

THE KERALA PROHIBITION OF RAGGING ACT, 1998 ACT 10 OF 1998

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An Act to prohibit ragging in educational institutions in the State of Kerala.

Preamble- WHEREAS it is expedient to prohibit ragging in educational institutions in the State of Kerala;

BE it enacted in the forty-ninth year of the Republic of India as follows:-

1. Short title, extent and commencement –(1) This Act may be called the Kerala

Prohibition of Ragging Act, 1998.

(2) It extends to the whole of the State of Kerala.

(3)It shall be deemed to have come into force on the 23rd day of October, 1997

2. Definition-

In this Act, unless the context otherwise required,

a) -head of the educational institution means the Principal or the Headmaster or the person responsible for the management of that educational institution;

b) -Ragging means doing of any act, by disorderly conduct, to a student of an Educational institution, which causes or is likely to cause physical or psychological harm or raising apprehension or fear or shame or embarrassment to that student and includes (i) teasing, abusing 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.

3. Prohibition of ragging -

Ragging within or without any educational institution is prohibited.

4. Penalty for ragging -

Whoever commits, participates in, abets or propagates ragging within, or without, 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.

5. Dismissal of student.

Any student convicted of an offence under Section 4 shall be dismissed from the educational institution and such student shall not be admitted in any other educational institution for a period of three years from the date order of such dismissal.

6. Suspension of student -

(I) whenever any student or, as the case may be, the parents or guardian, 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, without prejudice to the foregoing provisions, within seven days of the receipt of the complaint, enquire 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 situate, for further action.

(2) Where, on enquiry by the head of the educational institution, it is proved that there is no substance *prima facie* in the complaint received under sub-section (I), he shall intimate the fact, in writing, to the complainant.

7. Deemed abetment.- If the head of the educational institution fails or neglects to take action in the manner 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 provided for in Section 4.

8. Power to make rules.

(I) The Government may, by notification in the Gazette, make rules for carrying out all or any of the purposes of this Act.

2) Every rule made under this Act shall be laid, as soon as may be after it is made before the Legislative Assembly, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid, or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Rule.

9. Repeal and saving -

(i) The Kerala Prohibition of Ragging Ordinance, 1998 (2 of 1998) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under this Act