



Legislative Assembly of the State of Goa

**The Goa School Education
(Amendment) Bill, 2006**

(Bill No. 18 of 2006)

AS

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA**

JULY, 2006.

**THE GOA SCHOOL EDUCATION
(AMENDMENT) BILL, 2006**

(Bill No. 18 of 2006)

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BILL

*further to amend the Goa, Daman and Diu School
Education Act, 1984 (Act 15 of 1985).*

Be it enacted by the Legislative Assembly of Goa in
the Fifty-seventh Year of the Republic of India as follows:—

5 1. *Short title and commencement.*— (1) This Act may
be called the Goa School Education (Amendment) Act,
2006.

(2) It shall come into force at once.

10 2. *Amendment of section 4.*— In section 4 of the Goa,
Daman and Diu School Education Act, 1984 (Act 15 of
1985),—

(a) in sub-section (5),—

(i) in the first proviso, the expression “in ‘A’ class
Municipal areas,” shall be omitted;

15 (ii) in the second proviso, the following words shall
be inserted at the end, namely:—

“The permission to establish such school may
be granted by the Director after hearing all
objections received on the proposal to establish
such school.”,

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(b) after sub-section (5), the following sub-section shall be inserted, namely: -

“(6) Notwithstanding anything contained in this section, any permission to establish a new school, which has been provisionally granted before the commencement of the Goa School Education (Amendment) Act, 2006, may be approved subject to the condition that such school fulfills other infrastructural requirements as specified under the Goa, Daman and Diu School Education Rules, 1986, to the satisfaction of the Director. Such school shall not be entitled for any type of Government grant, irrespective of its medium of instruction.”

Statement of Objects and Reasons

As per the provisions of the Goa Compulsory Elementary Education Act, 1995 (Act 4 of 1996), elementary education is compulsory for every child of a school age. The State Government is duty bound to ensure development of school education in the State.

In terms of the provisions of sub-section (5) of section 4 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985) (hereinafter referred to as the “said Act”), new primary school, high school and higher secondary school shall be established only if there is no primary school within a radius of 1 km. from the proposed primary school, no high school within a radius of 3 km from the proposed high school and no higher secondary school within a radius of 8 kms from the proposed higher secondary school.

In order to provide for establishment of such category of unaided schools within the said area, it is proposed to amend sub-section (5) of section 4 of the said Act, suitably.

It is also proposed to insert new sub-section (6) in said section 4 of the said Act so as to make provision for approving any permission which has been provisionally granted to establish a new school before the commencement of the Goa School Education (Amendment) Act, 2006. Such unaided schools shall fulfill all infrastructural requirements as specified under the Goa, Daman and Diu School Education Rules, 1986, to the satisfaction of the Director and shall not be entitled for any type of Government grant, irrespective of their medium of instruction.

This Bill seeks to achieve the above objects.

Financial Memorandum

There are no direct financial implications involved in this Bill as the schools to be opened will remain as unaided school.

Memorandum regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Panaji-Goa.
July, 2006.

Luizinho Faleiro
Minister for Education

Assembly Hall,
Porvorim – Goa
July, 2006.

T. N. Dhruva Kumar
Secretary to the Legislative
Assembly of Goa.

(Annexure to Bill No. 18 of 2006)

The Goa School Education (Amendment) Bill, 2006

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The Goa, Daman and Diu School Education Act, 1984
(Act 15 of 1985)
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Section 4: - In section 4 of the Principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—

(5) Notwithstanding anything contained in any law, rules, regulations, decree, order or judgment of any Court, new schools shall be permitted to be established in any part of the State of Goa, if,

(a) in the case of a primary school, no school is functioning within a radius of 1 km from the proposed school;

(b) in the case of High School, no school of that category is functioning within a radius of 3 kms. from the proposed school;

(c) In the case of higher secondary school, no school of that category is functioning within a radius of 8 kms. from the proposed school;

Provided that in 'A' class Municipal areas, the restriction as regards distance shall not apply to any category of unaided schools; subject to the condition that such schools fulfill other infrastructural requirements as specified under the Goa, Daman and Diu School Education Rules, 1986, to the satisfaction of the Director and shall not be entitled for any type of Government grant irrespective of their medium of instruction.

Provided further that the establishment of any category of unaided residential school in any part of the State of Goa, the restriction as regards distance shall not apply and such schools shall have to provide all required infrastructural facilities to the satisfaction of the Director. Further such schools shall not be entitled for any type of Government grant irrespective of their medium of instruction.

Assembly Hall,
Porvorim - Goa.
July, 2006.

T. N. Dhruva Kumar
Secretary to the Legislative
Assembly of Goa.