



**Supervised Dissertation**

**on**

**‘Ragging’ in Educational Institutions of Bangladesh; a Critical  
Review**

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## CONSENT FORM

The dissertation titled **‘Ragging’ in Educational Institutions of Bangladesh; a Critical Review** prepared by Shish Muhammad Fahim, ID- 2018-3-66-030 submitted to Mohammed Shahjalal, Senior Lecturer, Department of Law, East West University for the fulfillment of the requirement of Course 406 (Supervised Dissertation) for LLB (Hons.) degree offered by the Department of Law, East West University is approved for submission.

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**Signature of the Supervisor**

**Date:**

## DECLARATION

I, Shish Muhammad Fahim, hereby certify that the research contained in this undergraduate thesis is entirely original and my own. Nothing from this thesis has been used without the appropriate authorization and credit. I have completed this work on my own, and I have not previously submitted it to any other organizations or institutions for consideration of any academic credentials, diplomas, certificates, or degrees. I certify the veracity and integrity of the data presented in this thesis and undertake full responsibility for its substance, analysis and conclusions.

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**Signature of the Supervisor**

**Date:**

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## **ABSTRACT**

This thesis delivers a crucial analysis on ragging in educational institutions in Bangladesh and tries to find out the current trend and controlling mechanism regarding it through a qualitative research method. A student has a lot of aspirations when they enroll in university. After being admitted to the university, many young students regrettably have terrible experiences of ragging from some of their older brothers and sisters, leaving them psychologically traumatized. This thesis tries to define ragging while giving some references of definitions. This thesis also shows the history of ragging, the reason of ragging, kinds of ragging and its aftereffects on a student life. Through an evaluation of various literature, examination of the policies and legal framework as well as different practices in Bangladeshi educational institutions this thesis has attempted to analyze Bangladesh's current ragging practices. This thesis gives a conclusion while including findings, recommends reviewing laws, practices, cases in different countries as well as the current scenario in educational institutions in Bangladesh.

# Chapter 1

## Introduction

### 1.1 Introduction:

Ragging threatens campus debate. It has social, political, cultural, psychological, and economic aspects. Additionally, it lowers higher education requirements.<sup>1</sup> Students face violence, severe student policies, strikes, low productivity, and moral decay on campus. Ragging is a human rights violation, systematic mistreatment, and gender-based and sexual assault promoted.<sup>2</sup> It is a form of bullying in some cases.<sup>3</sup> Ragging violates education and torture rights. The maniacs at the facility make this an annual ritual. It has caused deaths and increased student suicide risk. Many victimized pupils drop out.<sup>4</sup> Many bullying victims drop out of university due to other students' harsh behavior and these anecdotes can only suggest the deplorable state in Bangladeshi universities.<sup>5</sup>

### 1.2 Research Question:

What mischief does the legal system of Bangladesh have in the existing controlling mechanism against ragging and what can be done for better outcome?

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<sup>1</sup> 'Impact: Hazing Prevention - Northwestern University' <<https://www.northwestern.edu/hazing-prevention/responsibilities/impact.html>> accessed 4 January 2024.

<sup>2</sup> 'Consequences of Hazing | Dean of Students' <<https://deanofstudents.umich.edu/article/consequences-hazing>> accessed 4 January 2024.

<sup>3</sup> 'Open.Pdf' <<https://www.ncdps.gov/documents/files/bullying-and-hazing/open>> accessed 4 January 2024.

<sup>4</sup> Psychlog, 'Psychology of Ragging' (*Medium*, 2 March 2023) <<https://medium.com/@psychlog.india/psychology-of-ragging-af0198a95b6d>> accessed 4 January 2024.

<sup>5</sup> 'Sleep Deprivation, Slapping, Miming Sexual Acts: Inside The Murky World Of Ragging In Indian Colleges' <<https://article-14.com/post/sleep-deprivation-slapping-miming-sexual-acts-inside-the-murky-world-of-ragging-in-indian-colleges-6321389fe534f>> accessed 4 January 2024.



### 1.3 Literature Review:

A journal article written by Stephen S. Owen, Tod W. Burke, and David Vichesky is an informative as well as investigative paper as it shows several surveys that are relevant to this topic. It helps the researcher to gather information in chapter 2.<sup>6</sup> Research on ragging in Bangladesh by Akter & Rume contains several studies about the effects on different sexes. It is essential to gain an idea about the condition of ragging in Bangladesh.<sup>7</sup> Paper written by Prof. Mohan Rao, Dr. Shobna Sonpar, Dr. Amit Sen, Prof. Shekhar P. Seshadri, Harsh Agarwal, and Divya Padalia contains a vast discussion on ragging in India. The psychological reasons of ragging are discussed here. It also describes precious records of ragging in India, compare yearly incidents and state wise records of ragging.<sup>8</sup> Furthermore, Mohan Rao Shobna Sonpar Amit Sen Shekhar P. Seshadri Harsh Agarwal and Divya Padalia have prepared a paper describing the classification of ragging in India and also made several surveys on ragging. This is a valuable document to know about ragging in India.<sup>9</sup> In addition, a research done by Dr. VG Shinde describes the context of ragging in India well. It contains the history, the acts in several states of India, and reffers some cases in a descriptive manner. This helps the researcher to build the portion of India in this paper.<sup>10</sup> A Journal Article written by S.A. Prabha M. Manuratne is really helpful to understand the background, reasons, and patterns of ragging in Sri Lanka. This paper relies on this journal for several information about Sri Lanka attached in chapter

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<sup>6</sup>Stephen S Owen Ph D, Tod W Burke and David Vichesky, 'Hazing in Student Organizations: Prevalence, Attitudes, and Solutions' (2008) 3 Oracle: The Research Journal of the Association of Fraternity/Sorority Advisors 40.

<sup>7</sup> 'Akter\_rasheda\_sadaka\_tamanna.Pdf' <[https://www.doria.fi/bitstream/handle/10024/181029/akter\\_rasheda\\_sadaka\\_tamanna.pdf?sequence=2&isAllowed=y](https://www.doria.fi/bitstream/handle/10024/181029/akter_rasheda_sadaka_tamanna.pdf?sequence=2&isAllowed=y)> accessed 4 January 2024.

<sup>8</sup>Mohan Rao and others, 'Psychosocial Study of Ragging in Selected Educational Institutions in India (Released by UGC, Aug 2017)' (2017).

<sup>9</sup>Mohan Rao and others, 'A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India' (2018) 15 Contemporary Education Dialogue 187.

<sup>10</sup>Infra, n 11.

5.<sup>11</sup> Again, study of Hemamalie Gunatilaka provides the definition as well as the nature of ragging. Both international and the phenomenon of Sri Lanka are discussed here. It also includes the history and the psychological reasons behind ragging. It is necessary for the discussion of Sri Lanka.<sup>12</sup> Elizabeth J Allan and Mary Madden's surveys and information based writing is really helpful to study in details on the hazing in America. In this paper the researcher has collected some valuable information from the writing.<sup>13</sup>

#### **1.4 Objectives and Aims:**

The key objectives of this research are:

1. To have a detailed study on ragging.
2. To identify the existing legislations and policies against ragging.
3. To identify the lacking in the legislation which are responsible for the continuance of campus ragging.
4. To identify the judicial approach in this regard.
5. To identify potential areas require development to stop campus ragging.

#### **1.5 Methodological Approach:**

Researcher has chosen the qualitative research method to develop this paper as the objectives and the nature of this paper require it to draw a perfect framework as well as to reach the destination. Both primary as well as secondary sources are used in this paper. The primary sources include case laws, statutes, laws, provisions, Acts and Orders. On the other hand books, journals, articles and online database are used as secondary sources.

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<sup>11</sup>'2022.Pdf' <<https://ss.kln.ac.lk/depts/RCSS/images/2022/2022.pdf>> accessed 4 January 2024.

<sup>12</sup>Hemamalie Gunatilaka, 'Ragging; Its Evolution and Effects: A Literature Review with a Special Reference to Sri Lanka'.

<sup>13</sup> Elizabeth J Allan and Mary Madden, 'The Nature and Extent of College Student Hazing' (2012) 24 83.

## **1.6 Significance:**

The research paper will help make educational institutions more education-friendly and ensure student safety by passing a law to end ragging. The paper's findings will influence policymakers and lawyers to strengthen Bangladesh's legal system to prevent ragging in schools.

## **1.7 Drawbacks:**

Drawbacks exist in this research. First, this document solely covers ragging, not bullying or other similar crimes. Second, this paper avoids lengthy discussions due to word limits. This paper's recommendations exclusively apply to Bangladeshi law. The researcher does not discuss several unreported real-life incidents he witnessed and knows about due to privacy and security concerns.

## **1.8 Chapter Organization:**

The first chapter of this research project provides an overview and research proposal that elucidate the background, significance, and aim of the study. This section provides an examination of many study topics, outlining the specific objectives, technique, significance, and constraints associated with each area. Chapter two presents the concept of 'ragging'. This chapter centers on the definition, historical background, causes, and consequences of ragging. Chapter three focuses on Bangladeshi case studies and strategies for preventing ragging. The act of ragging is a violation of international laws, as explicitly discussed in chapter four. Chapter 5 explores international illustrations. This text highlights the customs, legislation, and decisions of such nations. Chapter six of the research paper entails a comprehensive analysis of the obtained results, the formulation of informed suggestions, and the finalization of the investigation.

## **Chapter 2**

## Theoretical Framework

### 2.1 What is Ragging?:

Ragging is very common counterculture and malpractice of welcoming the fresher in a barbaric way generally in universities or higher educational institutions<sup>14</sup>. Generally the term ‘ragging’ is used in the South Asian region, especially India, Pakistan, Bangladesh Sri Lanka, and Nepal.<sup>15</sup> Ragging makes the fresher students the object of mocking and abuse.<sup>16</sup> The students often become the victim of offensive treatment.<sup>17</sup> Before jumping to the further discussion the term ‘ragging’ must be defined. Some definitions are given bellow.

According to **Cambridge Dictionary** ‘rag on someone’ includes laughing at anyone, or making bad comments about him with a view to mocking that person or making him upset.<sup>18</sup>

**Nyaaya**, an Indian law explaining website says, any form of physical, verbal, or psychological harassment directed at another pupil who attends an institution of education is known as ragging. It makes no difference how senior the student is who rags or is ragged.<sup>19</sup>

**Law Insider** perfectly defines the campus ragging perfectly. According to this site

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<sup>14</sup>Ayesha Wajahat, ‘Harassment Due to Ragging’ (2014) 113 *Procedia-Social and Behavioral Sciences* 129.

<sup>15</sup>Syed Ahmer and others, ‘Bullying of Medical Students in Pakistan: A Cross-Sectional Questionnaire Survey’ (2008) 3 *PLoS one* e3889; Samson SR Nallapu, ‘Students Perceptions and Feedback on Ragging in a South Indian Medical College’ (2013) 7 *South East Asian Journal of Medical Education* 33; IG Premadasa and others, ‘Harassment of Newly Admitted Undergraduates by Senior Students in a Faculty of Dentistry in Sri Lanka’ (2011) 33 *Medical teacher* e556; DR Shakya and R Maskey, “‘Ragging’: What the Medical Students of a Health Institute from Eastern Nepal Say?” (2012) 1 *Sunsari Technical College Journal* 27.

<sup>16</sup> Aashish Srivastava, Neerav Srivastava and DK Srivastava, *Hazing (Ragging) at Universities: A Legal Perspective* (Springer Nature Singapore 2024).

<sup>17</sup>Hemamalie Gunatilaka, ‘Ragging; Its Evolution and Effects: A Literature Review with a Special Reference to Sri Lanka’.

<sup>18</sup> ‘RAG ON SOMEONE | English Meaning - Cambridge Dictionary’ <<https://dictionary.cambridge.org/dictionary/english/rag-on>> accessed 3 January 2024.

<sup>19</sup>‘What Is Ragging?’ (*Nyaaya*) <<https://nyaaya.org/legal-explainer/what-is-ragging/>> accessed 3 January 2024.

“Ragging means display of 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 college/institution.”<sup>20</sup>

**Anti ragging Act of Sri Lanka** says that the kinds of acts that harms or threatens to harm a student or employee of an educational institution physically, psychologically, mentally, or with fright are ragging.<sup>21</sup>

A Supreme Court of India ruling listed the following as ragging. Any verbal or written disruption or behavior that mocks, insults, or taunts a pupil. This involves raucous or boisterous actions that annoy, inconvenience, or psychologically injure junior students or inspire fear. It also includes causing humiliation or disgrace to harm freshman or younger kids' minds.<sup>22</sup>So, ragging is such kind of actions which are committed by the seniors which cause mental or physical injury or defamation of the juniors.

## **2.2 History of Ragging:**

Ragging is ancient. Ragging dates to Anno Domini. Greek athletics have included ragging from the 8th century A.D. The military adopts ragging later. The military uses it to test newcomers' mental strength because fighting requires it. The World Wars forced students to join the army. After the war, kids resumed military ragging at school. In the 1980s and 1990s, the media promoted this misconduct outside Europe and the US.<sup>23</sup>

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<sup>20</sup>‘Ragging Definition: 126 Samples | Law Insider’ <<https://www.lawinsider.com/dictionary/ragging>> accessed 3 January 2024.

<sup>21</sup> ‘Act\_No\_20\_EN.Pdf’ <[https://www.ugc.ac.lk/downloads/Policy/CGEE/Act\\_No\\_20\\_EN.pdf](https://www.ugc.ac.lk/downloads/Policy/CGEE/Act_No_20_EN.pdf)> accessed 3 January 2024.

<sup>22</sup>*University of Kerala v/s Council of Principals, Colleges of Kerala and others* [2009] Central Higher Court CIVIL APPEAL NO. 887 OF 2009.

<sup>23</sup>‘[No Title Found]’ International Journal of Advanced Research and Development.

### 2.3 Synonyms and Other Identities of Ragging:

Ragging is practically universal. This practice is not necessarily called 'ragging'. Different terminologies are used globally. In North America, this is hazing.<sup>24</sup> In France 'bizutage' is used to indicate ragging.<sup>25</sup> Again, the Portuguese use 'praxe' as an alternative of ragging.<sup>26</sup> And, 'mopokaste' in Finland.<sup>27</sup> All these terms cause the same offence.

### 2.4 Reasons Responsible Behind Ragging:

There are several reasons which are responsible behind ragging. The researcher has tried to discover most of them and mentions them here-

First, juniors are vulnerable since they depend on seniors for many things. Freshman students sometimes don't know if ragging is treatable. They don't know how to report ragging. Others don't report ragging for fear of being labelled cowards and alienated.<sup>28</sup> By doing so they will be excluded from all the functions of the university arranged by the students.<sup>29</sup> Ragging senior students are politically influential. Victims fear complaining against them. They don't complain for fear of more pain.<sup>30</sup> A study of SC Panel discovered that almost 84% students in India did

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<sup>24</sup>Cristóbal Salinas Jr and Michelle L Boettcher, *Critical Perspectives on Hazing in Colleges and Universities: A Guide to Disrupting Hazing Culture* (Taylor & Francis 2018).

<sup>25</sup>Xavier Vigna, 'Les Bizutages Dans Le Monde Ouvrier En France à l'époque Contemporaine' [2013] *Clio. Femmes, genre, histoire* 152.

<sup>26</sup>Ana Cristina da Silva, Mino Farhangmehr and Marjan Sara Jalali, 'License to Bully: Rites of Passage in Higher Education' (2018) 15 *International Review on Public and Nonprofit Marketing* 49.

<sup>27</sup>Sanjay Pai and Prabha S Chandra, 'Ragging: Human Rights Abuse Tolerated by the Authorities' (2009) 6 *Indian journal of medical ethics* 60.

<sup>28</sup>Ayanthi Wickramasinghe and others, 'Ragging, a Form of University Violence in Sri Lanka—Prevalence, Self-Perceived Health Consequences, Help-Seeking Behavior and Associated Factors' (2022) 19 *International Journal of Environmental Research and Public Health* 8383.

<sup>29</sup>Ayanthi Wickramasinghe and others, 'Ragging as an Expression of Power in a Deeply Divided Society; a Qualitative Study on Students Perceptions on the Phenomenon of Ragging at a Sri Lankan University' (2022) 17 *PLoS ONE* e0271087.

<sup>30</sup> বরিশালনিজস্ব প্রতিবেদক, 'র্যাগিং নিয়ে আপত্তি করায় ছাত্রের হাত ভেঙে দিলেন ছাত্রলীগ কর্মীরা' (*dhakapost.com*, 1 January 1970) <<https://www.dhakapost.com/campus/229910>> accessed 4 January 2024.

not report ragging.<sup>31</sup> At the same time they can not also share it with their guardians. The seniors commit ragging to show their power and they get sick pleasure by doing so.<sup>32</sup> At a time the victim students accept it as a culture of the institution.<sup>33</sup> A survey shows that around 45% students have accepted ragging normally though they felt bad first.<sup>34</sup> The victim students often tolerate it with a view to doing the same thing with their juniors after being senior.<sup>35</sup> Thus, it becomes a chain.<sup>36</sup> Some seniors rag juniors to teach manners. However, some think it strengthens senior-junior bonds. In a 2017 Indian survey, 62% of students said that seniors who ragged them helped them with studies and other things.<sup>37</sup> Whereas some believe that ragging is necessary to be prepared for the future and facing the harsh reality.<sup>38</sup> According to the survey mentioned above the number of such students is 36%.<sup>39</sup> Considering the reputation of the institution, the authorities of the institution never let the incident of ragging in their institution to be exposed. They are also afraid of getting involved with the incidents.<sup>40</sup> As a result, the offender goes unpunished or is not punished in an appropriate manner.<sup>41</sup> Ragging occurred in the female hall of Sher-E-Bangla Medical College on August 25, 2023. Though the student became mindless, Nazimul Haque, the college vice-principal who investigated the torture episode, called it a minor concern. Some teachers assaulted journalists and prevented them

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<sup>31</sup>‘Ragging: 45% Students Say They Felt Bad First, Reconciled to It Later | Bengaluru News - Times of India’ <<https://timesofindia.indiatimes.com/city/bengaluru/ragging-45-students-say-they-felt-bad-first-reconciled-to-it-later/articleshow/60067722.cms>> accessed 3 January 2024.

<sup>32</sup>Wickramasinghe and others, ‘Ragging as an Expression of Power in a Deeply Divided Society; a Qualitative Study on Students Perceptions on the Phenomenon of Ragging at a Sri Lankan University’ (n 29).

<sup>33</sup>Masum Billah, ‘Ragging Culture in Bangladeshi Universities | Bangladesh Education Article’ (2 January 2022) <<https://bduarticle.com/ragging-culture-in-bangladeshi-universities/>> accessed 3 January 2024.

<sup>34</sup>‘Ragging: 45% Students Say They Felt Bad First, Reconciled to It Later | Bengaluru News - Times of India’ (n 31).

<sup>35</sup>‘Theories & Research’ (*Elon University*) <<https://www.elon.edu/u/hazing/facts/theories-research/>> accessed 3 January 2024.

<sup>36</sup>ibid.

<sup>37</sup>‘Ragging: 45% Students Say They Felt Bad First, Reconciled to It Later | Bengaluru News - Times of India’ (n 31).

<sup>38</sup>ibid.

<sup>39</sup>ibid.

<sup>40</sup>*Priyangani Navaratne and Others v Chandrasena* [1998] Court of Sri Lanka 1 Sri L.R. at 170.

<sup>41</sup>R Brian Crow and Scott R Rosner, ‘Institutional and Organizational Liability for Hazing in Intercollegiate and Professional Team Sports’.

from interviewing the victim and her mother to conceal this issue.<sup>42</sup> This instance shows authority inaction on ragging. Family, seniors, and alumni do little to stop ragging. A US survey found that 25% of coaches or advisers knew about such actions and 25% occurred in front of alumni.<sup>43</sup>

## 2.5 Patterns of Ragging:

Ragging can be caused in different ways. It has various forms. Some of them are attached below.

**Verbal Torture:** From the very beginning of the campus life the fresher face verbal tortures from the seniors. They are often asked offensive questions. They are forced to recite poems and sing songs with very obscene lyrics. The continuance of such activities often traumatizes some of the students.<sup>44</sup> Some students are insulted for their birth place whereas some are insulted for the profession of their father or any of their family members. They also mock the cast or religion of the fresher.<sup>45</sup> In Sri Lanka on March 2022 a study of UGC-UNICEF shows 51.2% students become the victims of verbal harassment.<sup>46</sup> When a group of people together commit ragging then it becomes group ragging.<sup>47</sup> Usually in campuses the victims often face group ragging.<sup>48</sup>

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<sup>42</sup>প্রতিবেদকনিজস্ব, 'বরিশাল মেডিকেলের হলে দুই ছাত্রীকে র্যাগিং, সংবাদ সংগ্রহে যাওয়া সাংবাদিকদের ওপর হামলা' (*Prothomalo*, 26 August 2023) <<https://www.prothomalo.com/bangladesh/district/glj0n10837>> accessed 3 January 2024.

<sup>43</sup>Allan and Madden (n 13).

<sup>44</sup> 'Ragging Survives: Less Physical, More Verbal Torture | Delhi News - Times of India' <<https://timesofindia.indiatimes.com/city/delhi/ragging-survives-less-physical-more-verbal-torture/articleshow/133809.cms>> accessed 3 January 2024.

<sup>45</sup> 'Ragging Alert: Engg Students Can Be Expelled for Mocking Caste, Gender, Religion' (*Hindustan Times*, 8 March 2017) <<https://www.hindustantimes.com/education/anti-ragging-rules-engineering-students-can-be-expelled-for-mocking-caste-gender-religion/story-fH4a7bY318PqTaRAVKDpDL.html>> accessed 3 January 2024.

<sup>46</sup>Susana Atalaia, 'Parenting in Stepfamilies: Revisiting the Stepfather's Role' (2019) 8 *Families, Relationships and Societies* 379.

<sup>47</sup> 'Ragging News From Indian Colleges: Gang Attacks Students over Ragging Issue' (*Ragging News From Indian Colleges*, 12 September 2013) <<http://noragging.blogspot.com/2013/09/gang-attacks-students-over-ragging-issue.html>> accessed 4 January 2024.

<sup>48</sup>Rao and others, 'A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India' (n 9).



**Non-verbal Persecution:** Some forms of ragging are committed neither by verbal nor by any physical interaction directly. For example, blocking the victim's path, confinement, laugh at the victim, spreading scandal about the victim with a view to insult and defame him.<sup>49</sup> Sometimes the seniors let not the victim sleep by doing various activities with him continuously.<sup>50</sup>

**Physical Torture:** The fresher students sometimes experience physical torture on them as a part of campus ragging. They are beaten for very silly reasons and sometimes for denying to do something illegal or unethical. Even sometimes the victim does not know why he is bitten. The offenders often choose a specific area or room with a view to committing such torture. They name it 'torture sell'. For example, Jahangirnagar University, one of the most renowned universities in Bangladesh has such torture sell. Late at night the senior students convert the common room of the hall as 'torture cell' at mid night and start torturing on the junior students.<sup>51</sup>

**Cyber Attack:** In some cases the seniors bully the junior students in particular groups on social media. Sometimes they are ordered to share restricted contents and even they are often forced to upload photos of themselves in scantily clad and funny looks in those groups to entertain those seniors.<sup>52</sup> It also includes sharing dirty jokes or contents humiliating the victim of ragging.<sup>53</sup>

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<sup>49</sup>Rajesh Garg, 'Ragging: A Public Health Problem in India' (2009) 63 Indian journal of medical sciences 263; Owen Ph D, Burke and Vichesky (n 6).

<sup>50</sup>Rajesh Garg, 'Ragging: A Public Health Problem in India' (2009) 63 Indian journal of medical sciences 263; Owen Ph D, Burke and Vichesky (n 6).

<sup>51</sup>'আবাসিক হলে "টর্চার সেল" নিরাপত্তায় ভয়াবহ হুমকি' <<https://www.deshrupantor.com/456632/torture-cells-are-a-serious-security-threat-in-res>> accessed 3 January 2024.

<sup>52</sup> 'CyberbullyingAntiHazingPolicy.Pdf' <[https://www.msacad.org/uploaded/Campus\\_Life/CyberbullyingAntiHazingPolicy.pdf](https://www.msacad.org/uploaded/Campus_Life/CyberbullyingAntiHazingPolicy.pdf)> accessed 4 January 2024.

<sup>53</sup> 'Ehhs\_bullying\_harassment\_hazing\_and\_cyber-Bullying\_policy.Pdf' <[https://www.easthollywood.org/uploads/1/0/4/3/104353415/ehhs\\_bullying\\_harassment\\_hazing\\_and\\_cyber-bullying\\_policy.pdf](https://www.easthollywood.org/uploads/1/0/4/3/104353415/ehhs_bullying_harassment_hazing_and_cyber-bullying_policy.pdf)> accessed 4 January 2024.

**Sexual Harassment:** It is the worst form of ragging. Seniors objectify freshmen's bodies. Men must describe their female peers in detail. Seniors sometimes strip them. Some elderly mistreat homosexuals. Senior male students may sexually harass junior female pupils to satiate their needs.<sup>54</sup>

**Introducing Formally:** Juniors are often asked to visit all the seniors at mid night and introduce themselves in a funny manner.<sup>55</sup>

**Hostel Ragging:** Hostel residents have one of the worst campus experiences. Swapnadeep, a Jadavpur University hostel student, died on August 10, 2023, grabbing notice in India.<sup>56</sup> A few days ago on 24<sup>th</sup> July another student, Saurodeep of India died in Vijayawada University in the same way.<sup>57</sup> In Bangladesh, the death of BUET students Abrar and Fardin shows us the gravity of hostel ragging.

**Force against the Will of the Victim:** From the start, university students must join political parties and attend their programmes, meetings, and seminars. Refusing results in physical agony. They sometimes have no choice but to do so to get a hall seat. Newcomers are forced to commit crimes. Stealing, injuring others, etc.<sup>58</sup> Students who do not take any drug are often

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<sup>54</sup>Ayanthi Wickramasinghe, 'The Phenomenon of Ragging: Violence among University Students in Sri Lanka' (Acta Universitatis Upsaliensis 2022).

<sup>55</sup> VG Shinde, 'The Menace of Ragging in Educational Institutes: A Human Right Perspective' (2017) 2 International Journal of Advanced Research and Development 664.

<sup>56</sup> 'স্বপ্নদীপের মৃত্যুতে 'মুম ভাঙলো যাদবপুর কর্তৃপক্ষের - DW - 15.08.2023' (<https://www.dw.com/bn/%E0%A6%B8%E0%A7%8D%E0%A6%AC%E0%A6%AA%E0%A7%8D%E0%A6%A8%E0%A6%A6%E0%A7%80%E0%A6%AA%E0%A7%87%E0%A6%B0-%E0%A6%AE%E0%A7%83%E0%A6%A4%E0%A7%8D%E0%A6%AF%E0%A7%81%E0%A6%A4%E0%A7%87-%E0%A6%98%E0%A7%81%E0%A6%AE-%E0%A6%AD%E0%A6%BE%E0%A6%99%E0%A6%B2%E0%A7%8B-%E0%A6%AF%E0%A6%BE%E0%A6%A6%E0%A6%AC%E0%A6%AA%E0%A7%81%E0%A6%B0-%E0%A6%95%E0%A6%B0%E0%A7%8D%E0%A6%A4%E0%A7%83%E0%A6%AA%E0%A6%95%E0%A7%8D%E0%A6%B7%E0%A7%87%E0%A6%B0/a-66538366>) accessed 3 January 2024.

<sup>57</sup>'র্যাগিং রোগ! সৌরদীপের মৃত্যুর বিচার চান বাবা-মা' <<https://www.anmnews.in/regional/parents-want-justice-for-sourdeeps-death>> accessed 3 January 2024.

<sup>58</sup>Owen Ph D, Burke and Vichesky (n 6).

asked to drug.<sup>59</sup> If they deny, they are forced to try. They are forced to take overdose of alcohol.<sup>60</sup> They are forced to take overdose of alcohol.<sup>61</sup>

## 2.6 Effects of ragging:

Ragging has terrible effects. First, it hinders student studies. It destroys educational institutions' learning environments. Ragging victims are mentally weakened by senior humiliation. Victims of ragging feel anxious. Continuous ragging produces depression.<sup>62</sup> When students can no longer tolerate ragging, they must leave university. Thus, they lose their schooling rights. Riyad Hasan, a freshman at HSTU, left on February 22 after writing to the institution about ragging.<sup>63</sup> In 2018 Fahad Bin Ismail, a student of Rajshahi University left the institution.<sup>64</sup> Surprisingly, around two thousand students in Sri Lanka dropout from universities due to ragging.<sup>65</sup> In ragging the physical torture often cause physical disabilities of the victims. Between January 2007 and September 2013, 81 cases of ragging caused permanent disabilities.<sup>66</sup> Usually male students become the victims of such incidents.<sup>67</sup> Sometimes, physical torture often causes even the death of the victim. Abrar Fahad of BUET is an example of such death.<sup>68</sup> The effect of

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<sup>59</sup>ibid.

<sup>60</sup>Shinde (n 55).

<sup>61</sup>Owen Ph D, Burke and Vichesky (n 6).

<sup>62</sup>Garg (n 50); Shakya and Maskey (n 15).

<sup>63</sup>Mohiuddin Alamgir and Ashik Abdullah Apu, 'Public Universities: Racked by Ragging' (*The Daily Star*, 9 April 2023) <<https://www.thedailystar.net/news/bangladesh/news/public-universities-racked-ragging-3292251>> accessed 4 January 2024.

<sup>64</sup> 'র্যাগিংয়ের শিকার শিক্ষার্থী ছাড়লেন রাবি ক্যাম্পাস' <<https://www.jugantor.com/todays-paper/news/11496/%E0%A6%B0%E2%80%8C%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%97%E0%A6%BF%E0%A6%82%E0%A7%9F%E0%A7%87%E0%A6%B0%E0%A6%B6%E0%A6%BF%E0%A6%95%E0%A6%BE%E0%A6%B0%E0%A6%B6%E0%A6%BF%E0%A6%95%E0%A7%8D%E0%A6%B7%E0%A6%BE%E0%A6%B0%E0%A7%8D%E0%A6%A5%E0%A7%80%E0%A6%9B%E0%A6%BE%E0%A7%9C%E0%A6%B2%E0%A7%87%E0%A6%A8%E0%A6%B0%E0%A6%BE%E0%A6%AC%E0%A6%BF%E0%A6%95%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%AE%E0%A7%8D%E0%A6%AA%E0%A6%BE%E0%A6%B8>> accessed 3 January 2024.

<sup>65</sup>Wickramasinghe and others, 'Ragging, a Form of University Violence in Sri Lanka—Prevalence, Self-Perceived Health Consequences, Help-Seeking Behavior and Associated Factors' (n 28).

<sup>66</sup>Rao and others, 'A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India' (n 9).

<sup>67</sup>Allan and Madden (n 13).

<sup>68</sup>'Abrar Fahad Murder Case' (*The Daily Star*) <<https://www.thedailystar.net/tags/abrar-fahad-murder-case>> accessed 3 January 2024.

ragging on female students is not like the same as male students. For being continuous victimization of ragging they suffer from inferiority complex.<sup>69</sup> Finally, victims who cannot bear ragging occasionally commit suicide. On December 5, 2021, a Tamil Nadu medicine student attempted suicide due to ragging.<sup>70</sup>

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<sup>69</sup> 'IMPACT AND EFFECT OF RAGGING' (*oHeraldo*) <<https://www.heralldgoa.in/Edit/IMPACT-AND-EFFECT-OF-RAGGING/190593>> accessed 3 January 2024.

<sup>70</sup> 'ৰ্‌গিংগৈৰ শিকার মেডিকেল ছাত্ৰীৰ আত্মহত্যাৰ চেষ্টা' <<https://thedailycampus.com/other-world/81680/ৰ্‌গিংগৈৰ-শিকার-মেডিকেল-ছাত্ৰীৰ-আত্মহত্যাৰ-চেষ্টা->> accessed 3 January 2024.

## Chapter 3

### Ragging in the Eye of International Law

#### 3.1 Introduction:

Ragging causes the violation of human rights in many ways. These human rights are internationally recognized and also parts of United Nation.

#### 3.2 Violation of Universal Declaration of Human Rights (UDHR):

Ragging violates Article 1 of the Universal Declaration of Human Rights, which requires brotherhood. Following this Declaration, race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other position should not matter, yet ragging offends victims. Ragging threatens life, liberty, and security. Ragging violates UDHR because seniors abuse victims and set regulations that enslave them. There should be enough legislation to protect fundamental rights and compensate victims. Several international conventions defend human rights. Ragging violates them. Ragging violates article 26 (2) of the 1948 Universal Declaration of Human Rights, which states that education is a fundamental right.<sup>71</sup>

#### 3.3 Violation of Convention on the Rights of the Child:

Article 16 (1) of Convention on the Rights of the Child, 1989 stands to protect the privacy, honor and reputation from any unlawful interference and unlawful attacks. And article 19 (1) instructs to take legislative measures for ensuring children's safety.<sup>72</sup>

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<sup>71</sup>United Nations, 'Universal Declaration of Human Rights' (*United Nations*) <<https://www.un.org/en/about-us/universal-declaration-of-human-rights>> accessed 3 January 2024.

<sup>72</sup>'Convention on the Rights of the Child | OHCHR' <<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>> accessed 3 January 2024.

### 3.4 State Level Organization:

Philippines have a Commission on Human Rights (CHR) which works to ensure the human rights in that country asked the government for proper implementation of the Anti-Hazing Act, 2018.<sup>73</sup> In the death of a student of Adamson University on March 2023 being a victim of hazing CHR called for urgent and steady action from the government and emphasis on stronger implementation of the Anti-Hazing Act.<sup>74</sup> This kind of organization is necessary for making the government aware of the violation of the human rights.

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<sup>73</sup>‘Statement of CHR Spokesperson, Atty Jacqueline Ann C. de Guia, Calls for the Urgent Implementation of the Anti-Hazing Act of 2018’ (*Commission on Human Rights*, 4 October 2019) <<https://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-c-de-guia-calls-for-the-urgent-implement-of-the-anti-hazing-act-of-2018/>> accessed 8 January 2024.

<sup>74</sup>‘Statement of the Commission on Human Rights Decrying the Death of a College Student Allegedly Due to Hazing’ (*Commission on Human Rights*, 2 March 2023) <<https://chr.gov.ph/statement-of-the-commission-on-human-rights-decrying-the-death-of-a-college-student-allegedly-due-to-hazing/>> accessed 8 January 2024.

## Chapter 4

### Current Patterns Practices and Remedies in Bangladesh

#### 4.1 Introduction:

Ragging is not something new that Bangladesh is facing rather, Bangladesh has already experienced several incidents of ragging, with dire consequences. It violates the constitutional rights. Describing current condition the researcher tries to mention some of the examples of such incidents. Besides, preventive measures and the available remedies of this land are also attached in this chapter.

#### 4.2 Violation of Constitutional Rights:

Ragging causes the violation of the Constitution, the supreme law of the land. Article 17 of the Constitution says about free and compulsory education but due to ragging some students fail to acquire education.<sup>75</sup> Again, article 19 provides for equality of opportunity, but some students are bound to leave institutions due to ragging and are deprived of their right to education.<sup>76</sup> Furthermore, in article 32 ensures protection of right to life and personal liberty which is absolutely violated by the commission of ragging.<sup>77</sup>

#### 4.3 Current Practices and Incidents Bangladesh Has Witnessed Yet:

The fresher students are tortured in many ways. Ragging in the halls often becomes the headline of the newspapers. The term ‘guestroom culture’ is a very common and familiar term in the public universities of Bangladesh.<sup>78</sup> In the ‘guest room’ the new comers experience ragging

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<sup>75</sup> ‘The Constitution of the People’s Republic of Bangladesh | 17. Free and Compulsory Education’ <<http://bdlaws.minlaw.gov.bd/act-367/section-24565.html>> accessed 3 January 2024.

<sup>76</sup> ‘The Constitution of the People’s Republic of Bangladesh | 19. Equality of Opportunity’ <<http://bdlaws.minlaw.gov.bd/act-367/section-24567.html>> accessed 3 January 2024.

<sup>77</sup> ‘The Constitution of the People’s Republic of Bangladesh | 32. Protection of Right to Life and Personal Liberty’ <<http://bdlaws.minlaw.gov.bd/act-367/section-24580.html>> accessed 3 January 2024.

<sup>78</sup> Saleh Uddin Sifat, ‘The Terror of Dhaka University’s Guest Room Culture’ (*The Daily Star*, 10 September 2023) <<https://www.thedailystar.net/opinion/views/news/the-terror-dhaka-universitys-guest-room-culture-3415001>> accessed 4 January 2024.

every midnight.<sup>79</sup> In Jahangirnagar University this room is called ‘torture cell’ as the seniors torture the juniors here in the name of ragging.<sup>80</sup>

To talk about ragging physical torture comes first. The most recent and shocking incident was the death of tow Bangladesh University of Engineering and Technology (BUET) named Abrar Fahad and Fardin Noor Parash.<sup>81</sup>

The death of Abrar Fahad in BUET on October 6, 2019, shook the nation. Some political party-affiliated 3rd and 4th year students tortured Abrar violently as a 2nd year student. He grew senseless and died from not enduring this torment.<sup>82</sup> Sharing a Facebook post prompted torturing and killing Abrar. After posting a message against the government, his seniors tortured and killed him in room 2011. Next, his phone, social media, and private activities were examined.<sup>83</sup> So, it is very clear that a student is not only tortured but also he does not have cyber privacy in BUET ragging culture.

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<sup>79</sup> Alamgir and Apu (n 63).

<sup>80</sup> ‘জাবির ‘টর্চার সেলে’ই বসবাস নবীন শিক্ষার্থীদের’ (*Jugantor*) <<https://www.jugantor.com/campus/232125/জাবির-টর্চার-সেলেই-বসবাস-নবীন-শিক্ষার্থীদের>> accessed 4 January 2024.

<sup>81</sup> ‘Dhaka Student Abrar Fahad Killed for Criticising India-Bangladesh Water-Sharing Deal’ <<https://scroll.in/article/939930/a-student-in-dhaka-was-killed-for-criticising-a-water-sharing-deal-between-india-and-bangladesh>> accessed 3 January 2024; বাংলাদেশ Daily Bangladesh :: ডেইলি, ‘Fardin’s Murder Was 30-Minute ‘Killing Mission’!’ (*Daily Bangladesh*) <<https://www.daily-bangladesh.com/english/national/78363>> accessed 3 January 2024.

<sup>82</sup> ‘চার্জশিটে উঠে এলো পৈশাচিক নির্যাতনের বিবরণ’ (দৈনিক ইত্তেফাক) <<https://www.ittefaq.com.bd/106000/%E0%A6%9A%E0%A6%BE%E0%A6%B0%E0%A7%8D%E0%A6%9C%E0%A6%B6%E0%A6%BF%E0%A6%9F%E0%A7%87-%E0%A6%89%E0%A6%A0%E0%A7%87-%E0%A6%8F%E0%A6%B2%E0%A7%8B-%E0%A6%AA%E0%A7%88%E0%A6%B6%E0%A6%BE%E0%A6%9A%E0%A6%BF%E0%A6%95-%E0%A6%A8%E0%A6%BF%E0%A6%B0%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%A4%E0%A6%A8%E0%A7%87%E0%A6%B0-%E0%A6%AC%E0%A6%BF%E0%A6%AC%E0%A6%B0%E0%A6%A3>> accessed 4 January 2024.

<sup>83</sup> প্রতিবেদকনিজস্ব, ‘বিশ্লেষণ: আবরার হত্যার কারণ ভিন্নমত’ (*Prothomalo*, 19 October 2019) <<https://www.prothomalo.com/bangladesh/crime/আবরার-হত্যার-কারণ-ভিন্নমত>> accessed 4 January 2024.



On 7<sup>th</sup> November, 2022 the dead body of Fardin was found in the Shitalakkhya river.<sup>84</sup> Autopsy was performed by Narayanganj General Hospital doctors Sheikh Farhad, Mofizuddin Nipun, and Golam Mostafa. Fardin suffered several head and chest injuries, indicating murder, according to Sheikh Farhad.<sup>85</sup> As he was tortured it is presumed that probably Fardin was a victim of severe ragging.

First-year Jahangirnagar University students were hauled to the forest at night from university dormitories. The senior pupils were caught ragging on 28 May 2023.<sup>86</sup>

In 2018 two students of Shahjalal University of Science and Technology were detained half naked in the washroom for the whole night and their half naked photos were uploaded in social media.<sup>87</sup> This ragging example violates internet security and causes physical and emotional anguish. Again in 2019, Bangabandhu Sheikh Mujibur Rahman Science and Technology University two first-year students were abused psychologically and physically for five hours and the Facebook video went viral.<sup>88</sup>

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<sup>84</sup> Staff Correspondent, 'Buet Student's Body Found on Shitalakkhya' (*The Daily Star*, 8 November 2022) <<https://www.thedailystar.net/news/bangladesh/crime-justice/news/buet-students-body-found-shitalakkhya-3163371>> accessed 4 January 2024.

<sup>85</sup> Star Digital Report, 'Buet Student Fardin Was Murdered: Doctors after Autopsy' (*The Daily Star*, 8 November 2022) <<https://www.thedailystar.net/news/bangladesh/crime-justice/news/buet-student-fardin-noor-was-murdered-doctor-after-autopsy-3163541>> accessed 4 January 2024.

<sup>86</sup> প্রতিনিধি, 'জাহাঙ্গীরনগর বিশ্ববিদ্যালয়ে রাতে শিক্ষার্থীদের জঙ্গলে নিয়ে "র্যাগিং"' (*Prothomalo*, 29 May 2023) <<https://www.prothomalo.com/bangladesh/district/px56n6r7y8>> accessed 4 January 2024.

<sup>87</sup> 'শাবি শিক্ষার্থীকে অর্ধনগ্ন করে রাতভর নির্যাতন' (মানবজমিন) <<https://mzamin.com/article.php?mzamin=105574>> accessed 4 January 2024.

<sup>88</sup> 'র্যাগিংয়ের অভিযোগে ৬ শিক্ষার্থীকে আজীবন বহিষ্কার' (দৈনিক ইত্তেফাক) <<https://www.ittefaq.com.bd/25727/%E0%A6%B0%E2%80%8C%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%97%E0%A6%BF%E0%A6%82%E0%A7%9F%E0%A7%87%E0%A6%B0-%E0%A6%85%E0%A6%AD%E0%A6%BF%E0%A6%AF%E0%A7%8B%E0%A6%97%E0%A7%87-%E0%A6%B6%E0%A6%BF%E0%A6%95%E0%A7%8D%E0%A6%B7%E0%A6%BE%E0%A6%B0%E0%A7%8D%E0%A6%A5%E0%A7%80%E0%A6%95%E0%A7%87-%E0%A6%86%E0%A6%9C%E0%A7%80%E0%A6%AC%E0%A6%A8-%E0%A6%AC%E0%A6%B9%E0%A6%BF%E0%A6%B7%E0%A7%8D%E0%A6%95%E0%A6%BE%E0%A6%B0>> accessed 4 January 2024.

Ragging tortures both men and women. On February 11, 2023, Kushtia Islamic University freshman Fulpori Khatun was emotionally and physically tormented. She was also filmed naked. They threatened to keep her from complaining to the university. They would upload her video to social media and online platforms if she did. Ragging students were political party members.<sup>89</sup> In Bangamata Sheikh Fojilatunnesa Mujib Science & Technology University a second year and a fourth year female students became the victim of ragging between April and August of 2023.<sup>90</sup>

Ragging at foreign universities has also affected Bangladeshi students. Malaysian ragging killed Bangladeshi student Irfan Sadik. On September 18, 2023, his body was located. Ragging before his death was filmed with him nude and crying.<sup>91</sup>

#### 4.4 Preventive Measures:

It is high time ragging became an issue of concern throughout the world. Like all other countries Bangladesh has also some remedies against this social problem. Sector-wise discussion is given below.

##### 4.4.1 Available Legal Remedies in Bangladesh:

Though ragging is a recognized offense, it is not recognized yet by any existing law of Bangladesh. However, the activities of ragging form extinct crimes. All these separate forms of criminal activities are defined and punishments are described in the Penal

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<sup>89</sup> 'ইসলামী বিশ্ববিদ্যালয়ে ছাত্রীকে রাতভর র্যাগিংয়ের অভিযোগ | NTV Online' <<https://www.ntvbd.com/bangladesh/%E0%A6%87%E0%A6%B8%E0%A6%B2%E0%A6%BE%E0%A6%AE%E0%A7%80-%E0%A6%AC%E0%A6%BF%E0%A6%B6%E0%A7%8D%E0%A6%AC%E0%A6%AC%E0%A6%BF%E0%A6%A6%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%B2%E0%A7%9F%E0%A7%87-%E0%A6%9B%E0%A6%BE%E0%A6%A4%E0%A7%8D%E0%A6%B0%E0%A7%80%E0%A6%95%E0%A7%87-%E0%A6%B0%E0%A6%BE%E0%A6%A4%E0%A6%AD%E0%A6%B0-%E0%A6%B0%E2%80%8D%E0%A7%8D%E0%A6%AF%E0%A6%BE%E0%A6%97%E0%A6%BF%E0%A6%82%E0%A7%9F%E0%A7%87%E0%A6%B0-1186409>> accessed 4 January 2024.

<sup>90</sup>প্রতিনিধি, 'র্যাগিং বন্ধের দাবি নির্যাতনের শিকার বঙ্গমাতা প্রযুক্তি বিশ্ববিদ্যালয় ছাত্রীর' (Prothomalo, 6 April 2023) <<https://www.prothomalo.com/bangladesh/district/euega74082>> accessed 4 January 2024.

<sup>91</sup> 'মালয়েশিয়ায় র্যাগিংয়ে বাংলাদেশি ছাত্রের করুণ মৃত্যু' (Jugantor) <<https://www.jugantor.com/todays-paper/last-page/722174/মালয়েশিয়ায়-র্যাগিংয়ে-বাংলাদেশি-ছাত্রের-করুণ-মৃত্যু>> accessed 4 January 2024.

Code, 1860 of Bangladesh. For example, hurt, grievous hurt, criminal intimidation, wrongful restraint, wrongful confinement, criminal trespass, abetment, use of criminal force, assault, extortion, murder, abetment of suicide, defamation are defined and their punishments are coded in section 319, 320, 503, 339 and 341, 340 and 342, 341 and 347, 107 and 109, 351 and 352, 383 and 384, 300 and 302, 306, 500 respectively.<sup>92</sup>

#### 4.4.2 Legislative Measures:

The latest step taken by the Ministry of Education of Bangladesh till date of this research is making a policy on 2<sup>nd</sup> May, 2023 to prevent bullying and ragging in the educational institutions.<sup>93</sup> According to this policy

Clause 3 of this policy describes ragging and bullying and also displays different type of ragging.<sup>94</sup> Clause 4 of this policy instructs to form a committee in the educational institutions for the prevention of bullying as well as ragging and to make Bullying / Ragging Logs with a view to inspecting the circumstances.<sup>95</sup> It has also mentioned the duties of the authorities, officials and head of the institution.<sup>96</sup> And, lastly it adds the complaint filing and the redressal procedure.

#### 4.4.3 Steps Taken by University Grants Commission (UGC):

UGC issued an office order and created an Anti-Ragging Committee on November 8, 2020, per Honorable High Court Writ Petition No. 185/2020. It lists committee members and outlines the project.<sup>97</sup>

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<sup>92</sup>‘The Penal Code, 1860’ <<http://bdlaws.minlaw.gov.bd/act-details-11.html>> accessed 8 January 2024.

<sup>93</sup> ‘103\_11zon (3).Pdf’ <[https://www.shed.gov.bd/sites/default/files/files/shed.portal.gov.bd/moedu\\_policy/0185f05f\\_bbbc\\_4232\\_9280\\_7191cddb751f/103\\_11zon%20\(3\).pdf](https://www.shed.gov.bd/sites/default/files/files/shed.portal.gov.bd/moedu_policy/0185f05f_bbbc_4232_9280_7191cddb751f/103_11zon%20(3).pdf)> accessed 4 January 2024.

<sup>94</sup>ibid.

<sup>95</sup>ibid.

<sup>96</sup>ibid.

<sup>97</sup>‘বাংলাদেশ বিশ্ববিদ্যালয় মঞ্জুরী কমিশন’ <<https://ugc.portal.gov.bd/site/notices/e40d0918-ec43-4c9f-9b63-b2486ffe0e0b/http%3A%2F%2Fugc.portal.gov.bd%2Fsite%2Fnotices%2Fe40d0918-ec43-4c9f-9b63-b2486ffe0e0b%2F%25E0%25A6%25B8%25E0%25A6%2595%25E0%25A6%25B2-%25E0%25A6%25AC%25E0%25A6%25BF%25E0%25A6%25B6%25E0%25A7%258D%25E0%25A6%25AC%25E0%25A6%25BF%25E0%25A6%25A6%25E0%25A7%258D%25E0%25A6%25>>

#### 4.4.4 Steps Taken by Institutional Authorities:

To prevent ragging, universities have regulations and take periodic efforts. Rajshahi University of Engineering and Technology warned students on September 23, 2023, against ragging with newcomers.<sup>98</sup>

According to section 28 of the Private University Act, 2010 every institution must have a disciplinary committee.<sup>99</sup> In Bangladesh Army University of Engineering & Technology, ragging has been defined as a misconduct committed by students. In clause qq of section 4 of its Student's Code of Conduct, it has defined ragging.<sup>100</sup> University of Liberal Arts Bangladesh has also registered bullying and ragging as a distinctive offense. In their Code of Conduct & Disciplinary Procedures they have defined ragging and bullying in definition number 27. In APPENDIX 2, the bullying policy is described where the process of filing complaints against bullying and ragging as well as the punishments are noted.<sup>101</sup> Sonargaon University also recognizes ragging as a distinct

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%25E2%2580%259C> accessed 4 January 2024.

<sup>98</sup> 'RUET-Rajshahi University of Engineering & Technology.' <<https://www.ruet.ac.bd/notice/anti-ragging-notice-published-on-24-september-2023>> accessed 4 January 2024.

<sup>99</sup> 'বেসরকারী বিশ্ববিদ্যালয় আইন, ২০১০' <<http://bdlaws.minlaw.gov.bd/act-details-1057.html>> accessed 4 January 2024.

<sup>100</sup> Pipilika Soft (PipilikaSoft.com), 'Student Code of Conduct | Bangladesh Army University of Engineering & Technology' <<https://bauet.ac.bd/student-code-of-conduct-2/>> accessed 4 January 2024.

<sup>101</sup> 'ULAB-Code-of-Conduct-March-2023.Pdf' <<https://ulab.edu.bd/sites/default/files/ULAB-Code-of-Conduct-March-2023.pdf>> accessed 4 January 2024.

offense. In the code of conduct for the students of the university in part C, section 9, it says, “Due to ragging or eve-teasing a student will be expelled forever from the university.”<sup>102</sup> Daffodil International University has recognized ragging as a kind of harassment and has an Anti-Harassment and Non-Discriminatory Policy to deal with this issue.<sup>103</sup> Clause iv of 3.2 in the General Code of Conduct of Students’ Code of Conduct of Bangladesh University of Business and Technology the activities that are committed at the time of ragging are declared as punishable offenses.<sup>104</sup> East West University has Discipline Committee to deal with misconduct committed by students and has Sexual Harassment Elimination and Prevention Policy to eliminate sexual harassment.<sup>105</sup> Section 2 of the Code of Conduct for Students of North South University contains definitions, examples, and punishments for the wrongful conduct committed by students.<sup>106</sup> Ragging is absolutely a wrongful conducts. The university authorities, especially the Student Discipline Committee of Chittagong University of Engineering and Technology, Hajee Mohammad Danesh Science and Technology University, Shahjalal University of Science and Technology, Kushtia Islamic University, Jessore University of Science and Technology, Jahangirnagar University, Rajshahi University, Chittagong University and other universities have taken several disciplinary actions

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<sup>102</sup> ‘Sonargaon University’ <<https://su.edu.bd/privacy/codeofconduct>> accessed 4 January 2024.

<sup>103</sup> ‘Sustainability for Development | Daffodil International University’ <<https://sustainability4d.daffodilvarsity.edu.bd/anti-harassment-policy>> accessed 4 January 2024.

<sup>104</sup> ‘Students\_Code\_of\_Conduct\_of\_BUBT.Pdf’ <[https://www.bubt.edu.bd/assets/frontend/uploads/Students\\_Code\\_of\\_Conduct\\_of\\_BUBT.pdf](https://www.bubt.edu.bd/assets/frontend/uploads/Students_Code_of_Conduct_of_BUBT.pdf)> accessed 4 January 2024.

<sup>105</sup> ‘EWU-Sexual Harassment Elimination and Prevention Policy.Pdf’ <<https://www.ewubd.edu/storage/app/media/Sexual%20Harassment/EWU-Sexual%20Harassment%20Elimination%20and%20Prevention%20Policy.pdf>> accessed 4 January 2024.

<sup>106</sup> ‘NSU COC-English-May18-2021.Pdf’ <<http://www.northsouth.edu/newassets/images/proctor/NSU%20COC-English-May18-2021.pdf>> accessed 4 January 2024.

against the convicted students including expulsion permanently from the hall and both temporarily and permanently from the academic programs.<sup>107</sup>

#### 4.5 Judicial Approach:

Some cases show good judicial approaches to ragging. The judicial approaches in two cases are discussed.

The High Court Division received writ petitions after Abrar's murder. The full 30-page verdict was revealed on March 2, 2022, signed by Justices J. B. M. Hassan and Razik-Al-Jalil. The Court says ragging is now a socio-legal issue. Freshmen with high hopes and expectations are demoralized by ragging. The victim suffers physical and mental torment, serious injuries, and mental stress and anguish. Few finish school, hurting victims' careers. Extreme ragging can cause suicide and criminal homicide. To fight this socio-academic problem, all universities should abolish ragging. All colleges and institutions should enforce anti-ragging policies.<sup>108</sup>

In addition the Court ordered to take six specific measures in the institutions to prevent ragging. In short Court said ragging is a serious issue in educational institutions, and university authorities must establish a Vigilance Committee to monitor and address incidents. Management should be responsible for non-reporting or inaction against Ragging incidents. Institutions must publish consequences for Ragging, prominently displayed on their websites, and obtain an affidavit from students and parents. If Ragging is a criminal offense, authorities should take action under prevailing law and university disciplinary ordinances, including expelling perpetrators.<sup>109</sup>

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<sup>107</sup> 'র্যাগিংয়ের অভিযোগে চুয়েটের ৫ শিক্ষার্থীকে কারণ দর্শানোর নোটিশ | প্রথম আলো' <<https://www.prothomalo.com/bangladesh/district/aozn5ebhb0>> accessed 4 January 2024.

<sup>108</sup> বাংলাদেশল'ইয়ার্স ক্লাব and lawyersclubbangladesh.com, 'র্যাগিং "ব্যাধি" প্রতিহত করতে হাইকোর্টের ৬ নির্দেশনা' (lawyersclubbangladesh, 2 March 2022) <<https://lawyersclubbangladesh.com/2022/03/02/র্যাগিং-ব্যাধি-প্রতিহত/>> accessed 4 January 2024.

<sup>109</sup> '1746899\_WP14068of2019.Pdf' <[http://www.supremecourt.gov.bd/resources/documents/1746899\\_WP14068of2019.pdf](http://www.supremecourt.gov.bd/resources/documents/1746899_WP14068of2019.pdf)> accessed 4 January 2024.

Dhaka Speedy Trial Tribunal-1 announced death sentence for 20 accused out of 25 and rest others were sentenced life imprisonment.<sup>110</sup>

Again, in the hearing of Kushtia Islamic University ragging case the Court has taken necessary initiatives.<sup>111</sup> After submitting two investigation reports on 1st March, 2023 in this incident, the High Court bench consisting of Justice JBM Hasan and Justice Rajeek-Al-Jalil gave order to expelled the five students involved with ragging, immediately withdraw the provost of the dormitory concerned, Shamsul Alam, within three days ensure a seat for the victim in the university hall, ensure the security of the victim and the witnesses, collect the video of the victim from the phone of a student named Halima Khatun, submit a report on the matter by the vice-chancellor and registrar of the university.<sup>112</sup>

In an Order passed by The High Court bench of Justice M Enayetur and Justice Md Mostafizur Rahman on 12 January, 2020 all educational institutions especially in public and private universities and affiliated colleges are directed to form anti-ragging committee and squad with a view to solving the issues of ragging within three months.<sup>113</sup>

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<sup>110</sup>‘Abrar Fahad Murder: 20 Buet Students Sentenced to Death, 5 Jailed for Life’ (*The Business Standard*, 8 December 2021) <<https://www.tbsnews.net/bangladesh/court/20-sentenced-death-5-jailed-life-killing-buet-student-abrar-340396>> accessed 4 January 2024.

<sup>111</sup> ‘Ragging at IU: High Court Orders Expulsion of 5 Students’ (*Dhaka Tribune*) <<https://www.dhakatribune.com/bangladesh/court/282219/ragging-at-iu-high-court-orders-expulsion-of-5>> accessed 4 January 2024.

<sup>112</sup>ibid.

<sup>113</sup> ‘HC Directs to Form Anti-Ragging Bodies in Educational Institutions’ (*The Financial Express*) <<https://thefinancialexpress.com.bd/national/hc-directs-to-form-anti-ragging-bodies-in-educational-institutions-1578825503>> accessed 4 January 2024.

## Chapter 5

### Laws, Cases, and Practice in Different Countries

#### 5.1 Introduction:

Ragging is a common problem in the educational system of almost all the countries. Different countries have taken various steps to fight against this evil. Though every country make policy according to its own condition, some similarities are found among the preventive measures of all the countries. Some countries are chosen to discuss about their preventive policies against ragging.

#### 5.2 India:

India is also one of the sufferer countries of ragging in South Asia. At the time of late 1970s when two fresher students died at a regional engineering college in India the Government recognized ragging as an offence.<sup>114</sup> A survey conducted by the SC panel comprised experts from Jawaharlal Nehru University and National Institute of Mental Health and Neurosciences in 37 colleges in India discovered that around 40% students experienced ragging.<sup>115</sup> However, they started taking several actions against ragging since then (1970s). Yet, in 6 years 717 cases were reported in the print media and 71 died due to ragging according to a study of the Coalition to Uproot Ragging from Education (CURE), an NGO working to eliminate ragging in India.<sup>116</sup> A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India

India has many states. Some of them have taken legislative measures to prevent this evil of ragging.<sup>117</sup>

Some of them are mentioned below:

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<sup>114</sup>Mohan Rao and others, 'Psychosocial Study of Ragging in Selected Educational Institutions in India' [2015] New Delhi, India: Jawaharlal Nehru University.

<sup>115</sup>'Ragging: 45% Students Say They Felt Bad First, Reconciled to It Later | Bengaluru News - Times of India' (n 31).

<sup>116</sup>ERIC - EJ1184785 - A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India, Contemporary Education Dialogue, 2018-Jul' <<https://eric.ed.gov/?id=EJ1184785>> accessed 4 January 2024.

<sup>117</sup>'Curbing the meanance of ragging.Pdf' <<https://www.gdchahmd.org/img/98/File/Curbingthemeananceofragging.pdf>> accessed 3 January 2024.



- i. The Tamil Nadu Prohibition of Ragging Act, 1997<sup>118</sup>
- ii. The Andhra Pradesh Prohibition of Ragging Act, 1997.<sup>119</sup>
- iii. Andhra Pradesh Prohibition of Ragging in All Educational Institutions Rules, 2002<sup>120</sup>
- iv. The Assam Prohibition of Ragging Act, 1998.<sup>121</sup>
- v. The Kerala Prohibition of Ragging Act, 1998.<sup>122</sup>
- vi. The Maharashtra Prohibition of Ragging Act, 1999.<sup>123</sup>
- vii. The A.P. Prohibition of Ragging in all Educational Institutes Rules, 2000.<sup>124</sup>
- viii. The West Bengal Prohibition of Ragging in Educational Institutions Act, 2000.<sup>125</sup>
- ix. The Chhattisgarh Shaikshanik Sansthaon Me Pratarn (Ragging) Ka Pratishedh Adhiniyam, 2001.<sup>126</sup>
- x. The Himachal Pradesh Educational Institutions. (Prohibition Of Ragging) Act, 2009.<sup>127</sup>
- xi. The Jammu and Kashmir Prohibition of Ragging Act, 2011.<sup>128</sup>

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<sup>118</sup> 'The Tamil Nadu Prohibition of Ragging Act, 1997.Pdf' <<https://aucermd.edu.in/Files/pdf/Anti/The%20Tamil%20Nadu%20Prohibition%20of%20Ragging%20Act,%201997.pdf>> accessed 3 January 2024.

<sup>119</sup> 'Anti\_Ragging\_Act\_AP.Pdf' <[https://www.cyberabadpolice.gov.in/information/PDF/acts-laws/Anti\\_Ragging\\_Act\\_AP.pdf](https://www.cyberabadpolice.gov.in/information/PDF/acts-laws/Anti_Ragging_Act_AP.pdf)> accessed 3 January 2024.

<sup>120</sup> 'Andhra Pradesh Prohibition of Ragging in All Educational Institutions Rules, 2002' <<http://www.bareactslive.com/AP/AP218.HTM?AspxAutoDetectCookieSupport=1>> accessed 3 January 2024.

<sup>121</sup> 'The\_assam\_prohibition\_of\_ragging\_act\_1998.Pdf' <[https://www.indiacode.nic.in/bitstream/123456789/15778/1/the\\_assam\\_prohibition\\_of\\_ragging\\_act%2C\\_1998.pdf](https://www.indiacode.nic.in/bitstream/123456789/15778/1/the_assam_prohibition_of_ragging_act%2C_1998.pdf)> accessed 3 January 2024.

<sup>122</sup>The Kerala Prohibition of Ragging Act, 1998 1998 2.

<sup>123</sup>'MAHARASHTRA PROHIBITION OF RAGGING ACT – Sir Dr. M.S. Gosavi College of Physiotherapy & Healthcare Management' <<https://gescopt.in/maharashtra-prohibition-of-ragging-act/>> accessed 8 January 2024.

<sup>124</sup>Shinde (n 55).

<sup>125</sup>'2000-13.Pdf' <<https://www.indiacode.nic.in/bitstream/123456789/14569/1/2000-13.pdf>> accessed 8 January 2024.

<sup>126</sup> 'Chhattisgarh Shaikshanik Sansthan Me Pratarna Ka Pratishedh Adhiniyam, 2001' <<http://www.bareactslive.com/Ch/cg069.htm?AspxAutoDetectCookieSupport=1>> accessed 8 January 2024.

<sup>127</sup>'THE HIMACHAL PRADESH EDUCATIONAL INSTITUTIONS (PROHIBITION OF RAGGING) ACT, 2009-10713807.Pdf'

<[https://himachal.nic.in/WriteReadData/1892s/10\\_1892s/THE%20HIMACHAL%20PRADESH%20EDUCATIONAL%20INSTITUTIONS%20%20\(PROHIBITION%20OF%20RAGGING\)%20%20ACT,%202009-10713807.pdf](https://himachal.nic.in/WriteReadData/1892s/10_1892s/THE%20HIMACHAL%20PRADESH%20EDUCATIONAL%20INSTITUTIONS%20%20(PROHIBITION%20OF%20RAGGING)%20%20ACT,%202009-10713807.pdf)> accessed 8 January 2024.

<sup>128</sup> '1614059697637\_the\_jammu\_and\_kashmir\_prohibition\_of\_ragging\_act\_2011.Pdf' <[https://www.indiacode.nic.in/bitstream/123456789/16310/1/1614059697637\\_the\\_jammu\\_and\\_kashmir\\_prohibition\\_of\\_ragging\\_act%2C\\_2011.pdf](https://www.indiacode.nic.in/bitstream/123456789/16310/1/1614059697637_the_jammu_and_kashmir_prohibition_of_ragging_act%2C_2011.pdf)> accessed 8 January 2024.

- xii. National Medical Commission (Prevention and Prohibition of Ragging in Medical Colleges and Institutions) Regulations, 2021.<sup>129</sup>

In spite of having this law on 14 August 2023 the Department of Higher Educational of the Government of West Bengal issued a Circular as well as a Notice, applicable for its university branch for the prevention of ragging in Higher Educational Institutes.<sup>130</sup> Three Annexures have been attached with this circular. Annexure I has described the steps an institution should take at the time of admission and at the time of enrollment of the students. Annexure II describes the process of formation of Anti-Ragging Committee in the educational institutions. Annexure III mentions the members of the State Level as well as District Level Anti-Ragging Committee.<sup>131</sup> An order was passed on 24<sup>th</sup> August, 2023 as a consequence of the circular. In this order a toll free helpline is attached and the required activities after receiving a complaint are also described in it.<sup>132</sup> They have been offering a toll free helpline service (1800-180-5522) since 2009 to report the information of ragging instantly.<sup>133</sup> After the incident of ragging in Jadavpur University chief minister of West Bengal, Mamata Banerjee launched a state-wide anti-ragging helpline (18003455678) on 22 August, 2023.<sup>134</sup>

There are several examples which reflect the judicial approach of India. Professor K.P.S. Unny led a four-member group that the University Grants Commission (UGC) established in 1999 in response to

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<sup>129</sup> <https://www.nmc.org.in/MCIRest/open/getDocument?path=/Documents/Public/Portal/LatestNews/20210707172534.pdf> accessed 8 January 2024.

<sup>130</sup> 'A Circular Issued by the Department of Higher Educational of the Government of West Bengal on 14 August 2023.' <<https://www.presiuniv.ac.in/web/3023.pdf>>.

<sup>131</sup> *ibid.*

<sup>132</sup> <https://banglaruchchashiksha.wb.gov.in/uploads/webmaster/6186be8b805e48fa9eaf1087fd42ee3d.Pdf> accessed 3 January 2024.

<sup>133</sup> 'Anti-Ragging Helpline Launched | India News - Times of India' <<https://timesofindia.indiatimes.com/india/anti-ragging-helpline-launched/articleshow/4681507.cms?from=mdr>> accessed 3 January 2024.

<sup>134</sup> 'CM Launches State-Wide Anti-Ragging Helpline' *The Times of India* (23 August 2023) <<https://timesofindia.indiatimes.com/city/kolkata/cm-launches-state-wide-anti-ragging-helpline/articleshow/102960386.cms>> accessed 3 January 2024.

Supreme Court orders. The committee defined ragging and described both its positive as well as negative effects.<sup>135</sup>

In 2006 another committee headed by Dr. R K Raghavan, Director of the CBI, was established by the Supreme Court to recommend ways to stop ragging, potential measures to take against those who engage in it, and potential measures to take against establishments that do not stop ragging.<sup>136</sup>

In judgment of many cases regarding this issue. The judicial approach of the country is clarified in such decisions. The researcher has mentioned some of them here.

In 1984 the state legislature was directed by the Himachal Pradesh High Court to form and pass an appropriate legislation for the prevention of ragging.<sup>137</sup>

Later In *State of Himachal Pradesh v A parent of student of Medical College Shimla* case, *Pankal Shrivastava v. Principal, MLNR Engineering College, Allahabad* case, *Vivek Kumar v. Vice-Chancellor, B. H. U. and others* case, *Sawen Prakesh v. Yenopoya Dental College* case, *The Principal Government Engineering College, Trichur v, John K Kuriencase, Rahul s/o Pandurang Khadatkar and others v. State of Maharashtra and others* case, *Thiruvanthapuram Government Engineering College and State of Kerala* case, and *Vishwa Jagriti v. Central Government* case the Court has identified ragging as a distinctive offence and ordered to take necessary steps against it.<sup>138</sup>

Honorable Supreme Court of India in SLP No.24295/2004, CIVIL APPEAL NO. 887 OF 2009 in the matter of *University of Kerala v/s Council of Principals, Colleges of Kerala and others*, the Apex Court

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<sup>135</sup>(PDF) A Study on the Prevalence and Nature of Ragging Practices in Selected Educational Institutions in India' <[https://www.researchgate.net/publication/326351271\\_A\\_Study\\_on\\_the\\_Prevalence\\_and\\_Nature\\_of\\_Ragging\\_Practices\\_in\\_Selected\\_Educational\\_Institutions\\_in\\_India](https://www.researchgate.net/publication/326351271_A_Study_on_the_Prevalence_and_Nature_of_Ragging_Practices_in_Selected_Educational_Institutions_in_India)> accessed 4 January 2024.

<sup>136</sup>Rao and others, 'Psychosocial Study of Ragging in Selected Educational Institutions in India (Released by UGC, Aug 2017)' (n 8).

<sup>137</sup>*State of Himachal Pradesh v A parent of student of Medical College Shimla* (1985) AIR, 1985, 910. AIR (Himachal Pradesh High Court).

<sup>138</sup>*Pankal Shrivastava V Princilpe, MLNR Engineering College, Allahabad and another* (1998) AIR (2):1473 AIR (High Court); *Vivek Kumar V, Vice-Chancellor BHU and others*, [2002]; *Sawen Prakesh v Yenopoya Dental College* (2000) AIR 2000, 245. AIR; *The Principal Government Engineering College, Trichur v, John K Kuriencase* (1979) AIR Kerala, 1979, 150 AIR Kerala (High Court of Kerala); *Rahul s/o Pandurang Khadatkar and others v State of Maharashtra and others* (2002) AIR 2002 Bombay 312 AIR (Maharashtra High Court); *Thiruvanthapuram Government Engineering College v State of Kerala* (2000) AIR, 2000 Kerala 245 AIR (Kerala High Court); *VishwaJagriti v Central Government Case* (1998) AIR 2001 SC 2814. AIR.

has expressed displeasure on the incidents of ragging in the educational institutions despite directions to prevent such incidents in educational institutions.<sup>139</sup>

In this case the Supreme Court of India emphasized on having Anti-Ragging Committee and an Anti – Ragging Squad in all the institutions, having a District level Anti – Ragging Committee in every district, establishing a Monitoring Cell, registering lodges or hostels outside campuses, ensuring full-time warden residing within the hostel, accessibility of heads of institutions, faculty members, members of the anti-ragging committees, district and sub-divisional authorities and state authorities on phone, taking necessary step after getting complaints on hotline.

In India UGC has taken necessary steps to stop ragging. UGC passed a Regulation on Curbing the Menace of Ragging in Higher Educational Institutions, 2009.<sup>140</sup> In section 3 the definition of ragging is provided in 3.4. It has attached a list of offences which are already recognized. Following this regulation all of them will be punishable for being performed at the time of commission of ragging. Measures for prohibition of ragging are mentioned in section 5 and the preventive measures of ragging at institutional level are found in section 6. Whereas the measures at UGC, statutory and regulatory body level are noted in section 7. Lastly, the punishments are discussed in section 8. Each section is divided in several subsections to elaborate every stage properly.<sup>141</sup>UGC has separate websites as well as contact numbers to deal with ragging.<sup>142</sup>

### 5.3 Sri Lanka:

Sri Lanka is one of the countries of South Asia who has considered ragging as a distinctive offence and has taken legal action against it to ensure student safety in the institutions. On 3<sup>rd</sup> February 1975 in the ragging issue of Vidyalankara Campus of the University of Sri Lanka the then president appointed a

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<sup>139</sup>*University of Kerala v Council of Principals College in Kerala* (2009) AIR 2009, 2223. AIR (High Court of Kerala).

<sup>140</sup> ‘Minuterag230409.Pdf’ <<https://www.ugc.gov.in/oldpdf/ragging/minuterag230409.pdf>> accessed 3 January 2024.

<sup>141</sup>ibid.

<sup>142</sup> ‘STUDENT’S CORNER > ANTI-RAGGING HELPLINE’ <<https://www.herambachandracollege.ac.in/page.aspx?id=96>> accessed 3 January 2024.

one-man commission with a view to identifying the reasons of ragging as well as determining the negligence of the university authority.<sup>143</sup>The report is known as known as the V. W. Kularatne Report.<sup>144</sup>

Earlier they had an Act of 1994 named Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment Act.<sup>145</sup> Though the acts of ragging can be defined as torture or cruel, inhuman or degrading activities under the above-mentioned Act, in 1998 Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act was enacted which especially deals with ragging and aims to stop ragging in the educational institutions. Since the enactment of this Act in 1998 in Sri Lanka, ragging has been illegal and made punishable by harsh sentences ranging from two to twelve years in prison and also imposes fine up to 10,000 rupees.<sup>146</sup> There are separate sections for committing sexual harassment, grievous hurt, unlawful restraint, defamation and other offences at the time of committing ragging.<sup>147</sup> The bail of such person who is convicted for committing sexual harassment or gracious hurt during ragging is barred by this Act unless the High Court directs otherwise.<sup>148</sup>

For making easier execution of the law, the university grants commission has released a number of recommendations and circulars. In addition, the UGC has developed a number of complaint channels, including a hotline, an online portal, and a mobile application.<sup>149</sup> This is surely helpful.<sup>150</sup>

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<sup>143</sup>‘2022.Pdf’ (n 11).

<sup>144</sup>ibid.

<sup>145</sup> ‘Convention-against-Torture-and-Other-Cruel-Inhuman-or-Degrading-Treatment-of-Punishment-Act-No-39-of-1994-E.Pdf’ <<https://citizenslanka.org/wp-content/uploads/2016/02/Convention-against-Torture-and-other-Cruel-Inhuman-or-Degrading-Treatment-of-Punishment-Act-No-39-of-1994-E.pdf>> accessed 3 January 2024.

<sup>146</sup> ‘Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act’ <<https://www.srilankalaw.lk/revised-statutes/volume-vi/943-prohibition-of-ragging-and-other-forms-of-violence-in-educational-institutions-act.html>> accessed 4 January 2024.

<sup>147</sup>ibid.

<sup>148</sup> ‘Act\_No\_20\_EN.Pdf’ <[https://www.ugc.ac.lk/downloads/Policy/CGEE/Act\\_No\\_20\\_EN.pdf](https://www.ugc.ac.lk/downloads/Policy/CGEE/Act_No_20_EN.pdf)> accessed 4 January 2024.

<sup>149</sup>‘Complaint Portal’ <<https://eugc.ac.lk/complaint-portal/>> accessed 4 January 2024; ‘Hotline to Report Incidents of Ragging in Sri Lankan Universities’ <<https://www.newsfirst.lk/2023/09/14/hotline-to-report-incidents-of-ragging-in-sri-lankan-universities/>> accessed 4 January 2024.

<sup>150</sup>Ayanthi Wickramasinghe and others, ‘Ragging, a Form of University Violence in Sri Lanka—Prevalence, Self-Perceived Health Consequences, Help-Seeking Behavior and Associated Factors’ (2022) 19 International Journal of Environmental Research and Public Health 8383.

UGC Circular 919 on 15<sup>th</sup> January 2010 with the title ‘Guidelines to Be Introduced to Curb the Menace of Ragging in the Universities or Higher Educational Institutes’ offers some preventive measures and mention procedures which need to be followed with a view to preventing campus ragging. To make sure the standing of the students against ragging it made the students as well as their guardians sign a declaration that they shall not commit ragging. It also instructs to form an Anti-Ragging Committee which should meet minimum twice a month in crucial moments. It also suggests to form Faculty Level Anti Ragging Committees in higher educational institutions in necessity.<sup>151</sup> Again, on 10<sup>th</sup> February 2011 circular number 946 UGC set a common guideline for the higher education institutions students to prevent misconduct in the educational institutions and also empower the Vice Chancellor of a University to take immediate actions against such misconducts.<sup>152</sup> Center for Gender Equity and Equality under the authority of UGC was instructed to deal with the ragging complains arising from the educational institutions besides co-operative environment between both genders.<sup>153</sup> Students are also offered a 24 hours available hotline, 011-2123700 to make immediate complaint of ragging. Besides, students are instructed to make a police complaint in local police station after notifying the university authority.<sup>154</sup>

#### **5.4 Nepal:**

In spite of being a small country, Nepal is also a sufferer of ragging. A dedicated study was made on ragging in the medical institutions of Nepal. This study is a quantitative research which contains several information. It shows that among 60 students of B. P. Koirala Institute of Health Sciences 81.7% had

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<sup>151</sup>‘706\_Circular919e.Pdf’ <[https://www.ugc.ac.lk/attachments/706\\_Circular919e.pdf](https://www.ugc.ac.lk/attachments/706_Circular919e.pdf)> accessed 4 January 2024.

<sup>152</sup> ‘Common-Guidelines-on-Student-Discipline\_ugc\_commission-Circular-No-946.Pdf’ <[https://www.jfn.ac.lk/wp-content/uploads/common-guidelines-on-student-discipline\\_ugc\\_commission-circular-no-946.pdf](https://www.jfn.ac.lk/wp-content/uploads/common-guidelines-on-student-discipline_ugc_commission-circular-no-946.pdf)> accessed 4 January 2024.

<sup>153</sup>Mr Abdul Raheem Zulfi, ‘A CRITICAL REVIEW OF LEGAL INTERVENTIONS FOR COMBATING RAGGING IN SRI LANKAN UNIVERSITIES: A CASE STUDY OF SOUTH EASTERN UNIVERSITY OF SRI LANKA’ (2021).

<sup>154</sup>ibid.

ragging experience. It seemed stressful to 68.3% of the victims and 58.3% stood against it.<sup>155</sup> According to a report of July 2019 within two months 1,638 students alleged to have involved with ragging.<sup>156</sup>

Nepal does not have any separate law for ragging. However, Nepal Police launched an anti-ragging/bullying campaign on 26<sup>th</sup> April, 2019 in the colleges. They visited the schools and colleges, organized programmes and posted awareness posters and pamphlets to create awareness.<sup>157</sup>

**5.5 Pakistan:** Like other South Asian countries Pakistan is also a sufferer of ragging. A paper describes the ragging practice in Pakistan where it is found the pattern is almost similar to others consequently the effects are almost same as well.<sup>158</sup> Another research on ragging in the medical colleges of Pakistan narrates the condition of those institutions. It describes how ragging affects the students both mentally and physically. It also mentions that seven students were suspended from medical colleges in a year for committing ragging.<sup>159</sup>

Pakistan has no anti-ragging legislation yet.<sup>160</sup> However, universities have their own policies. A university of Pakistan named Beaconhouse National University serves an anti-ragging notice to its students to prevent ragging. And, mentions that committing ragging may cause rustication or expulsion from the University and fine.<sup>161</sup> Mentioning the definition of ragging Punjab Institute of Medical Sciences of Pakistan has attached the punishments of ragging. Which includes cancellation of

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<sup>155</sup>Shakya and Maskey (n 15).

<sup>156</sup> Sureis, '1,638 Students Held for Ragging in Two Months' (*The Himalayan Times*, 31 July 2019) <<https://thehimalayantimes.com/kathmandu/1638-tribhuvan-university-teaching-hospital-students-held-for-ragging-in-two-months>> accessed 8 January 2024.

<sup>157</sup> Sureis, 'Anti-Ragging Drive Launched in Colleges' (*The Himalayan Times*, 27 April 2019) <<https://thehimalayantimes.com/kathmandu/anti-ragging-drive-launched-in-colleges>> accessed 8 January 2024.

<sup>158</sup>Wajahat (n 14).

<sup>159</sup> 'Kaiser - Ragging in Medical Colleges.Pdf' <<https://www.bibliomed.org/mnsfulltext/27/27-1304187674.pdf?1704730659>> accessed 8 January 2024.

<sup>160</sup> 'PressReader.Com - Digital Newspaper & Magazine Subscriptions' <<https://www.pressreader.com/pakistan/pakistan-today-lahore/20221001/281685438726558>> accessed 8 January 2024.

<sup>161</sup> 'Anti Ragging Notice-Converted.Pdf' <<https://www.bnu.edu.pk/bnu/Portals/0/uploads/Anti%20Ragging%20Notice-converted.pdf?ver=2020-10-06-142007-783>> accessed 8 January 2024.

admission, suspension from attending classes, withholding scholarship or fellowship, withholding results, expulsion from the hostel and the institution.<sup>162</sup>

## 5.6 Philippines:

Philippines have also the same problem which they call 'hazing'. On 17 October a student died being victim of hazing.<sup>163</sup> Previously they had an Anti-Hazing Act of 1995.<sup>164</sup> However, they have brought a new Act in 2018. A research of 2016 identified some reasons of hazing.<sup>165</sup> For example, not maintaining the law in recruiting students in the student organizations, negligence of Organization Members and Officers to follow the law and so on.<sup>166</sup> Besides, they have CHR to avoid the violation of human rights in this regard.<sup>167</sup>

## 5.7 USA:

In around 18<sup>th</sup> century some students' organization were formed in the Europe and the USA and they started the practice of ragging. The first death due to ragging which is called hazing in USA was occurred at Cornell University in USA. A student named Mortimer Marcellus Leggett died on October 17, 1873 as a consequence of hazing.<sup>168</sup> Even in recent time hazing is

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<sup>162</sup> 'Anti Ragging & Other Guidelines' (*Punjab Institute Of Medical Sciences [PIMS]*) <<https://pimsj.com/anti-ragging-and-other-guidelines/>> accessed 8 January 2024.

<sup>163</sup> 'Criminology Student Dies in Suspected Hazing' <<https://www.rappler.com/nation/metro-manila/criminology-student-ahldryn-bravante-suspected-hazing-october-2023/>> accessed 8 January 2024.

<sup>164</sup> '71545809!.Pdf' <<https://legacy.senate.gov.ph/lisdata/71545809!.pdf>> accessed 8 January 2024.

<sup>165</sup> '20180629-RA-11053-RRD.Pdf' <<https://www.officialgazette.gov.ph/downloads/2018/06jun/20180629-RA-11053-RRD.pdf>> accessed 8 January 2024.

<sup>166</sup> 'Revisiting the Anti-Hazing Law in Selected Higher Education Institutions in Nueva Ecija, Philippines: A Policy Review' <<https://www.scirp.org/journal/paperinformation?paperid=72150>> accessed 8 January 2024.

<sup>167</sup> 'About Us' (*Commission on Human Rights*, 19 August 2015) <<https://chr.gov.ph/about-us/>> accessed 8 January 2024.

<sup>168</sup> 'Mortimer-Leggett-Cornell.Pdf' <<https://www.hanknuwer.com/wp-content/uploads/Mortimer-Leggett-Cornell.pdf>> accessed 4 January 2024.



really an issue of concern in USA.<sup>169</sup> A research paper shows the pattern, reasons and effects of hazing by making several surveys and providing information. It also shows the involvement of the student organizations with it.<sup>170</sup>

USA has 50 separate states. Each of them has their own laws to control hazing.<sup>171</sup> For example:

- i. Texas Anti-Hazing Law<sup>172</sup>
- ii. Florida Anti-Hazing Law<sup>173</sup>
- iii. Georgia Anti-Hazing Law<sup>174</sup>
- iv. New York Anti-Hazing Law<sup>175</sup>

In some cases decisions the Court stands against hazing. In *Furek v. Delaware* it was held that, Furek, a Sig Ep pledge, was seriously burned and permanently scarred when fraternity member poured oven cleaner over Furek's back and neck. Delaware Supreme Court found that university's policy on hazing and repeated warnings to students about the hazards of hazing "constituted an assumed duty" to protect students from injuries suffered as result of the hazing. Court rejected both Bradshaw court decision.<sup>176</sup>

Knoll was forcibly taken to the FIJI house at the University of Nebraska, where he was handcuffed, given brandy, whiskey, and beer, and subsequently fell from a window. The FIJI Corporation owned the house, but UNL considered it a student housing unit.<sup>177</sup>

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<sup>169</sup> Elizabeth J Allan, *Hazing in View: College Students at Risk: Initial Findings from the National Study of Student Hazing* (DIANE Publishing 2009).

<sup>170</sup> Allan and Madden (n 13).

<sup>171</sup> 'States with Anti-Hazing Laws | StopHazing | Hazing Prevention Resource' (*stophazing.org*) <<https://stophazing.org/policy/state-laws/>> accessed 13 January 2024.

<sup>172</sup> 'Texas Anti-Hazing Law | StopHazing | Hazing Prevention Resource' (*stophazing.org*) <<https://stophazing.org/policy/state-laws/texas/>> accessed 8 January 2024.

<sup>173</sup> 'Florida Anti-Hazing Law | StopHazing | Hazing Prevention Resource' (*stophazing.org*) <<https://stophazing.org/policy/state-laws/florida/>> accessed 8 January 2024.

<sup>174</sup> 'Georgia Anti-Hazing Law | StopHazing | Hazing Prevention Resource' (*stophazing.org*) <<https://stophazing.org/policy/state-laws/georgia/>> accessed 8 January 2024.

<sup>175</sup> 'New York Anti-Hazing Law | StopHazing | Hazing Prevention Resource' (*stophazing.org*) <<https://stophazing.org/policy/state-laws/new-york/>> accessed 13 January 2024.

<sup>176</sup> *Furek v University of Delaware* (1990) 594 A 2d 506 (Supreme Court).

<sup>177</sup> *Knoll v Board of Regents of Univ of Neb* (1999) 601 NW 2d 757 (Supreme Court).

In *Morrison v. Kappa Alpha Psi Fraternity*, 739 So. 2d 1105 (La. Ct. App. 1999), *Haben v. Anderson*, 597 N.E.2d 655 (Ill. App. Ct. 1993), *Coghlan v. Beta Theta Pi Fraternity*, 987 P.2d 300 (Idaho 1999), *Ballou v. Sigma Nu General Fraternity*, 352 S.E.2d 488 (S.C. 1986), *Quinn v. Sigma Rho Chapter*, 507 N.E.2d 1193 (Ill. App. Ct. 1987) case Court instructs the same.<sup>178</sup>

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<sup>178</sup>Hazing: Prevention Strategies & Lessons Learned' [2018] Lessons Learned.

## Chapter 6

### Conclusion and Recommendations

#### 6.1 Introduction:

According to the above discussion the researcher will draw a concluding line in this chapter. Here, the findings of this research are noted below. Besides, the researcher also suggests some recommendations according to his own opinion to develop the preventive measures of ragging at educational institution in Bangladesh.

#### 6.2 Findings:

In this research the current practices as well as the available remedies against ragging in Bangladesh are discussed. Thus we have discovered the sufferings of the victims and the seriousness of its effects. We have also identified the lacking in our ragging prevention system. This paper has mentioned the examples of different countries. It is seen that countries that have laws on ragging have been able to identify it as a distinct offence and take steps accordingly. In Bangladesh the absence of any specific law hinders taking proper action against ragging. By observing the legal preventions of those countries we have found some sectors where we need to develop to prevent this social problem.

#### 6.3 Recommendation:

According to the following discussion the researcher would like to recommend some policies to bring effective changes in the legislative system of the country to prevent ragging. Firstly, all institutions must have an Anti-Ragging Committee and an Anti-Ragging Squad. The ragging prevention committee should often consult the fresher students with a view to inspecting their condition. One faculty member should be appointed take care of each fresher batch in the university. The educational institution authorities need to bring the whole institution under cctv

camera. There should be a Monitoring Cell on Ragging to coordinate with the affiliated colleges and institutions under its domain. Every district should have a District level Anti-Ragging Committee. Government should make a separate law to deal with ragging. A toll-free calling system should be developed so that the victims can inform the incidents of ragging immediately. Government can establish a special website as well as a mobile application to make the process more effective. The victims must be provided remedies. Psychological counselor must be appointed for the victim students who have broken mentally due to ragging. The Government should have a policy to ensure the safety of the students go Universities outside of the country.

#### **6.4 Conclusion:**

In conclusion it can be said that undoubtedly ragging is a social disease which is a threat in the education system. The effects of ragging are horrible. It may ruin the future of a nation. The continuance of ragging will make the future generation mentally sick because doing such unusual behavior is a psychological disorder.

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