



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVIII

THURSDAY, FEBRUARY 25, 2016/PHALGUNA 6, 1937

Separate paging is given to this Part in order that it may be filed as a Separate Compilation

PART - V

Bills introduced in the Gujarat Legislative Assembly.

The following Bill Which was introduced on the 25th February, 2016 by Dr. Nirmalaben Wadhvani, M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly rules for general information

GUJARAT BILL NO. 16 OF 2016.

THE GUJARAT PROHIBITION OF RAGGING BILL, 2016.

A BILL

to prohibit ragging in educational institutions in the State of Gujarat and for matters connected therewith.

WHEREAS, it is expedient to enact a special law to prohibit ragging in educational institutions in the State of Gujarat ;

It is hereby enacted in the Sixty-Seventh Year of Republic of India as follows :-

1. (1) This Act may be called the Gujarat Prohibition of Ragging Act, 2016.
- (2) It extends to the whole of the State of Gujarat.
- (3) It shall come into force on such date as the State Government may by Notification in the *Official Gazette*, appoint.

Short title,
extent and
Commence-
ment

Definitions. 2. In this Act, unless the context otherwise requires,-

- (a) "educational institution" means and includes a College, or other Institution by whatever name called, carrying on the activity or imparting education therein (either exclusively or among other activities); and includes an orphanage or a boarding home or hosted or a tutorial institution or any other premises attached thereto;
- (b) "head of the educational institution" means the Vice-Chancellor of the University, Dean of the Medical faculty, Director of the Institution, or the Principal, Headmaster or the person responsible for the management of the institution;
- (c) "ragging" means display of disorderly conduct, doing any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes.-
- (i) teasing, abusing, threatening or playing practical jokes on, or causing hurt to, such student; or
- (ii) asking a student to do any act or perform something which such student will not, in the ordinary course, willingly do.

Prohibition of ragging.

3. Ragging within or outside any educational institution is an offence punishable under this Act.

Penalty for ragging.

4. Any person who directly or indirectly commits, participates in, abets or propagates ragging within or outside any educational institution shall, on conviction, be punished with imprisonment for a term which may extend to two years and shall also be liable to a fine which may extend to ten thousand rupees.

Dismissal of student.

5. Person who is convicted under Section 4, is a student, he shall be dismissed from the educational institution and such student shall not be admitted in any other educational institution for a period of five years from the date of order of such dismissal.

6. (1) Whenever any student or, as the case may be, the parent or guardian, or a teacher of an educational institution complains, in writing of ragging to the head of the educational institution, the head of the educational institution shall without prejudice to the foregoing provisions, within seven days of the receipt of the complaint inquire into the matter mentioned in the complaint and if, prima-facie, it is found true, suspend the student who is accused of the offence, and shall, immediately forward the complaint to the Police-Station having jurisdiction over the area in which the educational institution is situated, for further action.

(2) Where, on inquiry by the head of the educational institution, it is proved that there is no substance, prima-facie, 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.

7. If the head of the educational institution fails or neglects to take action in the matter specified in section 6 when a complaint of ragging is made, such person shall be deemed to have abetted the offence of ragging and shall, on conviction, be punished as per the provisions of section 4.

Deemed abetment.

8. (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act. **Power to make rules.**
- (2) Rules made under this Section shall be laid before the State Legislature for a period of thirty days as soon as possible after they are made and shall be subject to such modifications or rescission as the State Legislature may make during the session in which they are so laid or the session immediately following.
- (3) Any modification or rescission so made by the State Legislature shall be published in the *Official Gazette* and shall thereupon take effect.

STATEMENT OF OBJECTS AND REASONS

In recent year there has been a significant increase in the complaints of ragging in educational institutions. Ragging is a stigma on the educational institutions and it should be nipped in bud. Ragging causes physical or psychological harm or raise fear or shame to a student in any educational institution. It is, therefore expedient in the educational institutions interest to device Legislative measure.

Hense this Bill.

Gandhinagar.
Dated the 1st February, 2016.

DR. NIRMALABEN WADHWANI,
M. L. A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub clause (3) of clause (1) empowers the State Government to specify the date on which the Act shall come into force.

Sub clause (1) of clause (8) empowers the State Government to make rules to carry out the purposes of the Act.

The delegation of Legislative powers as aforesaid is essential and of normal character.

Gandhinagar.
Dated the 1st February, 2016.

DR. NIRMALABEN WADHWANI,
M. L. A.

Gandhinagar
Dated the 25th February, 2016.

D. M. PATEL
Secretary,
Gujarat Legislative Assembly.