

Human Rights & Academic Accountability Case Study Report

Report No:	GHRF/2026/HR-SL42
Title:	Ragging within State Universities, Administrative Failure, and Safeguarding the Right to Free Education: An Investigation into the Fundamental Rights (FR) Petition of Student Pasindu Hirushan of the University of Sri Jayewardenepura and the Exceptional Orders Issued by the Supreme Court
Judicial Verdict:	Supreme Court Judgment Date: July 09, 2025 Date of Next Review: January 14, 2026
Data Source:	BBC Sinhala News Report & Official Case Records of the Supreme Court of Sri Lanka

1. INTRODUCTION AND BACKGROUND

The system of free education in Sri Lanka is a fundamental access path intended to be enjoyed equally by any citizen, regardless of wealth or poverty. However, the violent practice of "ragging" that persists within state universities and higher education institutions inflicts severe physical and psychological trauma upon students, directly obstructing their fundamental human right to enjoy free education safely.

This case study is centered on the Fundamental Rights (FR) petition filed by Pasindu Hirushan de Silva, a first-year student at the University of Sri Jayewardenepura, against the inhumane ragging he endured. Severely criticizing the cruel subculture within the university system and the failure of authorities to act, the Supreme Court of Sri Lanka pronounced a historic, progressive judgment on July 09, 2025, ordering immediate state accountability.

2. CASE FACTS AND STATUS OF THE VICTIM

The fundamental facts of this brutal assault and its judicial background are structured below:

- The Victim:** Pasindu Hirushan de Silva, a first-year undergraduate student admitted to the University of Sri Jayewardenepura.
- The Brutal Offense:** During a ragging incident within the university premises, a group of senior students rolled a heavy backhoe loader tyre from the top of a flight of stairs down toward Pasindu Hirushan, who was positioned at the bottom.
- Physical Trauma:** This catastrophic assault resulted in severe injuries to the student's head and brain, necessitating nearly three months of hospitalization and intensive care treatment. Since the incident, he continues to suffer from these injuries and has not achieved full recovery.
- Respondents to the Petition:** The University of Sri Jayewardenepura, its Vice-Chancellor, 16 state universities across Sri Lanka (including Colombo and Kelaniya), the Inspector General of Police (IGP), and the Attorney General were named as respondents.

3. JUDICIAL PROCEEDINGS AND FAILURE OF UNIVERSITY ADMINISTRATIONS

The petition was argued before Supreme Court Judge Hon. Priyantha Fernando, with the concurrence of Hon. Judges Priyantha Fernando and Sobhitha Rajakaruna, where three critical systemic institutional failures were officially observed by the apex court:

- **Culture of Silence and Inaction:** The Supreme Court noted that university staff and administrations had maintained a passive "culture of silence" in the face of long-standing ragging networks. They consistently failed to take necessary preventive steps due to various external pressures or internal reasons.
- **Non-Operational Mechanisms:** Although most state universities claimed to possess internal mechanisms and anti-ragging committees, the trial revealed that these setups were restricted to paper and had failed to function effectively in practice.
- **Highly Unsatisfactory Progress:** Upon examining the compliance reports detailing historical measures taken by universities to eradicate ragging, the Supreme Court explicitly declared that the steps taken were completely "unsatisfactory."

4. SUPREME COURT MANDATE AND SENTENCING STRUCTURE

Reaffirming that all acts of ragging are strictly illegal criminal offenses under the Prohibition of Ragging and Other Forms of Violence in Educational Institutions Act No. 20 of 1998, the Supreme Court laid down the following binding directive framework:

[Supreme Court Mandatory Directive Structure - 09.07.2025]

- ├ i. To the University Grants Commission (UGC):
 - └ Strictly enforce the anti-ragging guidelines prepared with the consensus of all 16 state universities.
- ├ ii. To the Minister of Education & Higher Education:
 - └ Promptly provide the financial, infrastructural, and technological assistance required to implement the guidelines.
- └ iii. To the Acting Inspector General of Police (IGP):
 - └ Instruct the police to enforce ordinary criminal law directly against perpetrators, based on advice from the Attorney General.

4.1 Mandatory Framework under the New Anti-Ragging Guidelines:

According to the comprehensive guidelines submitted to court by the consensus of all 16 universities, every higher educational institution must immediately institutionalize the following structures:

1. **Special Monitoring Committees:** Establish formal, independent operational units to monitor and proactively prevent ragging incidents.
2. **Robust Complaint Systems:** Provide safe, confidential avenues for victimized students to lodge complaints without fear of reprisal, ensuring systematic investigations.

3. **Witness Protection:** Establish dedicated protection mechanisms for students who step forward to testify against perpetrators.
4. **Institutional Support Services:** Set up mandatory, institutionalized free **legal aid services** and specialized **medical services** inside campuses to assist affected students.

5. GHRF CONCLUSIONS AND POLICY RECOMMENDATIONS

The Research & Analysis Division of the Global Human Rights Front (GHRF) commends this judgment as a crucial turning point in enforcing human rights and academic accountability. By scheduling the case to be recalled on **January 14, 2026** to evaluate progress, the Supreme Court has laudably established a mechanism of continuous Judicial Oversight to ensure that executive complacency does not derail the directives.

Our Policy Recommendations:

1. **Expulsion and Administrative Liability:** Senior students found guilty of committing, aiding, or abetting ragging must face immediate, permanent expulsion. Concurrently, disciplinary actions must be initiated against administrative heads who turn a blind eye to these crimes.
2. **Anonymized Digital Reporting:** The UGC must deploy a centralized, secure digital application (Anonymous Mobile App) monitored directly at the commission level. This will prevent local pro-ragging elements within university administrations from leaking the identity of whistleblowers and victims.
3. **Insulation of Police Investigations:** Ragging is a grave penal offense under Act No. 20 of 1998, not a minor internal disciplinary issue. The police must remain entirely insulated from university politics or student union pressures and execute immediate arrests under ordinary criminal procedure.