



RAGGING IN THE WORKPLACE: A COMPREHENSIVE LEGAL ANALYSIS OF PSYCHOLOGICAL TERROR, SYSTEMIC BULLYING, AND EMPLOYEE PROTECTION JURISPRUDENCE IN INDIA

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ABSTRACT

A healthy, safe, and happy work environment is essential for both employee growth and a company's success. Every professional has the right to earn a living with dignity, equality, and respect. Yet, a toxic culture quietly thrives across many corporate offices in India. Junior employees, fresh graduates, and trainees are routinely humiliated, intimidated, and broken down under the guise of on-the-job training, office initiation, or company culture. This problem, which we can call workplace ragging, closely mirrors the toxic bullying historically seen on college campuses. Even though this abuse causes severe mental distress, career burnout, and physical illness, India does not have a single, dedicated law to address non-sexual workplace bullying and psychological terror. Instead, victims have to patch together remedies using constitutional rights, general criminal laws, and outdated labour regulations. This article breaks down how workplace ragging operates, evaluates the current gaps in Indian law, reviews landmark court judgments, looks at international solutions, and proposes clear legal reforms to protect employees.

Keywords: Workplace Ragging, Corporate Bullying, Employee Protection, Psychological Safety, Labour Law Reform.

INTRODUCTION

The workplace is more than just an office where we trade hours for a paycheck. It is a major social space where most people spend a huge portion of their adult lives. Because we spend so

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much time there, the environment directly shapes our mental health, emotional stability, and overall well-being. A great workplace relies on professionalism, clear boundaries, and mutual respect. Unfortunately, many modern corporate environments hide a dark reality: the systemic harassment of new hires, interns, and junior executives, a practice known as "workplace ragging." For generations, the word "ragging" immediately brought to mind university hostels and seniors bullying freshmen. Decades of public anger and strict rulings by the Supreme Court eventually led to tough anti-ragging laws in colleges.

Sadly, that same abusive behaviour has migrated directly into the corporate world. In professional offices, ragging drops its loud, physical campus style and takes on quieter, institutional forms. It hides behind weaponised performance targets, gaslighting, social isolation, and constant verbal put-downs. Managers and senior colleagues often excuse this cruelty by claiming they are just testing who can handle the pressure or toughening up the recruits.

Legally, workplace ragging creates a massive blind spot. While the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 (the POSH Act) provides a strong, clear shield against sexual misconduct at work, there is no equivalent law to protect an employee from general corporate tyranny, non-sexual mental abuse, or identity-based bullying. As conversations around mental health, corporate ethics, and worker rights become louder, our legal system must confront workplace ragging. We can no longer dismiss it as a standard HR disagreement. It is a direct violation of basic human rights and constitutional freedoms.

CONCEPTUALISING WORKPLACE RAGGING: MEANING, ANATOMY, AND MANIFESTATIONS

Definition and Scope: To address this issue effectively, we must first separate workplace ragging from normal corporate life. Employers have every right to set high goals, give tough constructive criticism, and manage underperforming staff. The line is crossed when these management tools are twisted into weapons meant to establish personal dominance or intentionally break a worker's spirit. Workplace ragging can be defined as: *A repeated, intentional pattern of hostile, abusive, or exclusionary behaviour by a boss or a group of colleagues that exploits power imbalances to humiliate an employee, damage their*

professional reputation, and turn the office into a toxic, terrifying place to work.

The Different Ways Workplace Ragging Shows Up –

Workplace ragging can be loud and obvious, or it can be a slow, quiet process that leaves no paper trail.

Direct Verbal and Identity-Based Abuse: This is the most obvious form of corporate ragging. It includes screaming, shouting, and using profanity against an employee, often in front of their colleagues during team meetings. This abuse frequently targets who the person is, such as their physical appearance, gender, accent, regional background, language, or caste. The goal is public humiliation, which systematically destroys the victim's self-esteem.

Mental Torture and Silent Sabotage: Quiet ragging is often much more damaging than loud shouting because it uses the company's own rules to mask the abuse. Examples include:

- **Gaslighting:** Giving someone vague or completely contradictory instructions, and then publicly blaming them for failing the assignment.
- **Information Hoarding:** Intentionally hiding critical project details, client updates, or emails from a specific team member to ensure they fail their tasks.
- **Weaponised Deadlines:** Constantly dropping massive assignments on an employee late on a Friday evening with strict demands for a Monday morning completion, purely to destroy their personal life and cause permanent stress.

Social Exclusion and Isolation: Perpetrators often use their influence to turn the targeted employee into a social outcast. They might leave the person out of essential project threads, drop them from meeting invites, and quietly warn other colleagues not to sit with them at lunch or talk to them. Prolonged isolation leaves an employee feeling entirely alone and unable to defend themselves.

Cyber-Ragging and Digital Harassment: With hybrid and remote work becoming standard, ragging has moved online. Cyber-ragging happens through work communication platforms like Slack, Microsoft Teams, or official emails, as well as personal spaces like WhatsApp groups. It looks like mocking a colleague in public chat rooms, sharing embarrassing memes, intentionally leaving them out of informal team group chats, or sending aggressive messages

late at night.

Physical and Coercive Intimidation: While actual fistfights are rare in white-collar corporate offices, physical intimidation is incredibly common on factory floors, hotels, and medical residencies. It involves aggressive gestures, cornering someone, forcing junior staff to stand for hours as punishment, or making them run personal, humiliating errands that have nothing to do with their actual job descriptions.

Why Workplace Ragging Persists?

To stop workplace ragging, we have to look closely at the corporate flaws that allow it to continue day after day.

Asymmetric Power Matrices and Economic Coercion: The root cause of workplace ragging is the sharp difference in power between a manager and a subordinate. Unlike college ragging, which only lasts a few months, corporate ragging controls a person's long-term financial survival. Young professionals who are starting their careers, paying off education loans, or needing steady employment for visas cannot simply pack up and quit. Abusive bosses know this and exploit it, confident that the employee will endure the abuse just to keep their paycheck.

Protecting Toxic Bosses for Short-Term Profit: Many corporate boards turn a blind eye to abusive managers because those managers bring in revenue. In these organisations, cruel behaviour is hidden behind flashy corporate buzzwords:

- He isn't abusive; he just runs a high-performance crucible.
- She doesn't bully; she's just testing who can swim in our fast-paced culture.
- When a company rewards financial performance while ignoring the human cost, it normalises abuse. It sends a clear message to the entire team that being aggressive is the best way to get promoted.¹

The Failure of Human Resources: A major obstacle for victims is that Human Resources (HR) departments are rarely neutral. Employees are told that HR is there to protect them. In

¹ H Leymann, 'The Content and Development of Mobbing at Work' (1996) 5(2) European Journal of Work and Organizational Psychology 165; DC Yamada, 'The Phenomenon of "Workplace Bullying" and the Need for Status-Blind Hostile Work Environment Protections' (2000) 88 Georgetown Law Journal 475.

reality, HR functions as a shield to protect the company from lawsuits. When an entry-level worker files a complaint against a senior executive who generates millions in revenue, HR departments often protect the executive. They downplay the abuse, call the victim "too sensitive," or quietly find a way to let the whistleblower go.

The Human and Corporate Cost of Abuse –

Workplace ragging is not a small office disagreement that stays at the desk. It damages the individual, ruins the company, and hurts the wider economy.

Mental and Physical Health Crises: Being subjected to constant humiliation at work destroys a person's health. The continuous fear of the next attack keeps the victim's body in a permanent state of high stress. Over time, this causes severe clinical anxiety, deep depression, chronic insomnia, and Complex Post-Traumatic Stress Disorder (C-PTSD). This extreme stress also triggers physical issues, including heart problems, severe stomach ulcers, and a weakened immune system. In the most tragic situations, continuous workplace bullying drives employees to suicide, turning a toxic job into a fatal tragedy.

The Destruction of Corporate Human Capital: Tolerating bad bosses is highly counterproductive for business efficiency. It triggers a cascade of negative financial outcomes:

- **The Plunge in Employee Morale:** Workers trapped in fear stop offering creative ideas and do the bare minimum just to stay out of trouble.
- **Hyper-Absenteeism:** Victims frequently take sick leave to escape the hostile office, disrupting projects and burdening the rest of the team.
- **The Brain Drain Effect:** The most talented employees quit toxic companies immediately, saddling the business with massive recruitment and retraining costs.

The Fragmented Indian Legal System –

Because India does not have a specific, dedicated corporate anti-bullying law, legal practitioners have to build cases by piecing together different parts of constitutional, criminal, and labour law.

Constitutional Foundations: The Right to Work with Dignity: The Constitution of India

provides the fundamental backing for workplace dignity. While the fundamental rights in Part III are traditionally used against government employers, the courts have increasingly used these principles to govern private sector jobs as well.

Article 21 (The Right to Life and Personal Liberty): The Supreme Court has repeatedly ruled that the right to "Life" means much more than just breathing. It guarantees the right to live with self-respect, peace of mind, and human dignity. An office environment that subjects a person to continuous emotional abuse directly violates Article 21.

Article 14 (The Right to Equality) and Article 15: These articles ban arbitrary discrimination. If an employee is singled out and ragged because of their home state, language, gender, or caste, it is a clear violation of equal protection under the law.

Criminal Law Protection Under the Bharatiya Nyaya Sanhita, 2023 (BNS) –

If workplace ragging escalates into direct harassment, threats, or physical intimidation, victims can file criminal complaints under the Bharatiya Nyaya Sanhita, 2023 (BNS) (which replaced the old Indian Penal Code, 1860). Key sections include:

- **Section 351 (Criminal Intimidation):** Applies when a manager threatens to ruin an employee's career, damage their reputation, or fire them to force them into submission.
- **Section 352 (Intentional Insult with Intent to Provoke Breach of Peace):** Covers situations where a bully publicly insults an employee using abusive language to break their mental composure.
- **Section 356 (Defamation):** Relevant when a supervisor knowingly spreads lies about an employee's competence or character via work emails or public channels to ruin their future job prospects.
- **Section 74 and Section 78 (Outraging Modesty and Stalking):** If workplace ragging targets a female employee and involves gender-based threats or digital stalking, these sections provide heavy criminal penalties.

The Problem with Using Criminal Law: While these criminal codes exist on paper, they are very difficult to use for standard office bullying. Criminal cases require an incredibly high level of proof, beyond a reasonable doubt. Furthermore, local police stations are often reluctant to

file an FIR for corporate bullying, usually telling the victim to handle the matter internally with HR.

Employment and Labour Law Frameworks –

Our existing labour laws offer useful but highly fragmented protections.

The Sexual Harassment of Women at Workplace Act, 2013 (POSH): The POSH Act is India's most successful, highly organised anti-harassment law. It protects women from unwelcome sexual advances, verbal comments, or gestures, and requires every company with ten or more employees to set up an Internal Committee (IC) to investigate complaints. However, POSH has two strict structural limits: it is gender-specific and only covers sexual misconduct. If a male or non-binary employee is emotionally tortured, or if a female worker faces brutal, non-sexual bullying from a toxic female boss, the POSH Act cannot help them.²

The Industrial Employment (Standing Orders) Act 1946: For factory workers and industrial labourers, this law requires companies to put clear workplace rules in writing. These rules generally classify workplace bullying and verbal abuse as major misconduct, allowing the company to fire abusive staff. Unfortunately, this law rarely covers modern office workers, tech professionals, or corporate executives, because they do not meet the strict legal definition of a 'workman.'

The Occupational Safety, Health and Working Conditions Code, 2020 (OSHWC Code): The OSHWC Code states that employers must maintain a workplace that is free from hazards that cause injury or illness. While "safety" used to mean physical things like clean floors or fire escapes, modern legal experts argue that safety must include mental safety. A workplace filled with systemic ragging is an occupational health hazard that actively damages employee health.

JUDICIAL TRENDS: EVOLVING COURT RULINGS ON DIGNITY

Because India lacks a direct corporate anti-bullying law, the higher courts have stepped in to expand employee protections through landmark rulings.

² Bharatiya Nyaya Sanhita 2023, s 351. (Note: "s" is the standard OSCOLA abbreviation for Section).
Bharatiya Nyaya Sanhita 2023, s 352.

Vishaka v State of Rajasthan: The historic Vishaka judgment is a powerful example of the Supreme Court stepping up when statutory law is completely silent. Recognising that workplace harassment violates the fundamental rights to equality and life with dignity, the Court created the Vishaka Guidelines. This set a vital legal precedent: the judiciary has a duty to create operational rules to protect citizens from systemic workplace abuse when the legislature fails to act.

Bandhua Mukti Morcha v Union of India: In this public interest case, the Supreme Court delivered a beautifully broad interpretation of the right to life:

- The right to live with human dignity enshrined in Article 21 derives its life breath from the Directive Principles of State Policy... and therefore, it must include protection of the health and strength of workers.
- This judgment shows that the State has a binding constitutional obligation to ensure that work environments do not degrade the human spirit.

Francis Coralie Mullin v. Administrator, Union Territory of Delhi: Justice P.N. Bhagwati famously wrote that the right to life includes the right to live with human dignity, free from state or institutional torture. The court ruled that any action that breaks the human spirit violates Article 21. Modern employment lawyers use this ruling to argue that continuous corporate bullying is a form of psychological torture that has no place in a civilised society.³

COMPARATIVE JURISPRUDENTIAL PARADIGMS: LESSONS FROM GLOBAL SYSTEMS

To design a successful anti-workplace ragging model in India, we must look at how other countries have successfully tackled corporate bullying. Different legal systems offer distinct operational approaches to solving this crisis.

France: The Absolute Criminalisation of Harcèlement Moral: France has some of the toughest protections in the world against non-sexual workplace abuse. The French Labour

³ Vishaka v State of Rajasthan (1997) 6 SCC 241; Bandhua Mukti Morcha v Union of India (1984) 3 SCC 161. Francis Coralie Mullin v Administrator, Union Territory of Delhi (1981) 1 SCC 608; Code du Travail (French Labour Code), Provisions on Harcèlement Moral; Swedish Work Environment Authority Regulations, Organisational and Social Work Environment (AFS 2015:4); Fair Work Amendment Act 2013 (Australia), pt 6-4B.

Code (Code du Travail) explicitly bans moral harassment:

No employee shall suffer repeated acts of moral harassment which have as their object or effect a degradation of working conditions that is likely to open an assault on their rights and dignity, to alter their physical or mental health, or to compromise their professional future.

The French model is highly innovative for two reasons. First, it introduces a shared burden of proof. Once a plaintiff presents basic, verifiable facts that suggest the existence of harassment, the legal burden shifts entirely to the employer. The company must then objectively prove that its actions were justified by business necessity rather than malicious intent. Second, it enforces dual criminal-civil liability. Moral harassment is treated as a serious criminal offence, carrying heavy fines and prison terms for individual perpetrators, alongside separate civil damages for the corporation.

Sweden: A Structural Occupational Health Approach: Sweden addresses workplace bullying through a preventative, system-wide occupational health strategy managed by the Swedish Work Environment Authority. Instead of focusing solely on punishing individual bad actors after the damage is done, the Swedish framework treats workplace bullying and social isolation as objective, remediable occupational safety hazards, identical to physical workplace dangers. Employers are legally required to audit their organisational structures regularly, identify signs of psychological friction, and implement proactive countermeasures to ensure continuous worker health.

Australia: Fast-Track Injunctions via the Fair Work Commission: Australia offers an agile, highly accessible remedy through the Fair Work Amendment Act 2013. An employee who reasonably believes they are facing systemic workplace bullying can bypass slow, expensive civil courts and apply directly to the Fair Work Commission (FWC) for a tribunal remedy. The FWC focuses on rapid intervention and continuous employee safety. If it finds that bullying has occurred and is likely to continue, it issues an immediate Stop Bullying Order. This order mandates specific behavioural changes, alters reporting structures, or bars the abuser from interacting with the victim. Non-compliance with these orders triggers heavy financial penalties, providing workers with an efficient way to resolve hostile situations without being forced to resign.

STRATEGIC BLUEPRINT FOR REFORM: FIXING THE GAPS IN INDIAN LAW

India can no longer ignore workplace ragging. Protecting our modern workforce requires a complete overhaul of both our national laws and corporate cultures.

Enacting a Dedicated Corporate Anti-Ragging Law: The Indian Parliament needs to pass a unified, specific law: The Prevention, Prohibition, and Redressal of Workplace Ragging and Bullying Act:

- **Gender-Neutral and Rank-Agnostic Protection:** The law must protect everyone regardless of gender identity or corporate rank, including full-time employees, temporary staff, interns, and freelancers.
- **Mandatory Anti-Ragging Committees (ARC):** Every organisation above a certain size must be legally forced to set up an independent Anti-Ragging Committee. To prevent internal corporate bias, the committee must include an outside legal expert or human rights advocate.
- **The Shared Burden of Proof:** Following the French model, once an employee provides clear initial evidence of systemic bullying, the burden of proof must shift to the company to prove its management actions were fair and reasonable.
- **Independent State Harassment Tribunals:** Employees must have a direct path to appeal corporate decisions to independent, fast-track Workplace Harassment Tribunals. These state-run bodies must be empowered to issue protection orders and award financial compensation.

Redefining Corporate Governance and Accountability –

Laws are only effective when they hit a company's bottom line. If a company ignores internal warning signs, protects a toxic manager to safeguard revenue, or punishes a whistleblower, the business must face heavy punitive fines. Once toxic behaviour directly threatens company profits, corporate boards will act quickly to clean up their management ranks.

Independent Ombudsmen Services: To remove the conflict of interest in HR departments, companies should be encouraged to outsource their complaint collection to independent, third-party ombudsman channels. This ensures that all harassment reports are evaluated fairly by

neutral professionals, free from internal office politics.

Integrating Psychological Safety into ESG Scores: Modern global investors prioritise Environmental, Social, and Governance (ESG) scores when investing capital. The "Social" part of ESG must expand to track office mental safety. By forcing public companies to release audited data on staff turnover, internal bullying reports, and mental health investments, the market will naturally reward great workplaces and financially penalise toxic ones.

CONCLUSION

Workplace ragging is a critical systemic failure that violates the constitutional promise of human dignity, economic freedom, and professional equality. Dismissing continuous emotional abuse, targeted public humiliation, and professional sabotage as just "part of a stressful job" treats human beings as disposable assets.

Resolving this crisis requires moving past India's current, fragmented employment frameworks. Real change demands a decisive approach: the enactment of a unified Anti-Workplace Bullying Act, the creation of accessible, fast-track labour tribunals, and the implementation of transparent corporate governance standards that place human dignity above short-term profit margins.

By grounding India's evolving labour laws in the non-negotiable principle of personal dignity, we can dismantle the corporate gauntlet, ensuring that professional achievement never requires the destruction of psychological well-being.