



BAKLIWAL FOUNDATION
College of Arts, Commerce & Science, Vashi

Anti-ragging Cell

Our Motto: Ragging Free Campus



Bakliwal Foundation
College of Arts, Commerce
& Science, Vashi



Policy for Anti-ragging
2023 - 2024



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Vision

Fear free Campus for the students.



Mission

To maintain a harmonious educational atmosphere in the institute.



Goals and Objectives

BFCACS have formed an anti-ragging committee to completely wipe out the menace from the campus.

Objectives

1. 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.



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5. Exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of students.
6. Any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students;
7. 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;
8. 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 discomfort to fresher or any other student;
9. 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. "

Definitions

The terms used in this Regulation shall have the same meaning and connotation as has been defined under Clause 4 of the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions 2009 as amended from time to time except for what has been specifically provided herein.

1. '**Anti-Ragging Committee**' (ARC) means the Anti-Ragging Committee formed and existing under this Regulation with jurisdiction over all the Campuses of the College.
2. '**Anti-Ragging Squad**' (ARS) means the Anti-Ragging Squad formed and existing under this Regulation in every Campus of the College
3. '**Campus**' means the Campus of the College established within India and shall include the Nodal Office/s and such other establishments of the



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College and will mean to cover all its premises, departments, centers, libraries, canteens/cafeterias, workshops, play grounds, gyms, sports areas, residences/hostels and such other academic and non- academic locations.

4. **‘Committee’:** Committee or Enquiry Committee (by whatever name called) means and includes any Committee constituted by the Anti-Ragging Squad or by the Anti-Ragging Committee at the discretion to study or to enquire into any of the matters covered by or for the purpose of this Regulation.
5. **‘Coordinator of Student Affairs’** means the Coordinator of Student Affairs of the College.
6. **‘FIR Case’:** FIR Case refers to a case of Ragging which the Principal of the College shall be mandated to file information with the local Police Station / Local Authority and shall include all cases of Ragging that fall under the category of cognizable offences as per the Criminal Procedure Code of India such as murder, rape, kidnapping, theft etc and will include penal cases (guided by its gravity or severity) relating to
 - (i) Abetment to ragging
 - (ii) Criminal conspiracy to rag,
 - (iii) Unlawful assembly and rioting while ragging
 - (iv) Public nuisance created during ragging,
 - (v) Violation of decency and morals through ragging
 - (vi) Injury to body causing hurt or grievous hurt
 - (vii) Use of criminal force
 - (viii) Assault as well as sexual offences or Unnatural offences.
 - (ix) Extortion
 - (x) Criminal trespass



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- (xi) Offences against property,
- (xii) Criminal intimidation
- (xiii) Attempts to commit any or all of the above-mentioned offences against the victim(s) or
- (xiv) Physical or psychological humiliation.

It will also include cases of Ragging that cause grievous hurt or injury as defined hereunder or that fall under the category of Ragging of Grievous nature.

7. **‘Fresher’**: Fresher means a student who has been admitted to any course offered at BFCACS in any of its Campuses and who is undergoing the first year of his/her study.
8. **‘Grievous Injury’**: Grievous hurt or injury shall have the same meaning as defined in Section 320 of the Indian Penal Code & Bhartiya Nyaya Sanhita (BNS), Section 116 and includes Emasculation, Permanent privation of the sight of either eye, Permanent privation of the hearing of either ear, Privation of any member or joint, Destruction or permanent impairing of the powers of any member or joint, Permanent disfiguration of the head or face, Fracture or dislocation of a bone or tooth or any hurt which endangers life or which causes the sufferer to be during the space of twenty days in severe bodily pain, or unable to follow his ordinary pursuits.
9. **‘Institution’**: Institution or College means BFCACS and all its Campuses.
10. **‘Penal Law’** means Indian Penal Code, Criminal Procedure Code of India and provisions of any other law that provide for punishment of offences of criminal nature.



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11. **‘Ragging of Grievous Nature’**: Ragging of serious or grievous nature means and includes such acts of ragging which causes deep/lasting mental or physical agony to the victim or that causes grievous injury. The acts of ragging stated in Sub-Clause (f), (g) and (j) of Clause 1 above depending on its severity may be treated as Ragging of Grievous nature.

12. **“Principal”** means the Principal of the college

Awareness Documentation

✚ The webpage and all admission related brochures of the University shall carry a notice as “RAGGING in all its forms is a Criminal Offence and shall be totally banned in this Institution including in its departments, constituent units, all its premises (academic, residential, sports, kiosks, cafeteria and the like) whether located within the campus or outside and in all means of transportation of students whether public or private. The Institution shall take strict action including but not limited to cancellation of admission and/or criminal proceeding against those found guilty of ragging and/or of abetting ragging whether actively or passively or being part of a conspiracy to promote ragging, as provided in the Regulation for Prevention and Control of Ragging (Revised) 2019 of BFCACS and the burden of proof shall lie on the perpetrator of alleged ragging and not on the victim. An offence of Ragging may be charged either on a written complaint by the affected or on independent finding of the Anti-Ragging Squad. The University is bound/guided by the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions 2009 though however, the Regulation of the University shall be applicable and binding on all its students”.

✚ Notice specified in (a) above shall also be displayed in the Student Notice Boards kept at the Departments and at other locations as may be directed by the Director of Student Affairs.



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- ✚ Post Admission Counselling/orientation for the Freshers as well as the inaugural address to the senior students at the commencement of every academic year shall include a brief narrative of the above-referred Notice.
- ✚ The web page of the University shall provide a permanent link to this Regulation as well as to the UGC Regulation on Curbing the Menace of Ragging in Higher Educational Institutions 2009 and to its amendments.
- ✚ The application form for admission to any Program/Course at the University and for admission to the Hostels of the University shall include as its part an independent undertaking/Affidavit by the student and the parent in the prescribed format as given in Annexure 1(a) and (b) and a joint undertaking as given in Annexure 1(c)
- ✚ Documents relating to admission to any Program/Course shall include a Character and Conduct Certificate of the student duly signed by the Head of the immediate past institution of study or by a gazetted officer.
- ✚ The website and the Departmental Notice Boards of the University shall carry instruction and details about reporting contacts in respect of any ragging incident for the benefit of students affected by ragging.
- ✚ All persons engaged by the Institution whether in teaching, non-teaching or otherwise shall be informed of this Regulation and of their duty to inform the Ant-Ragging Squad of any incident of ragging that comes to their notice.

Prevention and Mentoring

- ✚ Freshers Party, if permitted, shall be held only on working days and under the supervision of the class teachers of the participating classes



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and shall maintain the code of conduct as may be specified. No freshers' party shall be held without the prior approval of the Director of Student Affairs.

- ✚ Class teachers of both junior and senior classes shall report to the Counsellor concerned of any case of likely ragging for interaction and monitoring.
- ✚ The Counsellors shall as part of their general counselling explain to the students the ill effects of ragging and its consequences. Any case of observed tendencies must be reported to the Head of the Department / Class Teacher for monitoring.
- ✚ Hostel Wardens shall as part of their normal surveillance, monitor the movements and behavior of the inmates and if needed must intervene. All cases of suspected and reported ragging to be recorded in the format that may be prescribed and must be brought to immediate notice of the Director of Student Affairs.
- ✚ No Senior Student is normally supposed to visit the hostel room/residence of a Fresher or to invite a Fresher to that of his/her without valid reasons and its violation as may be assessed by the Anti-Ragging Squad shall be considered as a proof of ragging against the Senior Student.
- ✚ Every Class shall have an Anti-Ragging Student Mentoring Group (Mentoring Cell/ Anti-Ragging Cell) consisting of 10 students including the Class Representative who under the supervision of the Class Teacher shall have Anti-Ragging mentoring activities at least once in a month in the first Semester/trimester and at least once in every subsequent Semester/trimester in the first year and in every following year of the Course. These activities may be in the form of discussions, debates or case studies, street –plays etc to enable proper



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sensitization of the evil. The Mentoring Group must also monitor the activities of their class students against ragging tendencies and report the same to the Class Teacher.

Prevention and Mentoring

- ✚ Freshers Party, if permitted, shall be held only on working days and under the supervision of the class teachers of the participating classes and shall maintain the code of conduct as may be specified. No freshers' party shall be held without the prior approval of the Coordinator of Student Affairs / Principal.
- ✚ Class teachers of both junior and senior classes shall report to the Counsellor concerned of any case of likely ragging for interaction and monitoring.
- ✚ The Counsellors shall as part of their general counselling explain to the students the ill effects of ragging and its consequences. Any case of observed tendencies must be reported to the Head of the Department / Class Teacher for monitoring.
- ✚ Hostel Wardens shall as part of their normal surveillance, monitor the movements and behavior of the inmates and if needed must intervene. All cases of suspected and reported ragging to be recorded in the format that may be prescribed and must be brought to immediate notice of the Director of Student Affairs.
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Punishment to those found guilty

Any student or group of students found guilty of ragging in the campus or even outside the campus shall be liable to one or more of the following punishments

1. Debarring from appearing in any sessional test / College Examination.
2. Suspension from attending classes and academic privileges.
3. Withdrawing scholarships and other benefits.
4. Suspension from the college for a period of one month.

Responsibilities of Anti Ragging Squad

Anti-Ragging Squad will be working under the Monitoring of Anti Ragging Committee and will seek advice from the Anti-Ragging Committee. The functions of Anti-Ragging Squad will be to keep a vigil and stop the incidences of Ragging, if any, happening / reported in the places of Student aggregation including, Classrooms, Canteens, Buses, Grounds, Hostels etc. The Squad will also educate the students at large by adopting various means



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about the menace of Ragging and related Punishments there to. A gamut of positive reinforcement activities are adopted by Anti-Ragging Squad for orienting students and molding their personality for a better cause. They shall work in Consonance and Guidance of Anti Ragging Committee.

SOP for Conducting of Inquiries & Disciplinary Proceedings

Introduction

1. With strength of almost 1000 students and over 100 staff, and maintenance of discipline amongst students and staff is an important management function.
2. As most of the functionaries in the college are from the academic field, their knowledge of legal and administrative procedures is limited. There is hence a requirement of laying down comprehensive SOP for conduct of Enquiries and disciplinary proceedings.

Aim

To lay down SOP on conduct of enquiries in r/o instances of indiscipline /in subordination and unwanted activities as well as relevant disciplinary proceedings post such enquiries.

Provisions and Committees:

Such conduct of enquiries and disciplinary proceedings in AIT are governed by College Act 2016, AICTE rules and Sexual Harassment of Women at



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Workplace (Prevention, Prohibition and Redressal) Act 2013. Being an AWES institution, it is also governed by article 53 of Blue Book.

Committees:

As per existing orders and instructions, various committees are formed to look into the various aspects of Discipline and Grievances. These are given in succeeding paras:-

The Internal Complaints Committee (ICC) (Anti-Sexual harassment)

The Internal Complaints Committee for prevention of sexual harassment of women at workplace, as per 'The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013' to deal with the sexual harassment complaints of women at workplace has been established in the college.

(a) Composition.

(i) **Presiding Officer.** As per the act the Presiding Officer shall be a woman employed at a senior level at workplace from amongst the employees. Either a Woman HoD, or at-least a Woman Associate professor will be the PO.

(ii) Two employees with experience in social work or have legal knowledge.

(iii) An external member from an NGO or any association committed to the cause of women or a person familiar with the issues relating to sexual harassment.

(iv) At least half members to be women.



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(v) For any further clarification refer to the Act mentioned above.

(b) Role

The committee has to ensure enough steps are taken to create awareness on the topic. If in case any person approaches any of the committee members, the member is immediately required to inform others. A written complaint is required to be taken from the aggrieved person. The aggrieved person is within her rights to submit complaint within 90 days of the incident / last incident. Necessary action to be taken will include settling the matter through counseling and conciliation (only on request of the complainant) as soon as possible. In case the matter is not so resolved, inquiry to be conducted and matter to be sorted out within 10 days from the date of complaint. The members to be vigilant all the time and ensure that there is no such incident taking place in campus by creating awareness and having an open dialogue with all the students.

(c) Sexual Harassment

This includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

- (i) Physical contact and advances; or
- (ii) A demand or request for sexual favors; or
- (iii) Making sexually colored remarks; or
- (iv) Showing pornography; or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.



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Handling of Grievances, Complaints / Disciplinary Proceedings for Employees.

On receipt of grievance from / complaint against or report of an act in violation of college rules / regulations / ethical and moral code, the Director will examine the same. If suitable merit is found, he/she will order the inquiry to be conducted by appropriate committee. Such inquiry should be ordered within seven days of grievance / complaint received unless found infructuous. The inquiry must be completed within 30 days of such order, and extension if any will be sought only if deemed unavoidable, from the Director. In case of disciplinary inquiry for faculty and staff the informal inquiry will only be a preliminary enquiry, as per Para 171 of AWES rules and regulations.

Grievance and Disciplinary Committee for Students:

This committee is empowered to handle both the serious grievances of the students and disciplinary issues of the students. Handling of “grievances” of the students will be on the lines of As per All India Council for Technical Education (AICTE) (Establishment of Mechanism for Grievance Redressal) Regulations, 2012, F.No. 37-3/Legal/2012 dated 25 May 2012.

Tasks and Role of Anti-Ragging Squad

AICTE REGULATION ON ANTI RAGGING COMMITTEE

Objective

In view of the directions of the Hon’ble Supreme Court in SLP No. 24295 of 2006 dated 16-05-2007 and in Civil Appeal number 887 of 2009, dated 08-05-2009 to prohibit, prevent and eliminate the scourge of ragging including any conduct by any student or students whether by words spoken or written



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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 undisciplined 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 All India Council for Technical Education,(AICTE) brings forth these Regulations. Monitoring mechanism in Technical Institution, College including Deemed to be College imparting Technical Education

Anti-ragging Committee

Every institution College including Deemed to be College imparting technical education shall constitute a Committee to be known as the Anti-ragging Committee to be nominated and headed by the Head of the Institution, and consisting of representatives of civil and police administration, local media, Non-Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of students belonging to the freshers' category as well as senior students, non-teaching staff; and 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



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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.

Anti-Ragging Squad

Every Institution College including Deemed to be College imparting technical education shall also constitute a smaller body to be known as the Anti-Ragging Squad to be nominated by the Head of the Institution with such representation as may be

Considered necessary for maintaining vigil, oversight and patrolling functions and shall remain mobile, alert and active at all times, provided that the Anti-Ragging Squad shall have representation of various members of the campus community and shall have no outside representation.

It shall be the duty of the Anti-Ragging Squad to be called upon to make surprise raids on hostels, and other places vulnerable to incidents and having the potential for ragging and shall be empowered to inspect such places.

It shall also be the duty of the Anti-Ragging Squad to conduct an on-the-spot inquiry into any incidents of ragging referred to it by the Head of the institution or any member of the faculty or any member of the staff or any student or any parent or guardian or any employee of a service provider or by any other person, as the case may be; and the inquiry report along with recommendations shall be submitted to the Anti-Ragging Committee for action. Provided that the Anti-Ragging Squad shall conduct such inquiry observing a fair and transparent procedure and the principles of natural justice and after giving adequate opportunity to the student or students accused of ragging and other witnesses to place before it the facts,



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documents and views concerning the incidents of ragging, and considerations such other relevant information as may be required.

Conduct of Inquiry

Preliminary Actions

As and when the inquiry is ordered the Presiding Officer will assemble the committee for the following actions:-

- (a) Studying the complaint / initial report leading to the ordering of inquiry.
- (b) Ensuring the complainant is safe and initiating all necessary actions to ensure this.
- (c) Deciding upon the witnesses to be called for recording of the evidence and deciding on the sequence of witnesses to be called. List of material evidence which needs to be produced including audio/video/CCTV evidence should also be decided.
- (d) Deciding on the date, time and place for conduct of the actual inquiry.
- (e) The list of witnesses/evidence and the date/time/place of inquiry be intimated in writing to the Joint Director / Registrar for making the necessary arrangements.
- (f) Study relevant orders / statutes/ rules and legal provisions if any relevant to the case.

Calling Witnesses

Apart from the complainant, accused person/persons other relevant witnesses should be called to give evidence. The aim of an inquiry is getting to the bottom of the case and unearthing the truth. All relevant witnesses must be called. These include: -



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- (a) Person or official who first received the complaint or who was the first witness to an incident.
- (b) Superior or the care taker (e.g. hostel warden in case of students in the hostel) of the hostel.
- (c) In the event of an injury/medical-legal case /death of any individual, the medical officer and /or attendant as the case demands.
- (d) Likely individuals who could have witnessed the incidence.
- (e) In any case of a student misbehavior, his/her councilor.
- (f) Witnesses should be called in a sequence, which aids in ascertaining the truth, and not based on availability or convenience.

Conduct of Inquiry

The inquiry will commence on assembly of all members on the date and time fixed. In case of absence of individual member, the reason of absence will be recorded and consent of all other present members will be taken to proceed with the inquiry and recorded. However, this would be an exception only. The procedure to be followed will be as follows: -

- (a) The Witness so called will be permitted to give out his statement. He/ She can be permitted to read out a written statement. The Witness will be given a statutory warning as follows: -

“.....is giving this statement without any compulsion/ coercion//prejudice/.

I am fully responsible for whatever is being stated by me”

The witness will be allowed to narrate the statement without an interruption/ cross-question. However, the committee may guide the witness to remain relevant and factual. One member of the committee will record the entire statement, in the “First Person”.



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The members of the Committee may question each Witness with the aim of extracting the complete facts and filling the gaps in the statement narrated. All questions and answers should be recorded. Any witness may be called again for further questioning, should the committee feel so while statement of another witness is being recorded. On completion of Statements and questions / answers, the Witness will sign with a statement "The statement recorded / questions and answers during the preceding have been read by me or read over to me and understood. I sign the same as correct". All members will sign below the witness's signature

Presence of the Accused

If any employee is accused of an act which is likely to affect his character/reputation, he will be present during the recording of the relevant witness. He / She will be permitted to cross-question the Witness. Such a person may be read out the statements of witnesses, if he was not able to attend previously.

Re-examining witnesses

If the inquiry committee feels the necessity of reexamining (questioning) a witness due to new facts emerging during the inquiry, they may do so.

Preparation of Findings

Findings in an inquiry, is a logical summary of facts emerging out of the process of inquiry. Findings will also bring out the circumstances leading to the incident/s. Specific references to the statements of relevant Witnesses and/or documentary evidence produced must be made while stating the fact.



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Opinion of Inquiry

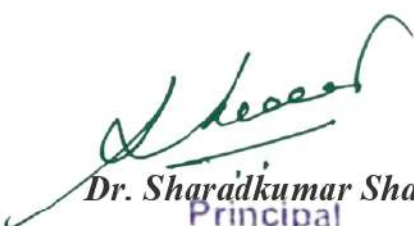
The opinion will be derived out of the findings. It will clearly bring out deductions which include, declaring individual/individuals blameworthy for misconduct/ omissions; if blamed the gravity of the offences/ omissions; alternatively, can also excoriate individuals who have been accused of misconduct etc. Opinion can also bring to the notice procedural lapses/ weaknesses as well as organizational issues. Opinion should clearly bring out the verdict whether a particular individual is guilty or not guilty of a specific charge.

Recommendations

Specific recommendations will be included as to the punishments(s) to be awarded to each individual who was found guilty of an offence. The recommendations should also include any change/improvement in procedures needed to prevent such occurrences.

Date: July 10th, 2023




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