

**Bill No. 35 of 2019**

THE PROHIBITION AND ERADICATION OF RAGGING BILL, 2019

By

SHRI ADHIR RANJAN CHOWDHURY, M.P.

A

**BILL**

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

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition and Eradication of Ragging Act, 2019.

(2) It extends to the whole of India.

5 (3) It shall come into force on such date as the Central Government may, by notification 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.

Short title,  
extent and  
commence-  
ment.

Definitions.

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

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

(b) “Committee” means the anti-ragging committee constituted under section 7;

(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; 5

(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 educational institution; 10

(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, the Principal or the Director, as the case may be;

(f) “prescribed” means prescribed by rules made under this Act; and 15

(g) “seniors” means those students who are not in first year of under-graduate or post-graduate level in any stream in any 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, and 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 institution. 20 25

(2) In addition to the educational institutions mentioned in sub-section (1), the provisions of this Act shall apply also to all vocational and professional institutions.

Acts which constitute ragging.

**4.** The ragging shall included following acts,— 30

(i) any conduct by any student or a group of 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 any student or a group of 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; 35

(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 the physique or psyche of such fresher or any other student; 40

(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; 45

(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 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 or fresher or any other student; and

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 lie 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, issue 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 taking steps to prohibit ragging in all colleges and educational institutions in their respective jurisdiction.

(3) The prohibition under sub-section (1) shall also be extended to and educational institutions in the 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 or 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 and representative other 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:—

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

(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 an 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—

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

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

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

5

Penalty.

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

(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 upto rupees one lakh or with rigorous imprisonment for a term which may extend upto three years or, with both.

10

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

15

Proceeding.

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

Provisions of the Code of Criminal Procedure to be applied.

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

Overriding effect of the Act.

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

20

Power to make rules.

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

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

25

30

## STATEMENT OF OBJECTS AND REASONS

Ragging is rising problem which is escalating on a daily basis needs to be addressed immediately. It mainly concerns with the new generation who take admission in academic institutes, colleges or university having a dream of a bright future which ultimately results in the upliftment of the society and the country as a whole. Ragging has been recognised as a Human Rights Violation. There have been many instances where ragging has led to death of a student. In many cases, it has been observed that a lot of students go into depression or drop out of the college, institute or university seeing the plight of these students, all sections of the society are raising their voice to prohibit ragging and are demanding that the Government must take proactive steps to eradicate this menace to the society.

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 University Grants Commission (UGC) 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.

NEW DELHI;  
*June 4, 2019.*

ADHIR RANJAN CHOWDHURY

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clasue 13 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of details only, the delegation of legislative power is of normal charactor.

LOK SABHA

---

A

**BILL**

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

---

*(Shri Adhir Ranjan Chowdhury, M.P.)*