

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No: **TUPWP.(PIL)No.8 of 2023**

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
4.	28.08.2023	<p><u>CJ & TVK,J</u></p> <p style="text-align: center;"><u>TUPWP.(PIL)No.8 of 2023</u></p> <p>Learned Government Pleader for General Administration for respondent No.1.</p> <p>Learned Government Pleader for Medical, Health and Family Welfare, for respondent No.2, 3, 5 and 6.</p> <p>Learned Government Pleader for Home for respondent No.4.</p> <p>Heard on the question of admission.</p> <p>This Writ Petition was registered on the basis of a communication addressed to this Court, in which, the issue with regard to ragging of the students in the colleges in the State of Telangana has been raised.</p> <p>The respondents have filed counter affidavit.</p> <p>We have heard learned Government Pleader for Medical, Health and Family Welfare to some extent.</p> <p>The Hon'ble Supreme Court in Vishwa Jagriti Mission v/s. Central Government [(2001) 6 SCC 577] has laid down the Guidelines to be followed by the authorities. Paragraph Nos.7 to 22 of the said judgment are reproduced for the facility of reference:</p> <p>“7. Ragging can be stopped by creating awareness amongst the students, teachers and parents that ragging is a reprehensible act which does no good to any one and by simultaneously generating an atmosphere of discipline by sending a clear message that no act of ragging shall be tolerated and any act of ragging shall not go unnoticed and unpunished.</p> <p>8. Anti-ragging movement should be initiated by the institutions right from the time of advertisement for admissions. The prospectus, the form for admission and/or any other literature issued to</p>	<p>Transferred to i/o folder, before corrections, if any.</p> <p>(P.T.O.)</p>

		<p>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, which punishment may include expulsion from the institution, suspension from the institution or classes for a limited period or fine with a public apology. The punishment may also take the shape of: (i) withholding scholarships or other benefits, (ii) debarring from representation in events, (iii) withholding results, and (iv) suspension or expulsion from hostel or mess, and the like. If there be any legislation governing ragging or any provisions in the Statute/Ordinances they should be brought to the notice of the students/parents seeking admissions.</p> <p>9. The application 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 the parent/guardian of the applicant.</p> <p>10. Such of the institutions as are introducing such a system for the first time shall ensure undertakings being obtained from the students -- and their parents/guardians already studying in the institutions before the commencement of the next educational year/session.</p> <p>11. 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, along with the addresses 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.</p> <p>12. 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 to generate confidence in their mind that any instance of ragging to which they are subjected or which comes in their knowledge should forthwith be brought to their knowledge and shall be promptly dealt with while protecting the complainants from any harassment by the perpetrators of ragging. It would be better if the head of the institution or a person high in authority addresses meetings of teachers, parents and students collectively or in groups in this behalf.</p> <p>13. At the commencement of the academic session, the institution should constitute a proctorial committee consisting of senior faculty members and hostel authorities like wardens and a few responsible</p>	(P.T.O.)
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		<p>senior students :-</p> <p>(i) to keep a continuous watch and vigil over ragging so as to prevent its occurrence and recurrence,</p> <p>(ii) to promptly deal with the incidents of ragging brought to its notice and summarily punish the guilty either by itself or by putting-forth its findings/ recommendations/suggestions before the authority competent to take decision.</p> <p>All vulnerable locations shall be identified and especially watched.</p> <p>14. The local community and the students in particular must be made aware of dehumanising effect of ragging inherent in its perversity. Posters, notice boards and sign-boards-whenever necessary, may be used for the purpose.</p> <p>15. Failure to prevent ragging shall be construed as an act of negligence in maintaining discipline in the institution on the part of the management, the principal and the persons in authority of the institution. Similar responsibility shall be liable to be fixed on hostel wardens/superintendents.</p> <p>16. The hostels/accommodations where freshers are accommodated shall be carefully guarded, if necessary by posting security personnel, and placed incharge of a warden/superintendent who should himself/herself reside thereat, and wherein the entry of seniors and outsiders shall be prohibited after a specified hour of the night and before except under the permission of the person incharge. Entry at other times may also be regulated.</p> <p>17. If the individuals committing or abetting ragging are not identified collective punishment could be resorted to act as a deterrent punishment and to ensure collective pressure on the potential raggars.</p> <p>18. Migration certificate issued by the institution should have an entry apart from that of general conduct and behaviour whether the student had participated in and in particular was punished for ragging.</p> <p>19. If an institution fails to curb ragging, the UGC/Funding Agency may consider stoppage of financial assistance to such an institution till such time as it achieves the same. A University may consider disaffiliating a college or institution failing to curb ragging.</p> <p>20. The Universities and the institutions shall, at a reasonable time before the commencement of an academic year, and therefore at such frequent intervals as may be expedient, deliberate over and devise such positive and constructive activities to be arranged by involving the students generally so that the seniors and juniors, and the existing students and the freshers, interact with each other in a healthy</p>	(P.T.O.)
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		<p>atmosphere and develop a friendly relationship so as to behave like members of a family in an institution. Seniors or juniors should be encouraged to exhibit their talents in such events so as to shed their complexes.</p> <p>21. We make it clear that guidelines are only illustrative and are not intended to come in the way of the institutions and authorities devising ways and means to curb the ragging. If there are local laws governing ragging they shall be implemented and knowledge and information about such laws shall also be disseminated. Ragging if it becomes unmanageable or amounts to a cognizable offence, the same may be reported to the police. However, the police should be called in or allowed entry in the campus at the instance of the head of the institution or the person in charge. We expect the police also to deal with such incidents when brought to its notice for action by keeping in mind that they are dealing with students and not criminals. The action of the police should never be violent and be always guided by a correctional attitude.</p> <p>22. UGC shall bring these guidelines to the notice of all educational institutions. Publicity may also be given by issuing press notes in public interest by UGC and the Central Government.”</p> <p>Learned Government Pleader for Medical, Health and Family Welfare shall state on affidavit, whether the aforesaid Guidelines are being adhered to by the authorities in the State of Telangana.</p> <p>Let the affidavit positively be filed within a period of two (02) weeks.</p> <p>List thereafter.</p> <p>Learned Government Pleader for Home shall also apprise this Court with regard to the action taken by the Commissioner of Police against the delinquents.</p> <p style="text-align: right;">CJ(AAJ)</p> <p style="text-align: right;">TVK,J</p> <p><i>gj/gra</i></p>	
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