

The Goa Prohibition of Ragging Act, 2008

GOA

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Act 9 of 2009

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The Goa Prohibition of Ragging Act, 2008(Goa Act 9 of 2009)[Dated 29-05-2009]

7.

/4/2008-LA. - An Act to prohibit ragging in educational institutions in the State of Goa. 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)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.

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 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 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. 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.(ix)[Every educational institution shall engage or seek the assistance of professional counsellors, at the time of admission, to counsel freshers in order to prepare them for the life ahead, particularly for adjusting the life in hostels; [Inserted by the Amendment Act 2010](x)On the arrival of seniors after the first/second week, of academic session,

further orientation programmes shall be scheduled, as follows:-(a)joint sensitization programme and counselling of both freshers and seniors' by professional counsellors;(b)joint orientation programme of freshers and seniors to be addressed by the head of the educational institution and the Anti-Ragging Committee;(c)organization on a large scale of cultural sports and other activities to provide a platform for freshers and seniors to interact in the presence of faculty members;(d)in the hostel, the warden shall address all students; and he may request two junior colleagues from the college faculty to assist him by becoming resident tutors for a temporary duration;(e)as far as possible faculty members should dine with the hostel residents in their respective hostels to instil a feeling of confidence among the freshers.(xi)the private commercially managed lodges or hostels outside campus shall, on the recommendation of concerned head of educational institution, be registered with the local police authorities. No such lodge or hostel shall be started without the permission of the concerned head of the educational institution. The local police, local administration and institutional authorities shall ensure vigil on any incident of ragging. The management of such private lodge or hostel shall be responsible for reporting cases of ragging in such premises. Non-reporting of such cases shall entitle the head of the educational institution to cancel the permission issued.(xii)the educational institution shall ensure that each hostel has a full time warden who resides within the hostel, or at least in close vicinity thereof. The warden shall be accessible at all hours and also on telephone and other modes of communication. The warden shall be issued mobile phone by the institution and the number of such phone shall be given wide publicity.(xiii)the head of the educational institution shall obtain an undertaking from every employee of the institution including teaching and non-teaching members of staff, contract labourers employed in the premises either for running a canteen or as watch and ward or for cleaning or maintenance of the buildings/lawns, etc., that he/she shall report promptly any case of ragging which comes to his/her notice. Certificates of appreciation shall be issued to such members of the staff who report ragging, which shall form part of their service record.]

3A. [- Monitoring cell, anti-ragging committee, etc. [Inserted by the Amendment Act, 2010]

(1)Every educational institution shall have an Anti-Ragging Committee and an Anti-Ragging Squad. The Anti-Ragging Committee at the level of the institution shall consist of representatives of civil and police administration, local media, Non-Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of freshers, seniors and non-teaching staff. Such committee shall be headed by the head of the educational institution.(2)There shall be Anti-Ragging Squad, a body with vigil, oversight and patrolling functions, to be nominated by the head of the educational institution with such representatives as considered necessary to keep it mobile, alert and active at all time. The Squad may be called upon to make surprise raids on hostels and other hot spots and shall be empowered to inspect places of potential ragging. The Squad shall work under the overall guidance of Anti-Ragging Committee. The Squad shall not have any outside representation and shall consist of members belonging to the various sections of the campus community. There shall be diverse mix of membership in terms of levels as well as gender in both the Anti-Ragging Squad and the Anti-Ragging Committee.(3)There shall be a District Level Anti-Ragging Committee in each district headed by the District Magistrate, consisting of heads of educational institutions, Superintendent of Police, representatives of the local

media, District level Non-Government Organizations actively associated in youth development programmes and of all students organizations, as members. The Additional District Magistrate shall be a Member Secretary of the District Level Anti-Ragging Committee. The District level Anti-Ragging Committee shall hold preparatory meetings during the summer vacation to take stock of the state of preparedness of each institution and their compliance with the policies, directions and guidelines in regard to curbing the menace of ragging. (4) There shall be a Monitoring Cell in the Goa University which shall co-ordinate with the affiliated colleges and institutions under its domain. The cell shall call for reports from the heads of the educational institutions in regard to the activities of the Anti-Ragging Committee, Anti-Ragging Squads, Monitoring Cells at the level of the institutions, the compliance with instructions on conducting orientation programmes, counselling sessions, the incidents of ragging, the problems faced by wardens or other officials. It shall also keep itself abreast of the decisions of the District level Anti-Ragging Committee. This Monitoring Cell shall also review the efforts made by institutions to publicize anti-ragging measures, soliciting of undertakings from parents and students for each academic year to abstain from ragging activities or willingness to be penalized for violations; and shall function as the prime mover for initiating action on the part of the appropriate authorities of the Goa University for amending its statutes or ordinances or bye-laws to facilitate the implementation of anti-ragging measures at the level of the institutions. (5) At the State level, there shall be a Monitoring Cell at the level of the Chancellor of the Goa University who may also co-ordinate with the Central Government institutions located in the State of Goa. The monitoring Cell in the Goa University and District Level Anti-Ragging Committees shall send to the State Level Monitoring Cell, status reports periodically and at such frequencies that it may lay down].

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.

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.(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 raggers.(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.(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.

9.

/162/DHE/GPRG/06/2214. - In exercise of the powers conferred by sub-section (3) of section I of the Goa Prohibition of Ragging Act, 2008 (Goa Act 9 of 2009) (hereinafter referred to as the "said Act"), the Government of Goa hereby appoints the 17th July, 2009 as the date on which the said Act shall come into force.