

THE ANDHRA PRADESH PROHIBITION OF RAGGING ACT, 1997

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Act No.26 of 1997

An Act to Prohibit Ragging in Educational Institutions in the State of Andhra Pradesh.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-eight Year of the Republic of India, as follows:—

1. Short title extent and Commencement :—(1) This Act may be called the, Andhra Pradesh Prohibition of Ragging Act, 1997.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall be deemed to have come into force with effect from 4th July, 1997.

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

- (a) "act" includes words either spoken or written or signs or sounds or gestures or visible representations;
- (b) "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 boarding home or hostel or a tutorial institution or any other premises attached thereto;
- (c) "government" means the State Government of Andhra Pradesh;
- (d) "ragging" means doing an act which causes or is likely to cause insult or annoyance of fear or apprehension or threat or intimidation or outrage of modesty or injury to a student;

- (f) "student" means person who is admitted to an educational institution and whose name is lawfully borne on the attendance register thereof;
- (g) All words and expressions use but not defined in this Act shall have the meanings assigned to them under the Andhra Pradesh Education Act, 1982 (A.P. Act 1 of 1982) or the Indian Penal Code, 1860 (Central Act 45 of 1860) respectively.

3. Prohibition of Ragging :—Ragging within or outside any educational institution is prohibited.

NOTES

Curbing the menace of ragging -- Guidelines issued by Supreme Court :—In *Vishwa Jagriti Mission vs. Central Government*¹, the Supreme Court, dealt with a Public Interest Litigation about the ragging of fresh students in education institutions. The court in exercise of the jurisdiction conferred by Article 32 and Article 142 of the Constitution, issued under of guidelines, which are listed as under.

In exercise of the jurisdiction conferred by Article 32 and Article 142 of the Constitution we issue the following guidelines:

This Court views with concern the increase in the number of incidents of ragging in educational institutions. Some of the reported incidents have crossed the limits of decency, morality and humanity. Some of the States have acted by enacting legislations and making ragging as defined therein, a cognizable and punishable offence. However, we fell ragging cannot be cured merely by making it a cognizable criminal offence. Moreover, we fel that the acts of indiscipline and misbehaviour on the part of the students must primarily be dealt with within the institution and by exercise of the disciplinary authority of the teachers over the students and of the management of the institutions over the teachers and students. Students ought not ordinarily be subjected over the teachers and students. Students ought not ordinarily be subjected to police action unless it be unavoidable. The students going to educational institutions for learning should not remain under constant fear of being dealt with by the police and sent to jail and face the courts. The faith in the teachers for the purpose of maintaining discipline should be restored and the responsibility fixed by emphasising the same.

Broadly speaking, ragging is:

Any disorderly conduct whether by words spoken or written or by an act which has the effect of teasing, treating or handling with

1. (2001) 6 SCC 577 & 581.

rudeness any other student, indulging in rowdy or undisciplined 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 students 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 so as to adversely affect the physique or psyche of a fresher or a junior student.

The cause of indulging in ragging is deriving a sadistic pleasure or showing off power, authority or superiority by the seniors over their juniors or freshers.

Ragging can be stopped by creating awareness amongst the students, teachers and parents that ragging is a reprehensible act which does no good to anyone and by simultaneously generating an atmosphere of discipline by sending a clear message that no act of ragging shall be tolerated and any act of ragging shall not go unnoticed and unpunished.

Anti-ragging movement should be initiated by the institutions right from the time of advertisement for admissions. The prospects, the form for admission and/or any other literature issued to the aspirants for admission must clearly mention that ragging is banned in the institution and anyone indulging in ragging is likely to be punished appropriately, which punishment may include expulsion from the institution, suspension from the institution or classes for a limited period or fine with a public apology. 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 hostel or mess, and the like. If there be any legislation governing ragging or any provisions in the statute/ordinances they should be brought to the notice of the students/parents seeking admissions.

The application form for admission/enrolment shall have a printed undertaking to be filled up and designed by the candidate to the effect that he/she is aware of the institution's approach towards ragging and the punishments to which he or she shall be liable if found guilty of ragging. A similar undertaking shall be obtained from the parent/guardian of the applicant.

Such of the institutions as are introducing such a system for the first time shall ensure undertakings being obtained from the students -- and their parents/guardians -- already studying in the institutions before the commencement of the next educational year/session.

