



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LI]

THURSDAY, MARCH 25, 2010/CAITRA 4, 1931

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

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat legislature, having been
assented to by the Governor on the 22nd March, 2010 is hereby
published for general information.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2010.

(First published, after having received the assent of the Governor, in the
"Gujarat Government Gazette" on the 25th March 2010).

AN ACT

further to amend the Bombay Primary Education Act, 1947 and the
Gujarat Secondary and Higher Secondary Education Act, 1972 and to
repeal the Gujarat Compulsory Primary Education Act, 1961 so as to
facilitate to implement the provisions of the Right of Children to Free
and Compulsory Education Act, 2009.

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

1. (1) This Act may be called the Gujarat Educational Laws Short title and
(Amendment) Act, 2010. commencement.
- (2) This section shall come into force at once and the remaining
provisions shall come into force on such date as the State Government
may, by notification in the *Official Gazette*, appoint.

Amendment of section 2 of Bom. LXI of 1947. 2. In the Bombay Primary Education Act, 1947 (hereinafter referred to as "the principal Act"), in section 2,- Bom. LXI of 1947.

- (i) after clause (7), the following clause shall be inserted, namely:-

"(7A) "Committee" means the State Staff Selection Committee constituted under section 23;";

- (ii) after clause (10A), the following clause shall be inserted, namely:-

"(10B) "Lower Primary Education" means education from first standard to fifth standard;";

- (iii) for clause (15), the following clause shall be substituted, namely :-

"(15) "Primary education" means elementary education from first class to eighth class as defined in clause (f) of section 2 of the Right of Children to Free and Compulsory Education Act, 2009;"; 35 of 2009.

- (iv) after clause (20), the following clause shall be inserted, namely:-

"(20A) "Upper Primary Education" means education from sixth standard to eighth standard;".

Substitution of section 23 of Bom. LXI of 1947. 3. In the principal Act, for section 23, the following section shall be substituted, namely:-

Constitution of State Staff Selection Committee for primary education. "23. (1) There shall be a State Level Staff Selection Committee constituted by the State Government for all District Education Committees and authorized municipalities, consisting of such number of members as may be determined by the State Government.

- (2) The Director of Primary Education shall be the Chairman and the Deputy Director of Primary Education shall be the Secretary of the Committee.

- (3) The Committee shall select candidates for appointments as Assistant Education Inspectors, Supervisors, *Vidhya Sahayaks* and Primary Teachers. The selection of candidates shall be made in accordance with the instructions issued by the State Government.

(4) The Committee shall also select the staff referred to in sub-section (3) for all District Education Committees and authorized municipalities and recommend the names of selected candidates for appointment as per their requisition.

(5) The District Education Committee or authorized municipality or, as the case may be, the Administrative Officer shall make appointments of the candidates so selected in accordance with the directions given by the Committee.”.

Guj. 18 of 1973. 4. In the Gujarat Secondary and Higher Secondary Education Act, 1972 (hereinafter referred to as “the Secondary and Higher Secondary Education Act”), in section 2, - Amendment of section 2 of Guj. 18 of 1973.

(i) in clause (u), for the words “eighth standard”, the words “ninth standard” shall be substituted;

(ii) in clause (aa), the words and figures “the Gujarat Compulsory Primary Education Act, 1961 and” shall be deleted.

5. In the Secondary and Higher Secondary Education Act, in section 17, in clause (17), for the words “standards eight”, the words “standards nine” shall be substituted. Amendment of section 17 of Guj. 18 of 1973.

6. In the Secondary and Higher Secondary Education Act, for section 35, the following section shall be substituted, namely:- Substitution of section 35 of Guj. 18 of 1973.

Selection of
teachers and
headmasters,
etc.

“35. The procedure for selection of teachers and headmasters of registered private secondary and higher secondary schools shall be such as may be notified by the State Government by rules from time to time.”.

Bom. LXI of 1947. 7. Notwithstanding anything contained in the Bombay Primary Transitory provisions.
Guj. 18 of 1973. Education Act, 1947 and the Gujarat Secondary and Higher Secondary
35 of 2009. Education Act, 1972 as amended by this Act, for carrying out the
provisions of the Right of Children to Free and Compulsory Education Act, 2009, the State Government may allow to continue to impart education in eighth standard as a part of primary education in any secondary school till the period stipulated in section 6 of the Right of Children to Free and Compulsory Education Act, 2009.
35 of 2009.

Guj. XLI of 1961. 8. The Gujarat Compulsory Primary Education Act, 1961 is hereby Repeal of Guj. XLI of 1961.
repealed.
