

INQUIRY REPORT

A magisterial inquiry was ordered by the Principal Secretary (Home) to the Govt. of Himachal Pradesh vide No. Home (A) A (9)1/2009 dated 10-3-2009 to look into the cause of death of Mr. Aman Satya Kachroo, a first year student of Dr. RPGMC Tanda, Distt. Kangra due to the alleged incident of ragging in the college on the night of 06-03-2009 in the early hours of 07-03-2009. The terms of reference of enquiry are as follows:-

- I To look into the sequence of events between 06-03-2009 to 08-03-2009, leading to the death of Mr. Aman Satya Kachroo;*
- II To bring out the role of those involved in the incident as well as of those charged with preventing the occurrence of such incidents including various persons in the college administration;*
- III Whether there were earlier complaints of harassment by seniors of Mr. Aman Satya Kachroo and whether action was taken on these complaints; and*
- IV To document earlier incidents of similar nature that have occurred in the college and action taken in those cases may also be incorporated in the report.*

In the process of enquiry I visited Dr. RPGMC Tanda on 17-3-2009 and 23-3-2009 and recorded the statements of following persons:-

- (i) Dr. Suresh Sankhyan
- (ii) Dr. Anil Chauhan.
- (iii) Dr. D. P. Swami,
- (iv) Dr. Pradeep Bansal.
- (v) Inspector Pratap Singh
- (vi) Mr. Deepak Verma.
- (vii) Dr. Rajesh Sharma.
- (viii) Sh. Joginder Singh.
- (ix) Sh. Swaroup Chand.
- (x) Sh. Ramesh Chand.
- (xi) Sh. Sanjay Kumar.
- (xii) Dr. B.S.Rana.
- (xiii) Dr. J.B. Singh

- (xiv) Dr. Bhanu Awasthy.
- (xv) Dr. Rakesh Mohan.
- (xvi) Dr. Subhash Sharma.
- (xvii) Dr. Rajesh Kumar
- (xviii) Dr. Harjeet Pal Singh

In addition to this I also visited all the hostels of Dr. RPGMC Tanda alongwith Principal of the College on 23-3-2009. I had an interaction with girls of 2008 batch in the conference hall of Dr. RPGMC College. I also interacted with the hostel mates/male class fellows of Aman Kachroo in their hostel and got some information on important indicators by giving them a questionnaire.

Dr. Ramesh Bharti Chief Warden also deposed before me on 24-3-2009 in my office at Dharamshala.

A general notice to the public was also issued to hear anyone who has any concern with the incident to appear on 20-3-2009 in my office at Dharamshala and a copy of the notice was also endorsed to Mr. Sanjay Kashyap, President, SCA, Dr. RPGMC Tanda, Class Representative, 1st year class of MBBS, Dr. RPGMC Tanda & Mr. Rajender Kachroo, 689, SEC-23, HUDA Colony Gurgaon, Haryana. Wider publicity of enquiry was also ensured by publishing the news of general notice through DPRO.

Dr. Suresh Sankhayan, the then Principal Dr. RPGMC Tanda deposed on 17-3-2009 that he held the post of Principal in the officiating capacity w.e.f. April, 2007 to January 2008 and thereafter w.e.f. March 2008 to 9th March,2009 in a regular capacity. He deposed that incident of ragging in the intervening night of 6/7 March 2009 in the New Boys Hostel came into his notice when Dr. Rajeev Bindal, Hon'ble Health Minister apprised him on mobile at 3.30PM on 08-03-2009 and he immediately informed Dr. Deepak Verma, Hostel Manager. He has further stated that when the Hostel Manager was getting written statements from the affected students, at about 6:00 PM in New Boys Hostel including Aman Kachroo, at that time Aman Kachroo became serious and was shifted to casualty and thereafter to CCU. He was attended to by Dr. Subhash and Dr. J.B. Singh in the casualty and thereafter by Dr. B.S. Rana in CCU but Aman Kachroo could not survive. He has stated that when treatment of Aman Kachroo was going on in the hospital at that time he also reached the hospital. The police was informed about the death of Aman Kachroo thereafter police started investigation in this

matter. He submitted a copy of letter No. Nil dated 8-3-2009 written to SHO Police station Kangra regarding the information about the ragging of students as well as death of Aman Kachroo.

On my raising questions, Dr. Suresh Sankhyan admitted that he has complete knowledge of rules relating to the ragging and judgement of Hon'ble Supreme Court of India. I also gave a questionnaire to Dr. Suresh Sankhayan on 23-3-2009 to ascertain some facts wherein he replied to all the indicators.

Dr. Anil Chauhan, officiating Principal of Dr. RPGMC Tanda has deposed on 17-3-2009 that after the incident of ragging in the intervening night of 6/7 th March 2009 all the four accused students were rusticated for 4 semesters from the college and hostel by the College Council.

Dr. Pradeep Bansal, Asstt. Professor in the Deptt. of Community Medicine, Dr. RPGMC Tanda and warden of the new boys/Junior Boys Hostel deposed on 17-03-2009 that when he got a telephonic call from hostel manager about the incident of ragging in the intervening night of 6/7 March in Freshers' Hostel at that time he was attending a medical camp at Kotla, District Kangra(HP). He told the hostel manager to record the statement of affected students till he arrived in the college but when he reached the college Aman Kachroo was already admitted to the casualty and thereafter shifted to the CCU where he was declared dead at about 7:20 PM. As per his report prepared on the directions of Principal, four students namely Ajay Verma , Naveen Verma, Mukul Sharma & Abhinav Verma were held guilty of ragging in the intervening night of 6/7 March,2009. He has further deposed that he was visiting the Junior Boys' Hostel almost daily for first two weeks after the new admission but recently he was visiting the hostel twice a week. None of junior boys and security guard had ever complained to him regarding any incident of ragging. However, he further stated that on 07-03-2009 at 1.00 PM, Asstt. Security Officer presented him a letter written by one of the Security Guards of the New Boys' Hostel mentioning that some senior students were trying to break open the gate of the hostel. He stated further that the Security Guards were told to identify such senior students but they refused. He gave his telephone Nos. to them to apprise immediately him whenever such a thing happened again. He further deposed that duty roster of the security guards was not given to him.

Dr. D.P. Swami, Asstt. Prof. Forensic Medicine Deptt. Dr. RPGMC Tanda who conducted the postmortem of deceased Aman Kachroo on 9-3-2009

alongwith Dr. Atul Gupta and Dr. Chakarverti at Zonal Hospital Dharamshala was also examined on 17-3-2009. He stated that after having done postmortem as per their provisional opinion deceased died because of neurogenic shock due to antimortem head injury (SUBARACHANOID HAEMORRHAGE). The time lapse between the injury and death was few hours to two days and between death and postmortem was 12 to 24 hours.

On specific query Dr. DP Swami stated that such injuries were possible only due to infliction of blows through fist and palm, with moderate to severe force on the both sides of middle of head. He further deposed on specific query that the tympanic membrane of the deceased was ruptured and this was because of yielding force to tympanic membrane with sudden increase of air pressure.

Sh. Prabhat Singh, S.H.O. Police Station when examined on 17-3-2009 stated that he was informed at 9.15 PM on 8-3-2009 by Dr. Suresh Sankhyan , Principal, Dr. RPGMC Tanda about the death of a student because of heart attack. He immediately rushed to the college wherein the Principal gave him a letter narrating an incident of ragging in the intervening night of 6/7-3-2009 and about the death of Aman Kachroo. A case U/S 304 IPC & 3 Education Prohibition of Ragging (ordinance No. 5 of 1982) was registered in Police Station Kangra. He has further stated that now section 302 of IPC has also added to the case and he himself is enquiring into the matter. Ajay Verma, Naveen Verma, Mukul Sharma & Abhinav Verma have been arrested by the police and all the accused were on police remand. On the specific query S.H.O. Police Station Kangra deposed that three of accused Mukul Sharma, Abhinav Verma and Naveen Verma were involved in the incident of rioting of a mobile shop in Kangra town and FIR No. 286/8 had been registered against offenders in Police Station Kangra.

In his statement recorded on 20-3-2009, Dr. Rajesh Sharma, Asstt. Professor Medicine, Dr. RPGMC Tanda and warden of New Boys Hostel deposed that he was discharging the duties of hostel warden in addition to his clinical and teaching assignment. He has further stated that he was visiting the hospital twice a month in random and unscheduled manner. He has said that all the accused students were the inmates of his hostel. He never received any information with regard to ragging from anyone including security guard. He was on vacation w.e.f. Feb, 2009 up to 16-3-2009 as a result he did not visit hostel

during that period. He has further stated the information of ragging in the intervening night of 6/7-3-2009 was received by him from the Principal on 8-3-2009 in between 3.30 to 4.00PM. Thereafter, he alongwith Dr. Suresh Sankhyan, Principal of college went to hospital where Aman Kachroo was shifted to CCU from the casualty and later patient died at about 7:20PM. He had further stated that after the registration of FIR on the complaint of Principal of college, he went to Main Boys' Hostel alongwith police party when two of accused namely Ajay Verma and Naveen Verma were arrested by the police. On specific query Dr. Rajesh Sharma has stated that he was not a member of any of disciplinary committee though he was a member of anti-ragging committee for last two years but no meeting has so far been called by the Principal except a meeting held on 19-3-2009. There was no specific duty chart given to him and there was no system of checking of entry of visitors in the Main Boys' Hostel.

Mr. Deepak Verma, Hostel Manager, Dr. RPGMC Tanda in his statement recorded on 20-3-2009, has stated that he was performing all the clerical and maintenance related work of all the hostels. He was apprised about the incident of ragging in the intervening night of 6/7-3-2009 by the Principal of college on 08-03-2009 at 3.50 PM. He informed Dr. Pradeep Bansal, Hostel Warden who was in a medical camp at Kotla, District Kangra(HP). Under the instructions of Hostel Warden he went to take statements of affected students in their hostel. He asked all the boys present there about the incident and told them to give their statement in writing. He has further said that Aman Kachroo and Ashish Saklani started writing about the incident instantly and later other students also followed them. When 13 of the affected students had delivered him their written statements, Aman Kachroo complained of serious health problem whereupon he was shifted to casualty in the vehicle of Sh. Akshay Kumar, Canteen Contractor. He informed the Principal of college and hostel warden about the health of Aman Kachroo. After the death of Aman Kachroo he handed over the statements of 13 students including that one written by Aman Kachroo to the Principal of the college at about 8:30PM. On a specific query, Mr. Deepak Verma deposed that Aman Kachroo wanted to attach ENT OPD slip alongwith his statement but he could not get it photo copied.

In his statement recorded on 22-03-2009, Sh. Ramesh Chand, Asstt. Security Officer, Dr. RPGMC deposed that the security of the college as well as hospital was being looked after by 130 security personnel's appointed through

HP Ex-servicemen Corporation Hamirpur. As per his version, Junior Boy's Hostel was guarded round the clock (24 hours) by three security guards each performing duty for a period of 8 hours in shift. He was not informed by security guard on duty about the incident of ragging in the intervening night of 6/7-3-2009. However he was informed by another security guard namely Karam Chand at 9:00 AM on 07-03-2009 by writing a letter to him that some senior students and an intern were trying to enter the Junior Boy's Hostel and the same letter was endorsed to Hostel Warden. He has further deposed that Sh. Joginder Singh son of Sh. Hoshiar Singh was performing over time duty after 12:00 midnight in the intervening night of 6/7 March, 2009. He has admitted, on specific query, that duty roster of security guard was not given to the Principal of the college or hostel wardens.

Sh. Joginder Singh son of Sh. Hoshiar Singh, security guard in Dr. RPGMC Tanda while deposing before me on 20-3-2009 has admitted that he was on overtime duty after 12:00 midnight on the intervening night of 6/7-3-2009 in Junior Boys Hostel. He has stated that he had opened the door of hostel at 2:00 AM when Dr. Ajay Verma accompanied by other 3 students knocked at the door. He has further said that all the four senior students called the junior students to dining hall and started talking to them. He has denied having witnessed any act of beating by 4 senior students. As per his version senior boys smoke cigarette and left the hostel at 3:45 AM. None of the junior students complained to him of any incident of physical torture. On specific query he has said that he could not inform the college authorities about the incident because there was no telephone facility in the hostel.

In his statement recorded on 20-3-2009, Sh. Swarup Chand, Security Guard, Dr. RPGMC Tanda has deposed that he was on duty in Main Boy's Hostel in the night of 6/7-3-2009 from 12:00 midnight to 8.00AM. He further stated that there is no register of entry of visitors. He has further stated that in the intervening night of 6/7-3-2009 at about 1:45 AM four students sat in a car who on my enquiry told that they are going to hospital. On my specific query he told that he had no knowledge about their returning back.

Sh. Sanjay Kumar, student of 2004 – MBBS batch appeared before me on 20-3-2009 in response to general public notice and his statement was recorded. He has stated that he came to know about the serious condition of Aman Kachroo on 8-3-2009 and he rushed to the casualty ward. But Aman Kachroo

could not survive despite the best efforts of doctors. None of the junior boys ever told him about the incident of intervening night of 6/7 March, 2009. He has further stated that both parents as well as victims are responsible for not informing the police and Principal of the college about the incident

In response to my general public notice Sh. Simant Malhotra(Class Representative) and Sh. Abhinav Awasthy(Vice CR) students of 1st year of MBBS deposed before me that the whole class was ready to depose as per convenience.

Dr. Bhanu Awasthy, HOD (Ortho)-cum-Medical Superintendent Dr. RPGMC Tanda and Hospital was examined on 23-3-2009. He has stated that he was on official tour to Shimla on 8-3-2009 when the Canteen Contractor Mr. Akshay apprised him about the serious condition of a 1st year student who was admitted to casualty. He informed Dr. Rakesh Mohan who was working as Deputy Medical Superintendent to go to the casualty. He has further deposed that he informed about the incident to the Principal also. He has specifically stated that no duty roster of security guard was given in the office of Medical Superintendent by Asstt. Security Officer.

Dr. Subhash Sharma, Casualty Medical Officer on duty on 8-3-2009 who was the first man to attend Aman Kachroo in casualty deposed on 23-3-2009 that patient who was brought to him with a history of sudden chest discomfort and collapse in hostel room was examined by him around 6:25 PM. According to his version the patient was pulse less with no cardiac activity, no spontaneous respiration and with dilated and fixed pupils. Immediate resuscitation measurers were given to the patient. Simultaneously Dr. J.B. Singh, Registrar in the Deptt. of Medicines, Dr. RPGMC Tanda was also informed who came at 6:40 PM and started the necessary resuscitation measurers. When patient did not respond to the treatment, he was shifted to CCU. On specific query, Dr. Subhash Sharma revealed that none of the companions of Aman Kachroo apprised him about the incident of ragging in the hostel.

Dr. Rakesh Mohan, Deputy Medical Superintendent deposed on 23-3-2009 that he came to know about the serious condition of a 1st year student on receiving a telephonic call from MS, at 6:45 PM. Meantime, the Principal of the college also informed him about the incident. In 10-15 minutes he reached the hospital. At that time the patient was being shifted to ICU of Medicine Deptt. In CCU Dr. B.S. Rana and J.B. Singh attended the patient but the patient namely

Aman Kachroo was declared dead at 7:20 PM. Till then none has told him about the incident of ragging of 1st year student. On specific query he stated that cause of death as told to him by the treating doctor was sudden cardiac death.

Dr. J.B. Singh, Registrar in Deptt. of Medicine Dr. RPGMC Tanda while being examined on 23-3-2009 stated that he attended the patient Aman Kachroo when he was called to casualty at 6:40 PM. He along with Dr. Subhash Sharma tried his best to revive the patient but there was no cardiac activity. Later the patient was shifted to CCU where Dr. B.S. Rana attended to the patient. He has further deposed that despite all resuscitation measures the patient could not revive and was declared dead at 7:20 PM. He has further said that he has no knowledge about the incident of ragging in the hostel. The provisional cause of death of the patient was cardiac death.

Dr. B.S. Rana, Asstt. Professor Medicine, Dr. RPGMC Tanda who treated Aman Kachroo in CCU deposed before me on 23-3-2009 that he was received an emergency call for duty on 8-3-2009 at about 6:45PM. As per his version the patient was fixed with an endotracheal tube with ambu bag support for breathing. His pupils were dilated and fixed and there was no spontaneous breathing and cardiac activity. Resuscitation measures were continued but the patient did not revive and was declared dead at 7:20 PM. None of persons or doctors attending / accompanying the patient told him about the incident of ragging. On specific query he deposed that the provisional cause of death of the patient was sudden cardiac death and post-mortem examination was suggested by him for ascertaining exact cause of death.

Dr. Rajesh Kumar Asstt. Professor, Medicine was also examined who stated that he was not on duty in the evening on dated 08-03-2009 but had reached hospital when he was telephonically called by Dr. Rajesh Sharma. He has further deposed that he did not treat Aman Kachroo.

Dr. Harjeet Pal Singh, Registrar ENT who examined the ear of Aman Kachroo on 7-3-2009 has deposed before me on 23-3-2009. He has stated that Aman Kachroo who came for the examination of his ear was not recognized as MBBS student of 1st year initially. He (Patient) complained that he had passed air from his left ear. There was a very small perforation over his left tympanic membrane. There was no blood or any sign of trauma over there and anywhere outside. The patient did not complain of any history of pain in the ear or previous discharge. The patient was diagnosed as suffering from traumatic perforation. He

has further said that on his specific enquiry, the patient identified himself as a 1st year student of MBBS.

Dr. Ramesh Bharti, Professor & HOD Surgery and Chief Warden of hostel was called through Principal of college on 23-3-2009 for examination. But I could not examine Dr. Ramesh Bharti on 23-3-2009 as I myself got very late in junior boys' hostel. He was told to depose before me on 24-3-2009 in my office at Dharamshala. Pursuant to my direction, Dr. Ramesh Bharti appeared before me on 24-3-2009 and stated that he was appointed as Chief Warden by the Principal of the college in July, 2008. He did not receive any correspondence regarding management of hostel after his appointment as Chief Warden. None of the Wardens/Asstt. Wardens were stated to be have made any kind of correspondence with him. He has further stated that he was on winter vacation w.e.f. 03-02-09 to 16-3-2009 but was called back on duty and joined thereafter on 13-03-2009. On specific query he told me that no notice of any warden on leave was circulated to him by the Principal. He has further stated that he was never associated in the process of allotment of hostel rooms. He is a member of anti-ragging committee but was never intimated of any such meeting by the Principal.

Dr. Rajinder Kachroo father of Aman Kachroo sent an e-mail to me on dated 24-03-2009 conveying his comments on the terms of reference of the enquiry. He has mentioned that Aman and other students were being harassed in the college from the day one by their seniors. He has further said that Aman didn't want him to report the matter to the authorities as that would have made his life miserable. Aman rang him up an hour or two before his death narrating the violent incidence of ragging in the early morning on 07-03-2009 and he (Aman) further told him about the statements being sought by the college administration through the manager of the hostel.

I also had an interaction with girl students of 1st year MBBS in the conference hall of the college on dated 23-03-2009 as I was in receipt of an anonymous complaint written by a girl student complaining of an incident of ragging in the girls' hostel. None of the girl students of 1st year MBBS admitted to such incidences in the girls' hostel. Same day I had an interaction with boys of 1st year MBBS in their hostel. Almost everyone gave similar replies in the questionnaire circulated to each of them. In addition to this they divulged openly on the issues of rampant ragging in the college premises as well as in the

hostels, during the free interaction session when they were told that anything brought to my notice in that session would mean a statement of all the inmates jointly.

On the basis of statements of various persons, my interaction with 1st year MBBS students, my visit to the hostels and after the perusal of the record of Dr. RPGMC Tanda my comments and conclusion on the various terms of reference of enquiry are as under:-

1. Sequence of events between 06-03-2009 to 08-03-2009 leading to the death of Mr. Aman Satya Kachroo.

In the intervening night of 6/7 March, 2009, four senior students namely Ajay Verma (Intern), Abhinav Verma, Naveen Verma and Mukul Sharma (all 2nd year students) unauthorisedly entered the Junior Boys Hostel in an inebriated state at 2.00AM. Sh. Joginder Singh, Security Guard on duty at the entrance let these boys enter without any resistance. All the freshers were called in the common room and were lined up with their heads down. They were slapped, made to stand/sit in torturous postures and their heads were banged against the wall. There was a flurry of slaps, punches and banging of heads against wall by the four senior boys while they were yelling at the top of their voices and abusing the freshers. Aman suffered ear perforation because of beating in the beginning; therefore, he had left the common room. But his absence was noticed by Ajay Verma who called him back to the common room. Despite the mercy appeal of Aman he was badly thrashed by all the four seniors more particularly by Ajay Verma. The trend of this kind of ragging continued till 4.00AM in the common room. Some of the junior boys were again called to Room No. 209, where they were ordered to assume "murga" posture while they were subjected to verbal abuse. The seniors smoked a cigarette and left in between 4.00 AM to 4.30 AM.

None of the freshers complained to the college authorities and attended the classes in a routine manner next day. Aman went to ENT OPD in the forenoon and got examined his left ear from Dr. Harjeet Pal Singh where he was diagnosed "traumatic ear perforation."

It was only when Dr. Rajeev Bindal, honourable Health Minister spoke to Dr. Suresh Sankhyan, Principal Dr. RPGMC on phone on 08-03-2009 at 3:30PM that the news of ragging in the intervening night of 6/7 March in the

Fresher's Hostel came to the notice of college administration. Principal telephoned Sh. Deepak Verma, Manager of hostels to look into the matter. Latter spoke to Dr. Pradeep Bansal, warden of Fresher's Hostel about the telephonic message of Principal. Since Sh. Pradeep Bansal was on a medical camp at Kotla District Kangra (HP), therefore, Sh. Deepak Verma Manager of the hostel was asked to record the statements of students who went to the Fresher's Hostel and asked the students about incident and told them to give their statements in writing. It being Sunday on that day, some students had gone to their homes or were not in the hostel. When self written statements of students were being taken, Aman wanted to append the ENT OPD slip with his statement. He went to Photostat shop in the college premises but could not get the OPD slip copied, so he handed over the statement without OPD slip. While other were writing the statements, Aman was busy speaking to someone on his mobile phone in the corridor of the hospital. At about 6.00PM he came to the room and complained of very fast heart beat and fell down in an unconscious state. The unconscious Aman Kachroo was shifted from hostel to casualty of hospital at a distance of 200 meters in the van of Sh. Akshay Kanwar Canteen Contractor. He was attended to by Dr. Subhash Sharma initially and on the call of Dr. Subhash Sharma by Dr. J.B. Singh. At about 6.55PM Aman was shifted to CCU where Dr. B.S. Rana, Asstt. Professor of Medicine alongwith Dr. J. B. Singh looked after him, but he was declared clinically dead at about 7.20PM and provisional reason of his collapse was stated to be "cardiac death". By this time Dr. Suresh Sankhyan, Principal, Dr. Rajesh Sharma, Warden Main Boys Hostel, Dr. Pradeep Bansal, Warden Jr. boys hostel, Dr. Rajesh Kumar, Asstt. Professor Medicine and Dr. Rakesh Mohan, Dy. Medical Superintendent had reached the hospital. Dr. Rajesh Sharma conveyed the news of sad demise of Aman to his Uncle and Aunt, Mrs & Mr. Rohit Dhar. Reason explained to them was cardiac problem as he (Aman) was provisionally declared dead because of "cardiac death". Dead body was shifted to a private room and Dr. Suresh Sankhyan telephonically informed Sh. Pratap Singh SHO Police Station Kangra about the death of Aman at about 9.15PM, who immediately rushed to the college. Soon Sh. Umapati Jamwal, SDPO Kangra also reached the office of Principal. Principal wrote a letter to SHO Police Station Kangra mentioning the incident of ragging in Junior Boys Hostel in the intervening night of 6/7 March vis-a-vis he also mentioned the case of death of Aman Satya Kachroo while appending the statements of 13

boys including that of Aman. Following this an FIR No. 68/2009 dated 08-03-2009 was registered U/S 304 IPC in Police Station Kangra, and two of the accused seniors Ajay Verma and Naveen Verma were apprehended from the main boys hostel.

III. Whether there were earlier complaints of harassment by seniors of Mr. Aman Satya Kachroo and whether action was taken on these complaints;

There is no recorded complaint of ragging in the college by Mr. Aman Satya Kachroo or any of his relatives. His father, Dr. Rajinder Kachroo has also informed me through e-mail dated 24-03-2009 that Aman had brought to his notice the earlier incident of ragging since he was admitted in the College. But he (Aman) also told him not to complain to the authorities as that could have made his life miserable in the college. Revelations of his class-mates shows that Aman was quite often targeted in the name of ragging since he stood out because of his extra ordinary dynamic personality, accent and dialect.

II. To bring out the role of those involved in the incident as well as of those charged with preventing the occurrence of such incidents including various persons in the college administration;

IV. To document earlier incidents of similar nature that has occurred in the college and action taken in those cases.

Both these correlated issues are being taken together.

In order to document earlier incidents of ragging and that of similar nature in the premises of Dr. RPGMC Tanda, I requisitioned relevant record from the Principal of the college. The Principal handed over file No. HWF-DrRPGMC-365/2001 Vol I to III to which were examined and perused carefully.

On the perusal of the record maintained and made available by the Principal, it has been ascertained that the menace of ragging and indisciplinary acts by the college students were prevalent since inception of the college. Detail of a few instances is produced below:

1.

- a. First incidence of ragging took place in the college on the intervening night of 23rd and 24th April, 2001. The then warden in his report submitted to the college Principal reported that a first year student named Vishal Chandel had been locked, beaten badly and hair of all the hostellers had been tonsured (scanned photographs enclosed as Annexure-'A' & Annexure-'B'). Some students had sustained injuries too.
 - b. FIR regarding this incident was registered in the police station Kangra on 24.04.2001.
 - c. Concerned with this inhuman act, the then Secretary, Health vide his DO letter dated 25.04.2001 sought detailed report and instructed the Principal to suspend all the male senior students and not to allow them to appear in their final examination and stay in the hostel.
 - d. Consequently, 33 male students of 2nd year batch were rusticated on 30.04.2001 by the college administration for the academic year 2000-2001 for their indulgence in ragging of their juniors on the intervening night of 23rd and 24th April, 2001.
 - e. Affidavits with regard to ensuring good conduct of their wards', students of 2nd year namely Navneet Kohli, Amit Aggarwal, Ritvesh Negi, Ran Vijay Singh, Anubhav Chouhan, Anuj Kumar, Satish Kumar Negi, Lokesh Rana, Amit Bhoil and Manish Sharma were obtained by the college administration.
 - f. Unconditional apologies by the 2nd year students and their parents were tendered on 30.04.2001 along with the statements of the 1st year students to allow them to reside in the hostel but were stated to be non-satisfactory by the college administration.
 - g. The rustication of all the 33 students was revoked by the Principal on the recommendation of the college Disciplinary Committee resolved in its meeting held on 09.05.2001 and security @ rupees 10000/- each was taken from these students.
 - h. The security amount got deposited as above was refunded to the students by the college Principal vide his office letter dated 07.12.2002
- 2 On 08.06.2001, an anonymous letter written by a 1st year student who was badly affected by ragging by his seniors was received by Dr. (Mrs.) Chandram Anand the then Professor and HOD of Anatomy which was handed over by her to the college Principal on 11.06.2001. The victim had

named 13 seniors who were involved in ragging of their juniors. Another correspondence on record reveals that all the first year students might have been interrogated by the college administration to come forward to name the seniors who were involved in the ragging on which the 1st year students sent a representation to Human Rights Commission and the Hon'ble Chief Minister levelling serious charges against the college administration for forcing them to name their seniors for their involvement in ragging.

3. An anonymous representation dated Sep, 2002 submitted by one of the parents of an affected student containing detail of inhuman activities of the seniors and its social implications was received by the Deputy Commissioner Kangra which was forwarded to the Superintendent of Police with a copy to college Principal on 17.10.2002. The Principal vide his office letter dated 15.11.2002 addressed to DC Kangra negated all the allegations made in the representation without making any attempt to enquire. In reply to the CWP No.1479/2002 in the Hon'ble High Court of HP, the then Principal of the college vide his office letter dated 04.06.2003 submitted to the Director MER Shimla that no incident of ragging had ever taken place in the college.
4. Another anonymous complaint made by a student of the college was received by the college Principal on 30.06.2003 in which the victim had named Mr. Soni, a senior student, for his brutal act of continuously beating a junior while under the influence of liquor. He had narrated an instance in which Mr. Soni kept on beating the boy even after the nose of the latter was broken and bleeding. Mr. Soni covered his nose with a handkerchief and carried on beating. The victim had very humbly and appropriately requested expulsion of one or two senior students to curb ragging in the college for ever. There is no record of any action taken on this complaint.
- 5
 - (a) Junior girl students were ragged by the senior girl students on the night of 18th Nov.2004. 13 affected girls filed a complaint in this regard on the 19th Nov.2004, to the college Principal. Again on 20.11.2004, ten 1st year girl students other than those mentioned earlier, reported the Principal that they had been physically and

mentally ragged by their senior girls of batch 5 in retaliation for the complaint submitted on 18.11.2004.

- (b) As per proceedings of the meeting of the Disciplinary Committee dated 23.11.2004, Ms Nidhi, a final year student and 11 girl students of batch V were found guilty of ragging and were merely fined @ rupees 75/- and 50/- respectively with warning of ensuring good conduct in future.
6. During Dec.2004, due to continued incidents of ragging in the college Mr. Tashi Bangla, a student of 1st year was forced to take a decision of quitting the college. On the intervention of the college administration and after reconciliation agreed to by his parents, he was advised to leave the hostel and was allotted residential accommodation in quarter No. 5 of the colony of family residences.
- 7.
- (a) On 09.06.2005 some student took away the bus No. HP 40-0491 of the College in the middle of the night and the bus met with an accident on the National Highway near 53 miles. An FIR was lodged in the Police Station Kangra on 10.06.2005 naming 5 students (Abhishek Thakur, Aman Kumar, Dalip Kumar Garg, Kingjee Dhar and Manish Yadav) responsible for this mischievous act.
 - (b) Consequently, these students were expelled from the college for six months vide proceedings of the Disciplinary Committee meeting held on 24.06.2005 and it was resolved to recover the amount equivalent to the damage caused to the bus. Mohinder Singh Rana and Amit Bhalla students of 1st Prof. were also punished with expulsion of three months and fine of rupees 100/- respectively for allowing the seniors to drink in the room of Mohinder Rana on the intervening night of 9th and 10th June, 2005.
 - (c) In pursuance of the directions of the college Principal the parents of the guilty students deposited a sum of rupees 228420/- on 21.07.2005 with the college as recovery in lieu of the damage caused to the bus by their wards. But the Disciplinary Committee of the college in its meeting dated 25.07.2005 resolved to return the Demand Draft of this amount to the concerned parents taking the plea that FIR has been lodged.

8. Four more students namely Ajay Chouhan, Vijay Kumar, Vikas Panwar and Ashish Kapil were suspended for 6 months from the college for their indulgence in ragging of their juniors on 9.11.2005 in college premises.
9. Mr. Ajay Verma pre final student, Pardeep Attri and Sumeet Attri 2003 batch students and Arun Negi a 2004 batch student misbehaved with the girls of 2003-04-05 batches in a drunken position on the night of 16th October, 2006. They were suspended for three months from their classes and were expelled from the hostel vide proceedings of the college Disciplinary Committee meeting dated 17.10.2006.
10. Dr. Varun Verma, Registrar, Dr. Ashish Sharma House Physician and Dr. Pardeep Attri an intern were put under suspension and expelled from the hostel vide Principal of the college office order dated 30.05.2008 on the basis of a complaint filed by the MBBS 2007 batch students. An FIR No. 240/08 dated 31.05.2008 was also lodged by the affected students in the Police Station Kangra. Further details in this regard were neither available on record nor revealed by the college staff.

Above reported complaints followed by some action by the college authorities show that mechanism to deal with such reported incidents was very casual. As and when such a matter had been brought to the notice of the college administration by the affected students or their parents, matter was taken to a College Disciplinary Committee. The Disciplinary Committee in the urgent meeting resolved for rustication/expulsion of those students who were involved in ragging and in the very next meeting suggested to condone the punitive action and unmindfully all heads of the institution during their tenure have revoked the suspension/expulsion order and resorted to take undertaking from the culprits or their parents for maintenance of good behaviour. There is not a single instance where substantial punitive action has been taken even though on some occasions culprits had confessed their misdeeds and had apologized.

Beating of Mr. Vishal Chandel a 1st year student in the month of April, 2001 and that of an unnamed fresher by one senior student named Mr. Soni, in the month of June, 2003 were as brutal as the recent one in which Aman Kachroo has lost his life. Mr. Vishal Chandel and other junior students were brutally ragged and beaten in the intervening night of 23-24th April, 2001 by the senior students. All the juniors bore bruises on their cheeks/neck but Mr. Vishal Chandel was perhaps more severely hit as he had bilateral black eyes in the

morning of 24th April, 2001. The incident of beating of Mr. Vishal Chandel was so serious that his parents had also rushed to the college on 24.04.2001.

In the same incident Dr. Suresh Sankhayan who held the post of Principal of the college w.e.f. 25.04.2002 to 09.03.2009 in different spells and was also the warden of the boys' hostel at that time undertook to refund the security of an accused student declaring him a man of good conduct. It is interesting to see that on 30.05.2001, Secretary of the Parents Association of Students of the college had requested the then Health Minister to condone the punitive action taken against the seniors. So much so, father of Mr. Vishal Chandel, Shri L R Chandel had requested the college authorities not to take any action against the culprits and had left everything to the college administration to improve the environment of the institution.

An anonymous letter from a student had narrated a gruesome incident of ragging to the college Principal in June, 2003. It had mentioned that a junior student was so badly thrashed by a senior student named Mr. Soni on his face that the nose of the victim was broken and was profusely bleeding. But the senior student kept on hitting the junior boy in an inebriated state by covering the nose of the junior boy with a handkerchief. The action taken by the college administration on this complaint is not on record of the college.

Fresher girls had openly complained against the senior girls for their act of ragging in Nov. 2004. The mother of a fresher girl, Akriti even rang up Assistant Warden, Dr. Neerja Jamwal to tell her that girls are being slapped by the senior girls in the college hostel. But the matter was hushed up after imposing minor penalties on the erring girls.

Apathy of the college administration to deal strictly with those involved in the act of ragging had forced a 1st year Tibetan student Mr. Tashi Wangla, to decide to quit studies in 2004. Department of Education, Central Tibetan Administration of his Holiness the Dalai Lama vide its letter dated 08.12.2004 had expressed severe anguish against the college administration and had asked them to refund the fee as no amount of coaxing and cajoling of the boy who had just spent 4 months in the college, could motivate him to continue his study in the college. The College administration instead of tackling the root problem, side stepped the issue by providing a separate accommodation to the boy in the college residential colony.

The incident of college bus accident on 09.06.2005 involving the college students, the authorities tried to absolve themselves of the need to take action by registering a case with the police. No substantial disciplinary action was taken by the Principal and even the demand draft amounting to rupees 2, 28,420/- deposited by the parents of the guilty students was returned. No effective action was revealed to have been taken by the college authorities against three very senior students namely Dr. Varun Verma, Dr. Ashish Sharma and Pardeep Attri etc. The very lenient approach of the college authorities to deal with all the overall cases of indiscipline, more specifically related to ragging had ultimately culminated in the the unfortunate demise of the gentleman Aman Kachroo. Freshers have revealed during my free interaction with them and also in their replies to my questionnaire that the main reason for not complaining about the incidents of ragging was the apathy of the administration in dealing with the earlier reported cases. It has been further revealed by them that the general atmosphere of the college was so uncongenial and stifling that complaint of errant seniors would jeopardise the rest of their career. Even the teachers did not refrain from hinting at observing model code of ragging in the college - bend head with tonsured hair, black trousers and white shirt, red brief and vest, no eye to eye contact with the seniors, no talk with fellow girl students, listening to seniors carefully whenever call "*Jangu*" is heard, to keep a condom (passport), match box (Ticket), nipple (Visa) and whistle in the pocket at all times. The demon of ragging haunted the juniors persistently in classes/college premises as they were under a continuous wicked vigil of senior students. Such a sight of freshers could remain unnoticed by teachers because all treated it as a way of freshers life. Just because of the fear of social ostracization in the college freshers and their parents did not report the incidents to the college administration or teachers. There is whip from the seniors to all the freshers that they will reside in the college hostel. Many freshers have revealed in their answers to my questionnaire that seniors were repeatedly coming to their hostels to rag them. But earlier incidents were not as severe as in the intervening night of 6-7th March, 2009. Upon my various queries some of them also stated that they were being taken to the hostels of the seniors in a small group. The modus operandi was very simple. A senior boy would tell to a fresher to report in a particular room of a hostel in the night. The poor fellows followed the instructions of the senior students and they (freshers) were tossed from one room to the

other in the process of ragging. They were made to perform all sorts of indecent acts such as yelling of abuses at the highest pitch, standing nude, assuming tortuous postures (the most popular was the posture called '*Maharaja*'), smoking, drinking and masturbating in the corridors. During all this, they would be slapped on any show of resistance or fault in complying with the orders. It was also revealed to me by the freshers' that many seniors got their own assignment done through them. Senior students and registrars were co-inhabitants in the hostels and there was a camaraderie amongst them which resulted in a sense of insecurity among the juniors about raising a voice against incessant ragging as most of the registrars were taking practical and theory classes. There were no efforts to hold orientation courses or counselling sessions involving junior and senior students of the college.

Above trends of ragging amount to violation of Fundamental Rights of a human being and the Principal as the head of the college is the key person involved in playing a pivotal role in curbing this menace besides being vested with powers to take punitive action against those involved in the heinous act of ragging. Dr Suresh Sankhayan, who held the post of the college Principal between 25.04.2002 to 09.03.2009 in different spells, has failed to take any effective action to prevent the menace of ragging. All other Principals who exonerated the culprits of ragging without imposing deterrental penalty are also to be blamed for the growth of the monster of ragging in the college. Had there been deterrence of stern exemplary action, the incident of 6-7th March, 2009 would have not occurred. It can be understood from the replies contained in the questionnaire given to the fresher's that juniors or their parents would never take a strong stand against the ragging and those alleged of the said act because of the fear of retribution and social ostracization, thinking that it was a matter of one year. So the problem continued and had taken the shape of an ugly spider net – where smaller one was always in a fear of being eaten by the bigger one. Under such circumstances, administration was expected to be more vigilant and proactive to prevent the occurrence of ragging.

The revelation of freshers' shows that the attitude of the wardens of all the hostels was complacent and passive. There were earlier instances, prior to the incident that took place on the 6-7th March, 2009, when seniors had intruded in the hostel of the juniors and juniors were also imported to the senior boys' hostel for ragging. All the wardens of the hostels have not contributed in controlling

ragging in general and more specifically with regard to the current batch of new students. Their visits in their respective hostels were few and far between. Dr. Rajesh Sharma warden of the main boys' hostel, where all the accused were residing has said that he was on vacation during the period when this unfortunate incident of ragging took place in the intervening night of 6-7th March, 2009. This contention of the warden is not enough to absolve him of the responsibility of taking preventive action to curb the ragging as the demon of ragging has not matured in a single night to end with the killing of Aman Kachroo.

Anti-ragging committee was constituted by Dr. Suresh Sankhyan, Principal of the College on 15-07-2008 in compliance to the directions of the Hon'ble Supreme Court of India. But no record pertaining to the meetings of anti-ragging committee or the system devised to prevent the incidence of ragging was revealed to me in the enquiry by Dr. Suresh Sankhyan. The Principal of the college has also erred in not giving the charge of Main Boys' Hostel to some other responsible person during the vacation period of regular warden Dr. Rajesh Sharma.

I do not hold hostel manager Shri Deepak Verma and the Chief Warden Dr. Ramesh Bharti prima facie guilty of negligence of duty. Hostel manager is no way associated with preventive measures of ragging related incidents as he is a clerical staff member who is taking care of the ministerial and maintenance related works of the college hostels. Similarly, the post of the Chief Warden has cursory significance as he was never informed of the incidents of ragging related activities either by the Principal or the hostel wardens who were directly corresponding with each other without endorsing a copy to the Chief Warden. Though he was a member of anti-ragging committee constituted by the Principal on 15-07-2008, but he was never informed of any such meeting. In fact, no such formal meeting was called by the Principal-cum-Chairman of the anti-ragging committee.

In my opinion incident of 6-7th March, 2009 could have been averted in case Shri Joginder Singh Security Guard on duty at the door of the gate of Fresher's Hostel had been dutiful enough to resist the entry of the seniors or had he been slightly concerned to inform the Security Supervisor or any authority of the college as it was in his presence in the hostel that the junior boys were beaten harshly. Though he was new in performing duty in the Fresher's Hostel but to protect the juniors from the ravages of the seniors was common sense and

prime duty of the security guard. He had not bothered to reveal the incident of the intervening night of 6/7th March, 2009 to the Asstt. Security Officer or College authorities in the morning of 7th March. A letter written by Shri Karam Chand, Security Guard who came to perform duty in the morning of 7th March, 2009 to the Warden of the New Boys Hostel through Asstt. Security Officer seems to be an afterthought. This letter also did not speak about the truth as it had been mentioned that some seniors had tried to break open the gate of the hostel at the night on two or three occasions. The monthly roster of duty of the security guards was not circulated to the hostel wardens to ensure physical presence of the security guard on duty. During my visit to the fresher boys' hostel, I could see recently pasted telephone numbers along with the names of the members of the anti-ragging committee. This arrangement is also not going to help the cause as such paper lists are likely to be torn by the inmates. Such information should have been painted at a conspicuous place just above the reach of the students. In addition to this the switch of the hooter installed in the Junior Boys' Hostel was also out-of-order when the incident of ragging took place. In nutshell, it can be concluded that college administration totally lacked a system to handle the sensitive matter of ragging despite the recent order of the Hon'ble Supreme Court of India. Lenient and casual attitude of the Principals coupled with non-seriousness, inattentive attitude of hostel wardens, dismal system of security of hostels allowed the problem of ragging to grow out of all proportions. Junior boys were being treated as the subjects of sadistic pleasure by the seniors because of the inefficiency of the administration. Anti-ragging committee was constituted recently but no meeting of the committee was ever conducted and no counselling of freshers was ever done.

The enquiry report is submitted for your kind perusal and further necessary action.

Place: Dharamshala

Dated: 26-03-2009

(Sandeep Kumar, HAS)

ADM Kangra at Dharamshala

Annexure-‘A’



Annexure-B

