



**PRAVARA INSTITUTE OF MEDICAL SCIENCES
DEEMED TO BE UNIVERSITY**

**Loni Bk 413736, Tal. Rahata, Dist. Ahmednagar,
Maharashtra, India**

**Policy Document & Guidelines
(Standard Operating Procedure)**

Of

“University Anti Ragging Cell”

Pravara Institute of Medical Sciences
(Deemed to be University)
Policy Document & Guidelines
Of
“University Anti Ragging Cell”

Policy Against Anti Ragging:-

1. Preamble

In view of the directions of the Hon’ble Supreme Court in the matter of “University of Kerala v/s. Council, Principals, Colleges and others” in SLP no. 24295 of 2006 dated 16.05.2007 and that dated 8.05.2009 in Civil Appeal number 887 of 2009, and in consideration of the determination of the Central Government and the University Grants Commission to prohibit, prevent and eliminate the scourge of ragging including any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student, or indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in any fresher or any other student or asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student, with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student, in all higher education institutions in the country, and thereby, to provide for the healthy development, physically and psychologically, of all students, the University Grants Commission, in consultation with the Councils, brings forth this Regulation.

In exercise of the powers conferred by Clause (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956, the University Grants Commission hereby makes the following Regulations for prevention of Ragging in Educational Institutes.

2. Objectives:-

To prohibit any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student, or indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship or psychological harm or to raise

fear or apprehension thereof in any fresher or any other student or asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student, with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student; and thereby, to eliminate ragging in all its forms from universities, deemed universities and other higher educational institutions in the country by prohibiting it under these Regulations, preventing its occurrence and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.

3. **What constitutes Ragging.-**

Ragging constitutes one or more of any of the following acts:

- I. any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student;
- II. indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any fresher or any other student;
- III. asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student;
- IV. any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any other student or a fresher;
- V. exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of students.
- VI. any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students;
- VII. 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;
- VIII. any act or abuse by spoken words, emails, post, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student ;
- IX. any act that affects the mental health and self-confidence of a fresher or any other student with or without an intent to derive a sadistic

pleasure or showing off power, authority or superiority by a student over any fresher or any other student.

4. Definitions.-

- I. In these regulations unless the context otherwise requires,-
 - a. "Act" means, the University Grants Commission Act, 1956 (3 of 1956);
 - b. "Academic year" means the period from the commencement of admission of students in any course of study in the institution up to the completion of academic requirements for that particular year.
 - c. "Commission" means the University Grants Commission;
 - d. "Council" means a body so constituted by an Act of Parliament or an Act of any State Legislature for setting, or co-ordinating or maintaining standards in the relevant areas of higher education, such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Dental Council of India (DCI), the Distance Education Council (DEC), the Indian Council of Agricultural Research (ICAR), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc. and the State Higher Education Councils.
 - e. "District Level Anti-Ragging Committee" means the Committee, headed by the District Magistrate, constituted by the State Government, for the control and elimination of ragging in institutions within the jurisdiction of the district.
 - f. "Head of the institution" means the Vice-Chancellor of Pravara Institute of Medical Sciences (Deemed to be University) Loni Bk.
 - g. "Fresher" means a student who has been admitted to all Constituent Colleges/ Centers of Pravara Institute of Medical Sciences (Deemed to be University) and who is undergoing his/her first year of study.
 - h. "Institution" means a Pravara Institute of Medical Sciences (Deemed to be University) Loni Bk.
 - i. "NAAC" means the National Academic and Accreditation Council established by the Commission under section 12(ccc) of the Act;
 - j. "State Level Monitoring Cell" means the body constituted by the State Government for the control and elimination of ragging in institutions within the jurisdiction of the State,

established under a State Law or on the advice of the Central Government, as the case may be.

- II. Words and expressions used and not defined herein but defined in the Act or in the General Clauses Act, 1897, shall have the meanings respectively assigned to them in the Act or in the General Clauses Act, 1897, as the case may be.

5. Monitoring mechanism in technical institution, University including Deemed to be University imparting technical education:-

A. Anti-ragging Committee:

University Anti-ragging Committee should be constituted known as the "University Anti-ragging Committee".

Following are the members nominated by the Vice Chancellor;

- i. A Presiding Officer who shall be the Head of the Institution.
- ii. Representative of civil and police administration.
- iii. Representative of Media.
- iv. Representative of Non Government Organizations involved in youth activities.
- v. Representative of faculty members.
- vi. Representative of parents.
- vii. Representative of students belonging to the fresher's, senior students and Research Scholar.
- viii. Representative of non-teaching staff.

Committee shall have a diverse mix of membership in terms of level as well as gender.

It shall be the duty of the Anti-Ragging Committee to ensure compliance with the provisions of these Regulations as well as the provisions of any law for the time being in force concerning ragging; and also to monitor and oversee the performance of the Anti-Ragging Squad in prevention of ragging in the institution.

The term of office of the members of the University Anti Ragging Cell shall be for a period of three years.

If there is any vacancy arrows Vice Chancellor will nominate the person on the vacant place.

6. Power and Duties of the Committee:

The committee is NOT to act as a moral police; neither will it intrude on anyone's privacy. The role of the Committee is to create awareness about Anti-Ragging and to deal with and recommend punishment for non-consensual acts of Anti-Ragging. Members are expected to be sensitive to the issue and not let personal biases and prejudices (whether based on gender, caste, class) and stereotypes (e.g., predetermined notions of how a "victim" or "accused" should dress up or behave) affect their functioning as members of the committee.

- i. To create and ensure a safe environment that is free of Ragging, including safety from persons/visitors coming into contact at the workplace.
- ii. To publicise the policy in English, Hindi and Marathi widely, especially through notice boards and distribution of pamphlets.
- iii. To publicise in English, Hindi and Marathi, the names and phone numbers of members of the Committee.
- iv. An orientation seminar will be organized to discuss the nature and scope of the Anti-Ragging.
 - i. One or more workshops/seminars annually where external experts on the subject will interact with all employees and students.
 - ii. Seminars, performances and discussion forums where Anti-Ragging will be the focus – these will happen during the academic year.
 - iii. Spreading awareness of the policy and implementation of the same through informal sessions, performances, cultural events, etc., about the policy being implemented by PIMS (DU).
 - iv. The mechanism for registering complaints should be safe, accessible, and sensitive.
 - v. To take cognizance of complaints about Anti-Ragging, conduct enquiries, provide assistance and redressal to the victims, recommend punitive action or take immediate action against the harasser, if necessary.
 - vi. To recommend disciplinary action for any complaint registered with the Committee after the enquiry to the concerned authorities and to follow-up action and monitor the same.
 - vii. To recommend Institute to provide assistance to the complainant if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time-being in force.

- viii. To recommend the Institute to provide the medical intervention with the consent of the complainant or even without consent in such cases where the complainant is physically or mentally incapacitated to give her consent.
- ix. To inform the administration to arrange for appropriate psychological, emotional, and physical support (in the form of counseling, security and other assistance) to the victim if she so desires.

7. Meetings of the Committee:

The members of the Committee shall meet at least four times in a year and maintain the proceedings. The Chairperson shall preside over the meeting. In the absence of the Chairperson, the second senior member shall preside over the meeting. The Chairperson may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than eight days after the receipt of such requisition.

- i. The quorum of the meeting of the Committee shall be four of its members. If the quorum is not complete in any meeting, it shall be adjourned for half an hour and thereafter, the meeting shall precede with those members who are present in the meeting.
- ii. All decision in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the members regarding any decision, Chairperson of the Committee shall hold the authority to take the final decision and her decision would be considered as final.

8. Complaint Procedure

- i. Any student (hereinafter mentioned as the 'COMPLAINANT) shall have the right to file a complaint concerning any ragging against a male, female student/employee /faculty/administrative staff / research staff / any of the members of the Committee (hereinafter mentioned as the 'COMPLAINEE') as the case may be.
- ii. Any COMPLAINANT may file a complaint within a period of 3 months from the date of incident. In case of a series of incidents, COMPLAINANT should file a case within a period of 3 months from the date of last incident.
- iii. Where the aggrieved student is unable to file a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.
- iv. All complaints will only be accepted in writing. The Committee is allowed to take action even in the absence of a written complaint.

Though a written complaint is must, however if the student does not want to do the same, anybody can write on her behalf.

- v. Any complaint in writing has to be signed by the COMPLAINANT and will be read out to the complainant and will not be acted upon till the same is signed by the complainant.
- vi. The complainant shall be afforded full secrecy at each stage.'
- vii. The name, address, identity or any other particulars calculated to lead to identification of the COMPLAINANT shall be kept confidential and will not be disclosed even to the Committee, till the meeting in this regard is convened.
- viii. Within a period of 5 working days from the date of such communication, the Chairperson shall convene a meeting to deal with the complaint and make preliminary enquiry/fact finding enquiry to verify the facts of the complaint. An Enquiry Committee will be constituted if the complaint is found genuine.
- ix. In case, the Enquiry Committee decides to proceed with the complaint, they may have the option to settle the matter between COMPLAINANT & COMPLAINEE through conciliation. For this the wishes of the complainant shall be ascertained and if the complainant wishes that a warning would sufficient then the alleged offender shall be called to the meeting of the Committee, heard and if so satisfied that a warning is just and proper, he may be warned about his behavior. The matter shall then be treated as concluded and disposed of with a note to that effect made in the Complaint Register.

9. Inquiry Process

In case the COMPLAINANT requests that the complaint should be processed with beyond a mere warning, the same may be processed and has to be solved within a stipulated time of 90 working days.

- i. Within five days of the start of the enquiry process, the Inquiry Committee shall furnish a copy of the complaint to the accused and complainant along with a written notice requiring both parties to furnish a written submission. In case the complainant does not have any additions to make to the complaint filed earlier, she can just submit a statement to that effect.
- ii. Within a week, both parties shall submit to Inquiry Committee their replies to then documents that have been served on them. The replies may also include a list of questions that the party wishes the Enquiry Committee to ask the other party or its witnesses.
- iii. Within one week of the receipt of the replies and list of question in (2) above, The Enquiry Committee shall start the process of an oral hearing.

- iv. In the course of the oral hearing, the complainant, the accused, and their witnesses will separately be given a chance to give an account of the instances alluded to in the complaint.
- v. All parties can also submit any documentary evidence at the time of the oral hearing.
- vi. The Enquiry Committee shall have the power to ask questions that it deems fit to all parties during the oral hearing.
- vii. The Enquiry Committee would also ask questions which have been submitted by the complainant and defendant for the other parties. However, The Enquiry Committee has the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, or gender-insensitive.
- viii. The Enquiry Committee may also call upon additional witnesses and ask them any questions that it may deem fit.
- ix. The Enquiry Committee shall have the power to ask the relevant authorities for any official papers or documents pertaining to the complainant as well as the accused.
- x. The Enquiry Committee shall conduct the proceedings in a fair manner and shall provide reasonable opportunity to the complainant and accused for presenting and defending his/her case.
- xi. At no time during the inquiry proceedings shall the accused and the complainant be placed face to face, or put in a situation where they may be face to face.
- xii. If the accused fails, without valid ground, to present him for three hearing convened by the chairperson of the Enquiry Committee shall have right to take a decision on the complaint based upon available evidence.
- xiii. Lawyers are not allowed during the enquiry but both sides can avail help from them.

Note:

If the cases of ragging occur in private, so there may not be any eye-witness. The Enquiry Committee will have to come to a conclusion about the complaint without proof or evidence of this kind. It will rely on circumstantial evidence and the written submissions and oral testimonies of the complainant, the accused, and witnesses if any as well as any documentary evidence. This enquiry is not a criminal investigation or a proceeding in a court of law – a strong probability, rather than ‘proof beyond reasonable doubt’, is enough to take a decision on the complaint.

10. Actions to be taken against students for indulging and abetting ragging in Pravara Institute of Medical Sciences (Deemed to be University):-

- I. The punishment to be meted out to the persons indulged in ragging has to be exemplary and justifiably harsh to act as a deterrent against recurrence of such incidents.
- II. The Anti-Ragging Committee of the institution shall take an appropriate decision, with regard to punishment or otherwise, depending on the facts of each incident of ragging and nature and gravity of the incident of ragging.
 - A. Depending upon the nature and gravity of the offence as established the possible punishments for those found guilty of ragging at the institution level shall be any one or any combination of the following:-
 - i. Cancellation of admission
 - ii. Suspension from attending classes
 - iii. Withholding/withdrawing scholarship/fellowship and other benefits
 - iv. Debarring from appearing in any test/examination or other evaluation process
 - v. Withholding results
 - vi. Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
 - vii. Suspension/expulsion from the hostel
 - viii. Rustication from the institution for period ranging from 1 to 4 semesters
 - ix. Expulsion from the institution and consequent debarring from admission to any other institution.
 - x. Collective punishment: when the persons committing or abetting the crime of ragging are not identified, the institution shall resort to collective punishment as a deterrent to ensure community pressure on the potential raggars.
 - B. An appeal against the order of punishment, Vice-Chancellor will be the appellate authority.
 - C. The institutional authorities shall intimate the incidents of ragging occurred in their premises along with actions taken to the Commission from time to time.

11. Redressal

- i. The Committee will submit a report along with recommended disciplinary actions to the Registrar.
- ii. The Registrar of the PIMS (DU) upon receipt of the enquiry report shall implement the disciplinary action on the basis of the recommendations of the Committee under relevant service rules within two months.
- iii. The disciplinary action will be commensurate with the nature of the violation.
- iv. In case the complaint is not proved, the Committee shall recommend that no action is required to be taken in the matter. Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- v. In such cases that are likely to be rare, where the Committee arrives at the conclusion that the allegation by the complainant is malicious or false with the full knowledge of the complainant or where the complainant has produced any forged or misleading document, the Committee may recommend punitive action against such COMPLAINANT.
- vi. If the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend punitive action against the said witness,
- vii. Non-adversarial modes of redressal and resolution could also be considered in appropriate cases. Examples of this may be verbal warning, verbal apology, promise of good behavior etc.
- viii. The victim of sexual harassment/COMPLAINANT will have the option to seek adjustments such as change of the room/location of the office room, change of the quarter, etc.
- ix. The Committee, in exceptional cases, can ask the institute to allow the complainant to proceed on leave for a period of up to three month (the leave will not be deducted from her leave account).
- x. Grant such other relief to the complainant as may be prescribed.

12. Obligations of PIMS (DU) Authorities

- i. Provide a safe working environment at the workplace which shall include safety from persons coming into contact at the workplace.
- ii. Display at any conspicuous place at the workplace, the penal consequences of sexual harassment, and the order constituting the PIMS (DU).

- iii. Assist the Committee to organize workshops annually to sensitize the employees and students with the provisions of the Act and orientation programmes for members of the Committee
- iv. Institute should organize gender orientation session/ human processing lab at the beginning of each academic session.
- v. There is a need to have a counseling centre at PIMS (DU). At least once a week counseling services should be made available to the students on the issues of adjustment, harassment, any other issue related to education and stay at IIPS/Mumbai.
- vi. The Institute through its authorities would ensure necessary facilities to the Committee and the process of an inquiry. It would assist in securing the attendance of the accused and witnesses before the Committee or its sub-committee, as the case may be. It would also make available such information to the Committee as it may require having regard to the complaint.
- vii. Provide assistance to the individual to file a complaint.
- viii. Treat sexual harassment as misconduct under the service rule and initiate action against misconduct.
- ix. RTIs are not applicable for sexual harassment complaints.

13. Amendments in the Policy

- i. The policy will be suitably amended as per modifications in the prevailing laws.
- ii. In case of need, committee may amend the policy time to time.
- iii. As per the Supreme Court of India Directive, it is mandatory to ensure safety of women at workplace

Date: 17.06.2019

Loni Bk



h. d. d. d. d. d.
Registrar
Pravara Institute of Medical Sciences
(Deemed to be University)
13736, Tal. Rahata
Dist. Ahmednagar (M.S. India)