

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act XIII of 2000

THE WEST BENGAL PROHIBITION OF RAGGING IN EDUCATIONAL INSTITUTIONS ACT, 2000.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 29th May, 2000.]

[29th May, 2000.]

An Act to prohibit ragging in educational institutions in West Bengal.

WHEREAS it is expedient to prohibit ragging in educational institutions in West Bengal;

It is hereby enacted in the Fifty-first Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Prohibition of Ragging in Educational Institutions Act, 2000.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of West Bengal.

(3) It shall come into force on such date as the State Government may by notification appoint.

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

Definitions.

(1) “educational institution” means any educational institution, by whatever name called, whether or not maintained and managed by the State Government,—

(a) recognised or deemed to have been recognised under any law for the time being in force, or

(b) affiliated to a University as defined in the University Grants Commission Act, 1956;

(2) “notification” means a notification published in the *Official Gazette*;

(3) “prescribed” means prescribed by rules made under this Act;

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(Sections 3-6.)

- (4) “ragging” means the doing of any act which causes, or is likely to cause, any physical, psychological or physiological harm or apprehension or shame or embarrassment to a student, and includes—
 - (a) teasing or abusing of, playing practical joke on, or causing hurt to, any student, or
 - (b) asking any student to do any act, or perform any thing, which he would not, in the ordinary course, be willing to do or perform;
- (5) “student” means a student who has been prosecuting his studies in an educational institution.

Prohibition
of ragging.

3. (1) Ragging within an educational institution is hereby prohibited.

(2) No person shall participate in, abet, or propagate, ragging in any educational institution.

Explanation.—For the purposes of this section, educational institution shall include—

- (a) the premises or the campus of the educational institution, or
- (b) the hall, that is to say, the unit of residence of students maintained by the educational institution, if any, or
- (c) the hostel, that is to say, the unit of residence for students, if any, not maintained by the educational institution but recognised under any law for the time being in force.

Penalty for
ragging.

4. Whoever contravenes the provisions of section 3 shall be punished with imprisonment of either description for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

Dismissal of
student on
conviction
and bar to
admission or
re-
admission.

5. If any student is convicted of an offence punishable under section 4, he shall be dismissed from the educational institution in which he has been prosecuting his studies for the time being, and shall not be re-admitted to that educational institution.

Expulsion of
student.

6. Without prejudice to the foregoing provisions of this Act, where a student complains of ragging by any other student to the head of the educational institution or to any other person responsible for the management of the educational institution, such head of the educational institution or person responsible for the management of the educational institution shall

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forthwith inquire into the complaint and if, on such enquiry, the complaint is found to be true, he shall expel the student, who has committed the offence, from the educational institution.

7. Notwithstanding anything contained in section 5 or section 6, any student dismissed under section 5 or expelled under section 6, may appeal in the prescribed manner to the Committee to be constituted by the State Government in the manner prescribed, and the decision of the Committee on such appeal shall be final.

Constitution
of
Committee.

8. (1) If the head of the educational institution or the person responsible for the management of the educational institution fails or neglects to comply with the provisions of section 6, a complaint of such failure may be made to the Committee, constituted under section 7, by the student who complains of ragging under section 6 or by his guardian.

Failure or
negligence
to comply
with the
provisions of
section 6.

Explanation.—“Guardian” shall mean a person having the care of the student or any other person who has been declared to be the guardian of the student in the record, if any, maintained by the educational institution.

(2) On receipt of the complaint under sub-section (1), the Committee shall hold such inquiry as it may deem fit and shall make its recommendations to the managing committee or the governing body of the educational institution or such authority as the Committee considers appropriate and, thereupon, the managing committee or the governing body of the educational institution or the authority, as the case may be, shall take action in accordance with the recommendations as aforesaid.

9. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to have
overriding
effect.

10. (1) The State Government may by notification make rules for carrying out the purposes of this Act.

Power to
make rules.

(2) All rules made under this Act shall, unless some later date is appointed by the State Government, come into force on the date of their publication in the *Official Gazette*.