

**FORM. II**  
**TRIPURA HUMAN RIGHTS COMMISSION**  
**KUNJABAN, AGARTALA**  
**Complaint No. 22 of 2024**  
**(Suo-Motu Cognizance)**  
**ORDER SHEET**

Sl.No.	DATE	ORDER	NOTE
02	22.11.24	<p>The Principal, TMC &amp; Dr. BRAM Teaching Hospital has submitted a report which shows that on 25.10.2024 an FIR has been lodged at Amtali PS in respect of the incident of ragging against 18 accused students who were involved in the ragging of fresher students. Following punitive measures have been taken:-</p> <p>(i) A First Information Report (FIR) dated 25.10.2024 has been lodged with Amtali Police Station against the 18 (eighteen) accused students as per Rules &amp; Regulations in exercise of the powers conferred by section 57 of the National Medical Commission, Act 2019 (30 of 2019) and in pursuance of the judgement of the Hon'ble Supreme Court of India passed in Special Leave Petition (SLP) No. 24295 of 2006, dated the 16<sup>th</sup> May 2007 and in Civil Appeal No. 887 of 2009 dated the 8<sup>th</sup> May, 2009 and the UGC Regulations on Curbing the menace of ragging in Higher</p>	

Educational Institution, 2009 of National Medical Commission dated 18<sup>th</sup> November 2021.

(ii) Financial penalty of Rs. 50,000/- per student on all the accused students.

(iii) Additional penalty of Rs. 10,000/- for those who have repeatedly harassed the freshers (Below mentioned accused students at Sl. 01,08.09, 12 and 17)

(iv) Additional penalty of Rs. 25,000/- on those who have abused the Team member of SAVE i.e a Supervisor-1, RTI & Victim Support Division. (Below mentioned accused students name at Sl. 07 and 11).

(v) The student involved in incident is expelled from the hostel for a period of 1 (one) year from the date of issue of this order. The prescribed hostel seat rent and mess fees as deposited for the session 2024-25 students will be forfeited.

(vi) The accused students will not be allowed to take part in any extra-curricular programme of the college.

(vii) The students involved in the incident will also be under strict surveillance till the completion of the course.

(viii) The mobile of the students involved in the incident will be under monitoring for next 6 (six) months.

(ix) The students involved in the incident are also instructed not to enter into the Hostel (s) till the expulsion period is over.

(x) In no condition the senior students should communicate to the fresher over mobile or other means.

(xi) The accused students are debarred from representing the Institution in any regional, national, or international meet tournament, youth festival etc.

AIGP (Crime) from the office of the DGP, Tripura has forwarded a copy of the report submitted by SP, West Tripura in respect of the incident which shows that a police case vide Amtali PS Case no. 2024AMT131 dated 25.10.2024 U/S 4 of Tripura Educational Institution (Prevention of Ragging) Act 1990 has already been instituted and investigation is in progress.

The report does not speak that any of the accused has already been arrested in connection with the alleged offence.

Section 4 of the anti ragging act prescribes punishment for a term of four years or fine or both and Section 5 prescribes that the offence of ragging shall be cognizable and non- bailable.



The legislature at their wisdom has described the offence as of most serious nature and therefore prescribed punishment of imprisonment to the extent of four years. The accused persons as named in the FIR whether arrested or not has not been reported. The investigation is required to be directed in a positive manner so that the menace of ragging is nipped in the bud. It is an offence which violates human rights to the extreme extent. It pollutes the learning atmosphere in an Educational Institution. Therefore, the Investigation Agency should be very prompt in taking action in accordance with law.

Section 4 Sub-Section (2) of BNSS 2023 prescribes the procedure to be followed while investigating a case other than offences under BNS. In the First Schedule of BNSS regarding the offences against other laws, it has been prescribed that the offence of like nature as that of the case at hand, shall be cognizable and Non-bailable and triable by a Judicial Magistrate 1<sup>st</sup> Class. The Commission therefore, is constrained to give interim direction to SP, West Tripura to monitor the investigation of this case, so that the final investigation report is submitted at the earliest which is

required to maintain smooth learning atmosphere in the Medical College as well the carrier of the students are not spoiled.

A report about progress of investigation should be given to the Commission within three weeks.

The report of the Principal TMC and BRAM Teaching Hospital shows that some punitive action has been taken. Had the college authority been vigilant, serious and pro-active, such sort of incidents would not have happened. The report gives smell that the activities are not new. It is going on since long and thereby the students were indulging in practicing ragging. What sort of immediate action should be taken is a matter of the college authority but the college authority should keep it in mind that the accused do not get any indulgence while continuing their studies in the running Academic Session. There is no mention in the report whether any bond has been taken from the concerned students and their guardians. If not, bond should be taken immediately from all these accused students and some other strict conditions should be imposed including counseling of the accused students who allegedly indulged in


committing the offence. There should be display of Notice Boards in the hostels and college premises about the serious consequence of ragging, if anybody is found involved in such activities. Apart from the action mentioned in the report, what other actions, have been taken in the meantime, should be reported to the Commission before the next date. The Principal should also inform the Commission whether those accused students are regularly attending the college and if so what sort of precaution and vigilant action has been taken by the college authority.

Send copy of this order to the SP, West Tripura through DGP and to the Principal TMC and BRAM Teaching Hospital.

List it after three weeks.

Fix 21/12/2024..... for report and order.

  
(JUSTICE S.C. DAS)  
CHAIRPERSON

  
(UDIT CHOUDHURI)  
MEMBER