



LEGISLATIVE ASSEMBLY OF GOA

**THE GOA PROHIBITION OF RAGGING
BILL, 2008**

(Bill No. 2 of 2008)

AS _____
(~~To be~~ introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
MARCH, 2008.**

THE GOA PROHIBITION OF RAGGING BILL, 2008

(Bill No. 2 of 2008)

A

BILL

to prohibit ragging in educational institutions in the State of Goa.

5 Be it enacted by the Legislative Assembly of Goa in the Fifty-Ninth Year of the Republic of India as follows:-

1. *Short title, extent and commencement.*— (1)
10 This Act may be called the Goa Prohibition of Ragging Act,2008.

(2) It shall extend to whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette appoint.

15 2. *Definitions.*— In this Act, unless the context otherwise requires—

(a) "educational institution" means and includes a College, having Degree classes and/ or Higher Secondary Classes and/or Post
20 Graduates Classes, Junior College, Polytechnic or other institution by whatever name called, carrying on the activity of imparting education therein, either exclusively or among other activities, and includes an orphanage or a
25 boarding home or hostel or a tutorial institution or any other premises attached thereto;

(b) "fresher" means a fresh or new student admitted to an educational institution and includes Junior students;

(c) "Government" means the Government of Goa;

(d) "head of the educational institution" means the Vice-Chancellor of the University, Dean of Medical Faculty, Director of the Institution or the Principal, Headmaster or the person responsible for the management of the educational institutions;

(e) "ragging" means any disorderly conduct, whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any other student indulging in rowdy or indisciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a Junior student or asking the student to do any act or perform something which such student will not do in the ordinary course and which has the effect of causing or generating a sense of shame or embarrassment or adversely affect the physique or psyche of a fresher or a Junior student.

(f) "senior" means a student studying in higher classes as compared to other students in an educational institution;

(g) "student" means a person who is admitted to an educational institution and whose name is lawfully borne on the attendance register thereof;

3. *Anti ragging movement.*— It shall be the duty of every educational institution to prevent or deter the commission of ragging and shall initiate anti-ragging movement by taking all steps required.

5 Without prejudice to the aforesaid;

(i) the prospectus, the form for admission and/or any other literature issued to the aspirants for admission shall clearly mention that ragging is banned in the institution and anyone indulging in ragging is likely to be punished;

(ii) the application form for admission/ enrolment shall have a printed undertaking to be filled up and signed by the student to the effect that he/she is aware of the institution's approach towards ragging and the punishments to which he/she shall be liable if found guilty of ragging. A similar undertaking shall be obtained from the parent/guardian of the student;

(iii) the educational institution shall display on the notice board, the name and addresses and the contact numbers of the persons, to whom the freshers in the institution should approach for help and guidance for various purposes keeping in view needs of freshers in the institution at the time of admission so that the fresher need not look up to the seniors for help in such matters and feel indebted to or obliged by them;

(iv) Head of the educational institution or a person high in authority shall address meetings of Professors, Lecturers, Instructors, teachers, parents and students collectively or in groups and create confidence by apprising them of their

rights as well as obligations to fight against ragging, insisting on freshers to report to the Head of educational institution and/or proctorial committee, any instance of ragging and to generate confidence in their mind and that any instance of ragging to which they are subjected to or which comes in their knowledge shall be promptly dealt with, while protecting the complainant from any harassment by the perpetrators of ragging;

(v) at the commencement of the academic session, the educational institution should constitute a Proctorial Committee consisting of Senior Faculty members and hostel authorities like Wardens and a few responsible senior students:-

(a) to keep a continuous watch and vigil over ragging so as to prevent its occurrence and recurrence;

(b) to promptly deal with the incidents of ragging brought to its notice and summarily punish the guilty, either by itself or by putting forth its finding/recommendations suggestions before the authority competent to take decision;

(vi) all vulnerable locations shall be identified and especially watched;

(vii) the local community and the students in particular shall be made aware of the dehumanizing effect of ragging inherent in its perversity. Posters, notice boards and signboards etc., wherever necessary, may be used for the purpose;

(viii) migration certificate issued by the educational institution should have an entry apart from that of general conduct and behaviour whether the student had indulged in ragging and in particular was punished for ragging;

4. *Prohibition of ragging.*— Ragging within or outside of any educational institution is prohibited and no person shall commit abet, propagate or participate in ragging within or outside of any educational institution;

5. *Authority to impose penalties.*— (1) Whenever any student or, as the case may be, the parent or guardian, or Professor or Lecturer or a teacher of an educational institution complains in writing, of ragging to the Head of the educational institution, the Head of that educational institution shall, within seven days of the receipt of the complaint, inquire into the complaint and if, prima facie, any complaint is found true, should resort to disciplinary action at his/her level. When ragging becomes unmanageable or amounts to a cognizable offence, the same may be reported to the police.

(2) Where, on an inquiry by the Head of the educational institution, it is proved that there is no substance in the complaint received under sub-section (1), he, shall intimate the fact, in writing, to the complainant.

(3) The decision of the Head of the educational institution that the student has indulged in ragging under sub-section (1) shall be final.

(4) If, the Head of the educational institution fails or neglects to take action in the manner specified hereinabove in sub-section (1) when a complaint of ragging is made, such person shall be deemed to have abetted the offence of ragging and shall be made personally accountable and liable for disciplinary proceedings before the authority competent to conduct such proceedings.

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6. *Punishment.*—(1) Whoever, directly or indirectly, commits, participates in, abets or propagates, ragging, within or outside any educational institution, shall, on conviction, be dealt with by the Head of the educational institution by resorting to disciplinary action.

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(2) If the individuals committing or abetting ragging are not identified, collective punishment should be resorted to so as to act as a deterrent punishment and to ensure collective pressure on the potential raggars.

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(3) Any student so convicted shall further be removed from the roll of the educational institution and such students shall not be admitted in any other educational institution in the State of Goa for a period of three years from the date of such conviction.

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(4) The punishment may also take the shape of:

(i) Withholding scholarships or other benefits;

(ii) Debarring from representation in events;

(iii) Withholding results; and

(iv) suspension or expulsion from College or hostel or mess, and the like.

7. *Provision of this Act to be in addition to any other law for the time being in force.*— Nothing in this Act shall be deemed to affect the operation of any other law and the provisions of this Act shall be in addition to and not in derogation of such other law.

8. *Power to remove difficulties.*— If any difficulty arises in giving effect to the provisions of this Act, the Government may, by Order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

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Statement of Objects and Reasons

In the last few years, there has been upsurge in the harassment of the students particularly by the senior students. Such activities remain unnoticed due to lack of complaints by the juniors or rather, newly admitted students. Some students unfortunately are physically manhandled and psychologically get a severe depression to the extent that they discontinue their studies or even end their life.

There is persistent demand from all the corners of the society that the Government should take immediate steps to prohibit such practices of ragging in the educational institutions.

The bill seeks to prohibit ragging in educational institutions in the State of Goa.

This bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in the Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim, Goa
14th March, 2008

(DIGAMBAR KAMAT)
Minister for Education

Assembly Hall,
Porvorim, Goa
14th March, 2008

R. KOTHANDARAMAN
Secretary to the Legislative
Assembly of Goa.