-ragging committees at institutional levels to address complaints and take disciplinary actions. Apart from emphasising the need for creating awareness campaigns amongst students, faculties, parents etc, the Hon'ble Court also outlined severe punishments for those involved in or encouraging ragging – even to the extent of expelling such students.

## 2009

In 2009, a medical student of Dr. Rajendra Prasad Medical College, Tanda, Himachal Pradesh

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<sup>9</sup> Anti Ragging Policies, <https://vikaspedia.in/education/policies-and-schemes/anti-ragging-policies#:~:text=It%20was%20in%20the%20late,banning%20ragging%20in%20the%20country> (Visited on 17<sup>th</sup> Aug 2024)

<sup>10</sup> D. Suresh Kumar, *The 1996 TN Case that Started it All*, Times of India (12 Nov. 2010), <https://timesofindia.indiatimes.com/india/the-1996-tn-case-that-started-it-all/articleshow/6910870.cms> (Visited on 17<sup>th</sup> Aug, 2024)

<sup>11</sup> W.P No. (C) 656 of 1998

was beaten so badly during ragging that it ultimately led to his death. The management faced a lot of flak as they had refused to look into the matter and had turned a blind eye to the rampant campus brutality.<sup>12</sup>

In the aftermath of this incident the R.K. Raghavan Committee was formed by the Supreme Court in 2009, to address the persistent issues of ragging in educational institutions. It was directed to analyse the problems and make recommendations to curb it. While emphasising the severe adverse impact of ragging on the students' mental and physical well-being, the Committee also noted that despite the Supreme Court's guidelines laid down in 2001<sup>13</sup>, the poor implementation of them by the educational institutions played a major role in ragging continuing unabated. The Committee recommended a comprehensive law with stringent penalties, setting up of anti-ragging cells at central, state as well as institutional levels to monitor and prevent such incidents, and to carry out awareness campaigns not only among educational institutions but outside as well. It also recommended the setting up of a toll-free helpline to facilitate reporting and providing support to the victims. It went so far as to suggest surprise check and anonymous surveys to gauge the extent to which this concept of ragging has ingrained itself within the institutions.<sup>14</sup>

In *University of Kerala vs Council, Principals' Colleges and Ors.*<sup>15</sup> in light of the recommendations made by the Raghavan Committee, the Supreme Court ordered that several of the recommendations made by the Committee shall be implemented immediately. These included:

- Changing the dates of joining for the juniors to be a few weeks prior to the joining date of the seniors, appointment of counsellors, running joint sensitisation programmes and counselling sessions.
- Anti-Ragging Committees and Anti-Ragging Squads and Monitoring Cells in every university and institutional levels.

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<sup>12</sup>Naresh K. Sharma & Anand Bodh, *Medical Student Killed in Ragging*, Times of India, (10 Mar. 2009), <https://timesofindia.indiatimes.com/india/medical-student-killed-in-ragging/articleshow/4247603.cms> (Visited on 17<sup>th</sup> Aug 2024)

<sup>13</sup> Vishwa Jagriti Case, *supra*. Note 11

<sup>14</sup> <https://www.maptti.com/various-committees/anti-ragging-committee/>, Anti-Ragging Committee, Majhihira Ashram Primary Teachers' Training Institute (Visited on 17<sup>th</sup> Aug, 2024)

<sup>15</sup> Civil Appeal No. 887 of 2009

- Registration of private institutions, hostels and lodges with local police authorities and permission recommended by the Heads of Educational Institutions. Mandatory for local police and local administration and institutional authorities to ensure vigil on incidents that come within definition of ragging.
- Wardens of hostels, heads of institutions, faculty members, members of anti-ragging committees and other state and central authorities to be accessible along with their phone numbers being available and distributed where relevant.
- Brochures and booklets to students for obtaining undertaking not to indulge or abet in ragging to be distributed. These leaflets shall contain information of prevention and methods of redress.
- Setting up a central crisis-hotline and anti-ragging database, the latter of which will be monitored by a non – governmental organisation, nominated by the Union of India.
- The SC also ordered the UGC to draft Regulations on Curbing the Menace of Ragging that must be adopted by other regulatory bodies like AICTE, DCI, etc.
- While acknowledging that the guidelines of 2001 were not sufficient, it ordered regulations to be imposed strictly and penalties for those in charge of the institution, if they ignore, or neglect or display apathetic/insensitive attitude or do not prevent ragging.
- The SC emphasised that not only students but faculty also should be sensitised to the evils of letting such a practice continue – and included inter alia non-teaching staff, administrative staff, contract employees, canteen staff and security staff.
- The Supreme Court also accepted the recommendation of the Committee to obtain undertaking from the above-mentioned staff that they would report any ragging incident that comes to their knowledge.
- It also stated that it is also the responsibility of the parents to do their utmost to bring to the notice of the heads of the institution any incident of ragging that has taken place with their or someone else's child.



- The Supreme Court also held the SHOs of the police station having jurisdiction over the institutions for ensuring that no ragging is done, and if it is done then to take immediate and prompt action to deal with such incidents effectively and efficiently – including co-operating with the other agencies in charge of monitoring such incidents.
- The Supreme Court also ordered the State Governments to amend their anti-ragging legislations to include provisions of penal consequences upon the institutional heads.<sup>16</sup>

## **LEGISLATIONS IN INDIA FOR PREVENTION OF RAGGING**

### **Indian Penal Code, 1860 (IPC)**

Though ragging itself has not been enumerated as an offence under IPC, yet various acts that fall under the definition of ragging and are offences in and of themselves and are punishable under this Code are listed below:

- S. 339 - 342 Wrongful restraint and wrongful constraint (S. 126-127 as per BNS)
- S. 294. Obscene acts and songs (S. 296 as per BNS)
- S. 506. Punishment for criminal intimidation In cases of extreme ragging that includes violence (S. 351 as per BNS)
- S. 323 - 326 dealing with voluntarily causing hurt or grievous hurt (S. 115, 117, 118 as per BNS)
- S. 304. Punishment for culpable homicide not amounting to murder (S. 105 as per BNS)
- S. 306. Abetment of suicide (S. 108 as per BNS)
- S. 307. Attempt to murder (S. 109 as per BNS)

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<sup>16</sup> <https://www.antiragging.in/information.html> (Visited on 16th Aug, 2024)

## **UGC Regulations On Curbing The Menace Of Ragging In Higher Educational Institutions, 2009**

These regulations are applicable to all institutions that are under the Central or State, that are deemed universities under the UGC Act, 1956 and all other educational institutions. Some of the topic the regulation deals with are given below:

- Institutions must publish that ragging is banned
- College brochures should mention in detail the guidelines followed, Courts' directions and Government directions.
- Students must sign Affidavit during admission to not participate in ragging in any form.
- Anti-Ragging Committees should be constituted at every institution.
- Contact details of the Anti-Ragging Committee Helpline, Committee Members and Anti-Ragging Squad should be made available to every new student, along with information on whom to turn for help and their contact information.
- Heads of the Institution should ensure that an FIR is filed in the concerned Police Station the moment any incident of ragging is reported to them, within 24 hours of receiving the information.

## **All India Council for Technical Education (Prevention and Prohibition of Ragging in Technical Institutions, Universities including Deemed to be Universities imparting Technical Education) Regulation, 2009**

This was drafted under section 10 and Section 23 of the AICTE Act, 1987

## **Medical Council of India (Prevention and Prohibition of Ragging in Medical Colleges/Institutions) Regulations, 2009**

The regulation was drafted under Section 33 of the Indian Medical Council Act, 1956<sup>17</sup>

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<sup>17</sup> [https://www.ssgcbhikhi.in/prevention\\_ragging.php?entry\\_id=1632724097&title=ragging-is-originally-a-western-concept-and-was-originally-a-form-of-social-interaction-between-seniors-and-juniors-in-schools-and-](https://www.ssgcbhikhi.in/prevention_ragging.php?entry_id=1632724097&title=ragging-is-originally-a-western-concept-and-was-originally-a-form-of-social-interaction-between-seniors-and-juniors-in-schools-and-)

## State Legislations Year Wise

- **Andhra Pradesh Prohibition of Ragging Act, 1997**
- Tamil Nadu Prohibition of Ragging Act, 1997
- The Assam Prohibition of Ragging Act, 1998
- The Kerala Prohibition of Ragging Act, 1998
- **Maharashtra Prohibition of Ragging Act, 1999**
- The West Bengal Prohibition of Ragging in Educational Institutions Act, 2000
- The Goa Prohibition of Ragging Act, 2008
- Uttar Pradesh Prohibition of Ragging in Educational Institutions Act, 2010
- Jammu and Kashmir Prohibition of Ragging Act, 2011
- Haryana Prohibition of Ragging in Educational Institution Act, 2012

## RAGGING ON AN INTERNATIONAL LEVEL

The author would like to state that India is not the only country where the concept of ragging is rampant. In fact, there are many other Asian, European and American countries where such activities are practiced. Just like in India, here also these atrocities are hidden behind euphemisms and code words. In countries like Sri Lanka, Bangla Desh, India, and Pakistan – such acts are given the name of “Initiation Ceremony/Orientation Day” while in Australia, South Africa, Philippines the students call it “Initiation Rites”, France on the other hand has its own name “bizutage” which means rite of passage. Thailand has its own unique name for seniors ragging their juniors known as S.O.T.U.S. – seniority, order, training, unity, spirit). These terms are used to travel between the grey areas of society where the law cannot reach unless it is made to be stringent and unforgiving.

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colleges-however-these-interactions-have-taken-a-very-brutal-inhuman-and-anti-social-form-at-times (Visited on 16<sup>th</sup> Aug, 2024)

It is very disappointing that despite ragging being a serious issue among many countries, there is yet to be any step taken by the international agencies in curbing such unacceptable practices. While the author concedes that ragging could probably fall under human right violations and thereby be governed under the Universal Declaration on Human Rights and other international human rights treaties, yet given the increasingly dark and dangerous nature of ragging, as evidenced by recent reports of students driven to suicide or other extreme actions, it is imperative that international organizations take immediate steps to enact regulations or laws to eradicate ragging.

## CONCLUSION

Despite the fact that ragging in India has been present since almost the British era, the author is forced to take note that no government that has been in power since then has made an effort to formulate a central law on anti-ragging that would be applicable all over India.

There is no doubt that efforts have been made by the various State Legislatures to restrain this menace. However, the persistence of such cases has highlighted the need for more vigilance and better implementation of the existing laws. This has also brought into light the abject failure of the law makers as well as the administrators of the country to bring about changes in this regard. As of 2023 the UGC has reported a total of 25 deaths that have occurred by suicide due to ragging in the past 5 and half years.<sup>18</sup> Many more innocents lose their lives due to excessive ragging and this keeps continuing every year with the acts of ragging getting more gruesome every time.

The author would like to state that in her humble opinion it is high time that the government take note of the its neglectful and lackadaisical outlook towards such a heinous act and work towards making the universities of this country a safe space for students. The author would also like to urge that achieving this goal requires a collective effort on behalf of the government, the institutions, the staff, the students as well as their parents. It is up to us as citizens of this country to keep our future generations safe and let them grow and succeed in a conducive environment.

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<sup>18</sup> Kajal Basu, *Death by Ragging: A Long Global History of Violence*, Indian Express (24 Aug, 2023), <https://www.newindianexpress.com/opinions/2023/Aug/23/death-by-ragging-a-long-global-history-of-violence-2608112.html#:~:text=This%20month%2C%20a%20UGC%20response%20to%20an,at%20least%2025%20students%20died%20by%20suicide%20after%20ragging> (Visited on 18<sup>th</sup> Aug 2024)