



The Goa Prohibition of Ragging Act, 2008

Act 9 of 2009

Keyword(s):

Educational Institution, Fresher, Ragging

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

The Goa Prohibition of Ragging Act, 2008

The Goa Prohibition of Ragging Act, 2008

The Goa Prohibition of Ragging Act, 2008, (Act No. 9 of 2009) [29-5-2009] published in the Official Gazette, Series I No. 10 dated 4-6-2006 and came into force on 17-07-2009 and came into force w.e.f. 17th July, 2009.

Arrangement of Sections

1	Short title, extent and commencement
2	Definitions
3	Anti-ragging movement
4	Prohibition of ragging
5	Authority to impose penalties
6	Punishment
7	Provision of this Act to be in addition to any other law for the time being in force
8	Power to remove difficulties

GOVERNMENT OF GOA
Department of Law & Judiciary
 Legal Affairs Division

—
Notification

7/4/2008-LA

The Goa Prohibition of Ragging Act, 2008 (Goa Act 9 of 2009), which has been passed by the Legislative Assembly of Goa on 25-03-2008 and assented to by the Governor of Goa on 29-05-2009, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 3rd June, 2009.

The Goa Prohibition of Ragging Act, 2008

(Goa Act 9 of 2009) [29-05-2009]

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.

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 raggars.

(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.

Secretariat,
Porvorim-Goa.
Dated: 03-06-2009.

V. P. SHETYE,
Secretary to the Government of Goa,
Law Department (Legal Affairs).

Department of Education, Art & Culture
Directorate of Higher Education

Notification

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.

By order and in the name of the Governor of Goa.

R. K. Halarnkar, Under Secretary (Higher Education).

Panaji, 16th July, 2009.