

THE KERALA PROHIBITION OF RAGGING (AMENDMENT) BILL

A bill to amend the Kerala Prohibition of Ragging Act, 1998.

Preamble.—WHEREAS, it is expedient to amend the Kerala Prohibition of Ragging Act, 1998 (10 of 1998) for the purposes is hereinafter appearing;

BE it enacted in the Fifty-ninth Year of the Republic of India.

1. *Short title and commencement.*—(1) This Act may be called the Kerala Prohibition of Ragging (Amendment) Act,—

(2) It shall come into force at once.

2. *Amendment of section 2.*—In Section 2 of the Kerala Prohibition of Ragging Act, 1998 (10 of 1998) (hereinafter referred to as the ‘principal Act’), after item (ii) of clause (b) of Section 2, the following items shall be inserted, namely:—

“by any act with voluptuous implications which upsets the mental condition of a student; or”

3. *Amendment to Section 3.*—To Section 3 of the Principal Act, the following explanation shall be added, namely:—

“*Explanation.*—For the purposes of this section, educational institution shall mean and include,—

(i) Any educational institution by whatever name called whether or not maintained and managed by the State Government;

(ii) The premises or the campus of the educational institutions; or

(iii) The hall, that is to say, the unit of residence for students maintained by the educational institutions; if any,

(iv) The hostel that is to say, the unit of residence for students if any not maintained by the educational institutions but recognized under any law for the time being in force; and

(v) Private lodges mainly occupied by the students of any one or more educational institutions.”

4. *Addition of new Sections.*—After Section 3 of the Principal Act the following Sections may be added as Section 3A, 3B and 3C.

“3A. Constitution of Anti Ragging Committee.—(1) The head of each institution shall constitute an Anti Ragging Committee consisting of the following members among others as chosen by him if found necessary.

(a) Two representatives elected by the faculty members of the institution among themselves.

(b) Two representatives each of students belonging to fresher’s category as well as the senior’s of the institution.

(c) Two representatives elected by the non teaching staff of the institution from among themselves.

(d) If the institution is situated in a Panchayat two members of the Panchayat nominated by the President of the Panchayat.

(e) If the institution is situated in a municipality or corporation two councilors nominated by the Chairperson of the Municipality or Corporation.

(f) A police officer not below the rank of Sub Inspector nominated by the Circle Inspector within whose jurisdiction the institution is situated.

(g) One representative each of the visual and other Medias chosen by the head of the institution.

(h) Two representatives of non governmental organizations involved in youth activities chosen by the head of the institution.

(2) The head of the institution shall constitute and notify the names of the members of the Anti Ragging Committee in every academic year as early as possible at any rate before admission commences.

(3) The Committee newly constituted or reconstituted shall meet at least once before the commencement of admission each year and shall meet as frequently as required and chalk out necessary plan of action to prevent ragging activities sufficiently early.

(4) The Head of the institution shall send half yearly or annual reports to the District Level Committee constituted under Section 3B regarding the functioning of anti ragging committee in the institution concerned.

3B. Constitution of Anti Ragging Committee at District Level.—(1) The District Collector of each district shall constitute an anti ragging committee for the district consisting of the following members among others with himself as the President.

(a) The heads of all higher educational institutions in the District.

(b) Superintendent of the Police of the District concerned.

(2) The district level committee shall be constituted or reconstituted for every year before or during the summer vacation and shall hold preparatory meetings before the reopening of the institution after summer vacation. During the meetings of the Committee it shall be the duty of the Committee to take stock of the preparedness of each institution and its compliance with the Policies and directions or guidelines issued by the appropriate authorities like the university and other State and Central Authorities including the Supreme Court of India.

3C. Joint sensitization programmes and counseling courses.—The District level Anti Ragging committees shall frame and implement joint sensitization programmes and Counseling courses at all educational institution at the Commencement of each academic year.

3D- Cancellation of approval granted.— If any educational institution does not follow the provisions of this enactment the approval granted by the academic bodies can be withdrawn.

Statement of Objects and Reasons

The object of the Bill is to make the existing Act more rigorous by incorporating further provisions to control the evil practice of ragging in educational institutions defined very widely in the Bill. By Section 3 of the Kerala Prohibition of Ragging Act, ragging is prohibited in educational institutions. But there is no definition of the word educational institutions in the present Act. Ragging takes place mainly in hostels or in the premises of the colleges and hostels. Hence it is expedient to add an explanation to Section 3 which defines educational institutions in an inclusive manner taking in the premises of the colleges, hostels and its premises. Further Commission is of the view that it is necessary to expand the definition of the word ragging contained in this Act by including the doing of any act with exotic implications as an act of ragging.