

The DCI Regulations on Curbing the Menace of Ragging in Dental Colleges, 2009

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Central Government ActThe DCI Regulations on Curbing the Menace of Ragging in Dental Colleges, 2009

1. Short title and commencement. -(i) These regulations may be called the DCI Regulations on Curbing the Menace of Ragging in Dental Colleges, 2009.

(ii) They shall come into force from the date¹ of their publication in the Official Gazette.

2. Notwithstanding anything contained in the Dentists Act, 1948 and any of the regulations made thereunder as amended from time to time, it shall be the duty and responsibility of Management/Principal of the Dental Colleges to create a conducive atmosphere for imparting dental education to the UG/PG Dental students undergoing training in such colleges and take all necessary steps to prevent/prohibit/curb ragging of any type in their Dental Colleges to enable students to study the vast UG/PG Dental Course and its various parameters and concepts of dental education in a calm and peaceful atmosphere as the dental education requires gruelling studies.

3. Various Types of Ragging. -The Raghvan Committee constituted by the Hon'ble Supreme Court has, inter alia, mentioned the following types of ragging:-(i) Ragging has several aspects with, among others, psychological, social, political, economic, cultural, and academic dimensions.

(ii) Any act that prevents, disrupts or disturbs the regular academic activity of a student should be considered within the academics related aspect of ragging; similarly, exploiting the services of a junior student for completing the academic tasks assigned to an individual or a group of seniors is also an aspect of academics related ragging prevalent in many institutions, particularly in the professional institutions in medicine. (iii) Any act of financial extortion or forceful expenditure burden put on a junior student by senior students should be considered an aspect of ragging for ragging economic dimensions. (iv) Any act of physical abuse including all variants of it: sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person can be put in the category of ragging with criminal dimensions. (v) Any act or abuse by spoken words, emails, snail-mails, public insults should be considered with in the psychological aspects of ragging. This aspect would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to others; the absence of preparing 'freshers' in the run up to their admission to higher education and life in hostels also can be ascribed as a psychological aspect of ragging - coping skills in interaction with seniors or strangers can be imparted by parents as well. Any act that affects the mental health and self-confidence of students also can be described in terms of the psychological aspect of ragging. (vi) The political aspect of ragging is apparent from the fact that incidents of ragging are low in institutions which promote democratic participation of students in representation and provide an identity to students to participate in governance and decision making within the Institute bodies. (vii) The human rights perspective of ragging involves the injury caused to the fundamental right to human dignity through humiliation heaped on junior students by seniors; often resulting in the extreme step of suicide by the victims.

4. Directions of the Hon'ble Supreme Court of India Regarding Curbing the Menace of Ragging. -The Raghvan Committee constituted by the Hon'ble Supreme Court in SLP No. 24295/2006 has submitted its detailed report to the Hon'ble Supreme Court on 7-5-2007. The Hon'ble Supreme Court vide its Order dated 16-5-2007 has passed the following Order in the matter:- We have perused the Report of the Committee constituted pursuant to this Court's order to suggest remedial measures to tackle with the problem of ragging in educational institutions. An elaborate report has been submitted by the Committee headed by Dr. R.K. Raghavan. According to the Committee, the following factors need to be focused to tackle with the problem:-(a) Primary responsibility for curbing ragging rests with academic institutions themselves.

(b) Ragging adversely impacts the standards of higher education. (c) Incentives should be available to institutions for curbing the menace and there should be disincentives for failure to do so. (d) Enrolment in academic pursuits or a campus life should not immunize any adult citizen from penal provisions of the laws of the land. (e) Ragging needs to be perceived as failure to inculcate human values from the schooling stage. (f) Behavioural patterns among students, particularly potential 'raggers', need to be identified. (g) Measures against ragging must deter its

recurrence.(h)Concerted action is required at the level of the school, higher educational institution, district administration, university, State and Central Governments to make any curb effective.(i)Media and the Civil Society should be involved in this exercise.The Committee has made several recommendations. For the present, we feel that the following recommendations should be implemented without any further lapse of time:-(1) The punishment to be meted out has to be exemplary and justifiably harsh to act as a deterrent against recurrence of such incidents.(2)Every single incident of ragging where the victim or his parent/guardian or the Head of institution is not satisfied with the institution arrangement for action, a First Information Report must be filed without exception by the institutional authorities with the local police authorities. Any failure on the part of the institutional authority or negligence or deliberate delay in lodging the FIR with the local police shall be construed to be an act of culpable negligence on the part of the institutional authority. If any victim or his parent/guardian of ragging intends to file FIR directly with the police, that will not absolve the institutional authority from the requirement of filing the FIR.(3)Courts should make an effort to ensure that cases involving ragging are taken up on a priority basis to send the correct message that ragging is not only to be discouraged but also to be dealt with sternness. In addition, we direct that the possibility of introducing in the educational curriculum a subject relating to ragging shall be explored by the National Council of Educational Research and Training (NCERT) and the respective State Council of Educational Research and Training (SCERT). This aspect can be included in the teaching of the subjects 'Human Rights'. In the prospectus to be issued for admission by educational institutions, it shall be clearly stipulated that in case the applicant for admission is found to have indulged in ragging in the past or if it is noticed later that he has indulged in ragging, admission may be refused or he shall be expelled from the educational institution. The Central Government and the State Governments shall launch a programme giving wide publicity to the menace of ragging and the consequences which follow in case any student is detected to have been involved in ragging. It shall be the collective responsibility of the authorities and functionaries of the concerned institution and their role shall also be open to scrutiny for the purpose of finding out whether they have taken effective steps for preventing ragging and in case of their failure, action can be taken; for example, denial of any grant-in-aid or assistance from the State Governments. Anti-ragging committees and squads shall be forthwith formed by the institutions and it shall be the job of the committee or the squad, as the case may be, to see that the committee's recommendations, more particularly those noted above, are observed without exception and if it is noticed that there is any deviation, the same shall be forthwith brought to the notice of this Court. The committee constituted pursuant to the order of this Court shall continue to monitor the functioning of the anti-ragging committees and the squads to be formed. They shall also monitor the implementation of the recommendations to which reference has been made above.* *Extracts of the judgment of Hon'ble Supreme Court dated 8-5-2009 in Civil Petition No. 887 of 2009 in the matter of University of Kerala v. Council, Principal Colleges, Kerala are also enclosed at Annexure-A for information, guidance and strict compliance by the dental institutions.

5. Objective. -To root out ragging in all its forms from dental colleges/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.

6. Definitions. -For the purposes of these regulations,-

6. 1 "institution/college" means any dental college/institution established in accordance with provisions of the Dentists Act, 1948 and regulations made thereunder as amended from time to time, for the purpose of imparting dental education in the country.

6. 2 "Head of the Institution" means the Principal/Dean (or by whatever designation may be called) of the dental college/institution.

6. 3 "Ragging" means 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.

7. 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 even 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 flowing from the definition of "Ragging".

8. Measures for prohibition of ragging at the institution level. -

8. 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.

8. 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.

8. 3 The institution shall take strict action against those, found guilty of ragging and/or of abetting ragging.

9. Measures for prevention of ragging at the institution level. - HTML PUBLIC "-//W3CDTD HTML 4.01 TransitionalEN" "http://www.w3.org/TR/html4/loose.dtd"

10 Monitoring Mechanism to ensure compliance. - HTML PUBLIC "-//W3CDTD HTML 4.01 TransitionalEN" "http://www.w3.org/TR/html4/loose.dtd" 11

Punishments. -(11) 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:-

(11)1.1 Suspension from attending classes and academic privileges.(11)1.2 Withholding/withdrawing scholarship/fellowship and other benefits.(11)1.3 Debarring from appearing in any test/examination or other evaluation process.(11)1.4 Withholding results.(11)1.5 Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.(11)1.6 Suspension/expulsion from the hostel.(11)1.7 Cancellation of admission.(11)1.8 Rustication from the institution for period ranging from 1 to 4 semesters.(11)1.9 Expulsion from the institution and consequent debarring from admission to any other institution for a specified period.(11)1.10 Fine ranging between Rupees 25,000 and Rupees 1 lakh.(11)1.11 Collective punishment: When the persons committing or abetting the crime of ragging are not identified, the institution shall resort to collective punishment.(11)2 At the university level in respect of institutions affiliated to.- If an institution fails to comply with any of the provisions of these regulations and fails to curb ragging effectively, the university shall impose any one or any combination of the following penalties on it:-(11)2.1 Withdrawal of affiliation and/or other privileges conferred on it.(11)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.(11)2.3 Withholding grants allocated to it by the university, if any.(11)2.4 Withholding any grants channelled through the university to the institution, if any.(11)2.5 Any other appropriate penalty within the powers of the university.(11)3 At the Management level.- The authorities/Management (Trust, Societies, etc.) 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 Management/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.(11)4 At the DCI level.- If an institution fails to curb ragging, the Dental Council of India shall impose any one or any combination of the following penalties on it:-(11)4.1 To initiate the derecognition process against the institution under section 16A of the Dentists Act, 1948.(11)4.2 To reduce the admission capacity of the institution to the extent to which the Council deem fit(11)4.3 To stop further admission in the institution till further orders.(11)4.4 To stop renewal of permission respect of UG/PG Dental Courses.(11)4.6 To post the information regarding penalties so imposed on the concerned institution on the website of DCI for information of all concerned.HTML PUBLIC "-W3CDTD HTML 4.01 TransitionalEN"

"http://www.w3.org/TR/html4/loose.dtd" 12 Submission of Report to DCI. - The each and every institution shall submit its reports in prescribed format (Annexure II) to the Secretary, Dental Council of India, Aiwan-E-Galib Marg, Kotla Road, New Delhi-110002, as per the following time schedule:-(12) 1 by 31st October of every year in which admissions are made, indicating the action taken by institution for implementation of Regulations 9.1 and 9.2 of these Regulations failing which action referred to in Regulation 11.4 would be initiated against defaulting institution; and(12)2 by 30th April of every year in respect of the previous academic session, in the prescribed format (Annexure II), indicating the requisite information against each column thereof, failing which action mentioned in Regulation 11.4 would be initiated against defaulting institution.

9. 1 Before admissions

9.

1.1The 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. regulation 11 below).

9.

1.2These regulations shall be printed in full, indicating Annexure I, Part I and Part II, in the brochure of admission/instruction booklet for candidates.

9.

1.3The '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'.

9.

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 found 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.

9.

1.5 The application form shall also contain 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.

9.

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, as the case may be, 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.

9.

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.

9.

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.

9.

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 multicoloured 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.

9.

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.

9.

1.11 The institution shall identify, properly illuminate and man all vulnerable locations.

9.

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.

9.

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.

9.

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.

9. 2 On admission

9.

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.

9.

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.

9.

2.3 The leaflet mentioned above shall also tell 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.

9.

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.

9.

2.5 The institution shall also organize joint sensitization programmes of 'freshers' and seniors.

9.

2.6 Freshers shall be encouraged to report incidents of ragging, either as victims, or even as witnesses.

9. 3 At the end of the academic year

9.

3.1 At the end of every academic year the Principal/Dean 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.

9.

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.

9. 4 Setting up of Committees and their functions

9.

4.1The 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 consider the recommendations of the Anti-Ragging Squad and take appropriate decisions, including spelling out suitable punishments to those found guilty.

9.

4.2The 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.

9.

4.3Monitoring Cell on Ragging. -The institution shall have a Monitoring Cell on Ragging to coordinate with activities of the Anti-Ragging Committees, Squads and Mentoring Cells, regarding compliance with the instructions on conducting orientation programmes, counselling 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 them to publicize anti-ragging measures, cross-verify the receipt of undertakings from condidates/students and their parents/guardians every year, and shall be the prime mover for initiating action to facilitate the implementation of anti-ragging measures at the level of the institution.

9. 5 Other measures

9.

5.1The Annexures mentioned in 9.1.4, 9.1.5 and 9.1.7 of these regulations shall be furnished at the beginning of each academic year by every student, that is, by freshers as well as seniors.

9.

5.2The institution shall arrange for regular and periodic psychological counselling and orientation for students (for freshers separately, as well as jointly with seniors) by professional counsellors 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.

9.

5.3 Apart from placing posters mentioned in 9.1.9 above at strategic places, the institution shall undertake measures for extensive publicity against ragging by means of audio-visual aids, by holding counselling sessions, workshops, painting and design competitions among students and other methods as it deems fit.

9.

5.4 Wardens shall be appointed as per the eligibility criteria laid down by UGC or any other competent authority of the concerned University/the State Govt. for the post reflecting both the command and control aspects of maintaining discipline, as well as the softer skills of counselling 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.

9.

5.5 The security personnel posted in hostels shall be under the direct control of the Wardens and assessed by them.

9.

5.6 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.

9.

5.7 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.

9.

5.8 Freshers who do not report the incidents of ragging either as victims or as witnesses shall also be punished suitably.

9.

5.9 Anonymous random surveys shall be conducted across the 1st year batch of students (freshers) every fortnight by the institution on 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.

9.

5.10 The burden of proof shall lie on the perpetrator of ragging and not on the victim.

9.

5.11 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 one week of the incident itself.

9.

5.12 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.

9.

5.13 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.

9.

5.14 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.

9.

5.15 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.

9. 6. Measures for encouraging healthy interaction between freshers and seniors

9.

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.

9.

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.

9.

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.

10. 1 The Dental Council of India shall also have an Anti-Ragging Cell within the Council as an institutional mechanism to provide secretarial support for collection of information and monitoring, and to coordinate with institution level Committees for effective implementation of anti-ragging measures.

10. 2 In case the DCI observe that any institution has submitted false/forged report in respect of any case of ragging taken place in their institution or DCI receive any complaint of ragging taken place in any dental institutions, the DCI may depute its fact finding-team to verify the factual position. The TA/DA or other financial implication if any shall be paid, as per rules, by the

concerned institution.

1. Came into force on 13-8-2009.