

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 19TH AUGUST, 2011

**Bill No. XXVII of 2011**

THE PROHIBITION AND ERADICATION OF RAGGING BILL, 2011

A

BILL

*to prohibit and eradicate ragging in colleges and educational institutions and for  
matters connected therewith and incidental thereto.*

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition and Eradication of Ragging Act, 2011.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification  
5 in the Official Gazette, appoint and different dates may be appointed for different provisions  
of this Act and for different States, and any reference to commencement in any provision of  
this Act in relation to any State shall be construed as a reference to the commencement of  
that provision in that State.

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

Definitions.

10 (a) “appropriate Government” means in the case of a State, the Government of  
that State and in other cases, the Central Government;

(b) “Committee” means the anti-ragging committee constituted under section 7; “helpline” means the anti-ragging helpline established under section 9 of this Act;

(c) “educational institution” means any college, institute, university whether established by the Government or by any citizen or body of citizens and whether in receipt of aid from Government or not, recognised by Central or State Government for the award of a certificate, diploma or a degree in any course of study, education or training;

(d) “freshers” means those students who have taken admission in the first year of under-graduate or post-graduate level in any stream in any college or educational institution;

(e) “head of the institution” means the Vice-Chancellor in case of a university or a deemed university and in case of any other institution or college, the Principal or the Director;

(f) “prescribed” means prescribed by rules made under this Act;

(g) “ragging” means display of disorderly conduct by a student as defined under section 4 of this Act;

(h) “seniors” means those students who are not in first year of under-graduate or post-graduate level in any stream in any college or educational institutions.

Application  
of the Act.

**3. (1)** The Act shall apply to all institutions coming within the definition of a University under sub-section (f) of section 2 of the University Grants Commission Act, 1956, and to all institutions deemed to be a university under section 3 of the University Grants Commission Act, 1956, to all other higher educational institutions, or elements of such universities or institutions, including its departments, constituent units and all the premises, whether being academic, residential, playgrounds, canteen, hostel or other such premises of such universities, deemed universities and higher educational institutions, whether located within the campus or outside, and to all means of transportation of students, whether public or private, accessed by students for the pursuit of studies in such universities, deemed universities and higher educational institutions.

(2) In addition to the educational institutions mentioned in sub-section (1), also applies to all vocational and professional institutions that admit students after twelve years of schooling.

Acts which  
constitute  
ragging.

**4.** The ragging shall constitute one or more of the following acts,—

(i) any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating, torturing, or handling with rudeness a fresher or any other student;

(ii) indulging in rowdy or indisciplinary activities by an student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any fresher or any other student;

(iii) asking any student to do any act which such student shall not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect they physique or psyche of such fresher or any other student;

(iv) any act by a student that prevents, disrupts or disturbs the regular academic activity of any other student or a fresher;

(v) exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of student;

(vi) any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students;

(vii) any act of physical abuse including all variants of it; sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person;

5 (viii) any act or abuse, by use of spoken words, telephone, short message service (SMS), e-mails, multi-media messaging service, post, public insults, pornographic material, photographs or video clips, etc., to derive perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student;

10 (ix) any act that affects the mental health and self-confidence of a fresher or any other student with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student.

**5.** Notwithstanding anything contained in any other law, for the time being in force, in any trial under this Act, the burden of proof as to the innocence shall be on the accused. Burden of proof.

15 **6. (1)** Notwithstanding anything contained in any other law for the time being in force the Central Government shall, as soon as may be, but within six months from the date of commencement of this Act, formulate such directives for prohibition of ragging in all colleges and educational institutions functioning under Central Government as may be prescribed. Prohibition of ragging.

20 (2) The Central Government shall, issue similar directives to all State Governments for prohibition of ragging in all colleges and educational institutions in their respective jurisdiction.

(3) The prohibition under sub-section (1) shall also be extended to all colleges and educational institutions in all Union Territories.

25 (4) Every public declaration of intent by any educational institution for admission of students to any course of study, brochure of admission or instruction booklet or the prospectus, in any electronic, audio-visual or print or any other media shall expressly provide that ragging is prohibited in the institution and anyone found guilty of ragging or abetting ragging whether actively or passively or being a part of conspiracy to promote ragging is liable to be punished in accordance with this Act.

30 **7. (1)** The appropriate Government shall ensure that an anti-ragging committee is constituted in every educational institution headed by the senior most faculty of the institution and consisting of representatives of civil and police administration including at least one female representative other representation from non-governmental organisation, parents, freshers and seniors. Constitution of Anti-ragging committee and its functions.

35 (2) The appropriate Government shall extend its full support to the anti-ragging committee to enable it to perform its duties to the fullest to ensure that all colleges and educational institution are free from ragging and harassment of freshers.

(3) The anti-ragging committee shall perform the following functions:—

(a) to receive complaints on ragging and submit a report to the head of the institution;

40 (b) to take inputs from various people including staff and freshers on any incident of ragging;

(c) to conduct necessary awareness programme to enlighten the students regarding the effects of ragging;

45 (d) after conducting thorough investigation, action to be taken against the offenders as per the rules prescribed under this Act.

**8. (1)** Every educational institution shall have a anti-ragging squad.

(2) The anti-ragging squad shall function under the guidance of anti-ragging committee consisting of the representatives nominated by the head of the educational institution. Constitution of Anti-ragging squad and its functions.

(3) The anti-ragging squad shall perform the following functions:—

(a) to make surprise checks in hostel and campus to keep a check on ragging;

(b) to report any incident of ragging to the committee;

(c) to be in constant touch with the staff and students and consult various incidence of ragging.

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Anti-ragging  
helpline.

**9. (1) The appropriate Government shall constitute an anti-ragging helpline, in the country round the clock, to register complaint from students, parents, friends or anybody who is a witness to the act of ragging.**

**(2) Every educational institution shall publish the telephone numbers of the helpline and other functionaries in the district in the brochure of admission or prospectus.**

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**(3) The complaint shall be lodged through phone, fax, e-mail or SMS or anywhere in the country throughout the year round the clock.**

**(4) After registration of the complaint, necessary action shall be taken by the appropriate Government in such manner as may be prescribed.**

Penalty.

**10. (1) Any student convicted under this Act shall be debarred from continuing his studies in any educational institutions for a period of three years.**

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**(2) Whoever contravenes the provisions of this Act shall be punished with fine which shall not be less than rupees twenty-five thousand but which may extend to rupees one lakh or with rigorous imprisonment for a term which may extend to three years or, with both.**

**(3) The appropriate Government shall direct University Grants Commission or the funding agency of the college or the educational institution, as the case may be, to take such steps against the head of the educational institution as fails to curb ragging as it may deem necessary.**

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Proceeding.

**11. The proceeding under this Act shall be tried by the Educational Tribunal or the High Court in the respective State as far as possible.**

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Provisions of  
the Code of  
Criminal  
Procedure to  
be applied.

**12. Save as provided under this Act, the provisions of the Code of Criminal Procedure 1973 shall be applicable to any trial under this Act.**

2 of 1974.

Overriding  
effect of the  
Act.

**13. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.**

Power to  
make rules.

**14. The Central Government may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.**

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#### STATEMENT OF OBJECTS AND REASONS

Ragging is a serious problem. Besides the humanitarian and social aspects, which need no elaboration, it has also serious economic implications and has a bearing on the standards of education. It is a recognised form of Human Right violation. These are also instances whose students also suffered death due to forced ragging. There is a national outcry to prohibit ragging and all sections of the society demanded that the Government must take proactive steps to eradicate this menace. On the 8th May, 2009, the Hon'ble Supreme Court ordered the Union Government to implement a plan for prevention of ragging. Following this Judgment the (UGC) University Grants Commission and other regulatory authorities like All India Council for Technical Education (AICTE), Medical Council of India (MCI), Dental Council of India (DCI), etc. published a single set of regulations that would cover the entire nation and all educational institutions. The regulations of University Grants Commission (UGC) came into effect on June, 2009.

This Bill combines the essential elements of UGC regulations and the order of the Hon'ble Supreme Court. Therefore, in a certain sense, the Bill simply formalises what exists as of today. All elements of the Bill are actually in place at present.

Hence, this Bill.

DR. JANARDHAN WAGHMARE

#### FINANCIAL MEMORANDUM

Clause 9 of the Bill seeks to constitute an anti-ragging helpline by the appropriate Government to register complaint with regard to ragging. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. However, at this stage, it is not possible to quantify the exact amount of recurring and non-recurring expenditure likely to be involved.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. The rules will relate to matters of details only. The delegation of legislative power is of normal character.

RAJYA SABHA

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*(Dr. Janardhan Waghmare, M. P.)*