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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 25th September, 2020 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 5 OF 2020.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 28th September, 2020).

AN ACT

further to amend the Gujarat Secondary and Higher Secondary Education Act, 1972.

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

1. (1) This Act may be called the Gujarat Secondary and Higher Secondary Education (Amendment) Act, 2020.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment
of section 3 of
Guj. 18 of
1973.

2. In the Gujarat Secondary and Higher Secondary Education Act, 1972, in section 3, in sub-section (2),-

Guj. 18 of
1973.

(1) under the heading “**Class A-Ex Officio Members**” for clauses (i) to (xv), the following clauses shall be substituted, namely:-

- “(i) the Commissioner of Higher Education, Gujarat State;
- (ii) the Commissioner of School, Gujarat State;
- (iii) the Director of Primary Education, Gujarat State;
- (iv) the Director, Gujarat State Board of School Text Books;
- (v) the Director, Gujarat Council of Educational Research and Training;
- (vi) one officer of Education Department not below the rank of Deputy Secretary, nominated by the State Government;
- (vii) the Chairman, State Examination Board;
- (viii) the Director of Examination, Gujarat Secondary and Higher Secondary Education Board;
- (ix) the State Project Director, *Samagra Siksha Abhiyan.*”;

(2) under the heading “**Class B- Elected Members**” for clauses (i) to (x), the following clauses shall be substituted, namely:-

- (i) one member elected by the headmasters of registered schools other than post basic schools from amongst themselves;
- (ii) one member elected by the headmasters and the teachers of the post basic schools registered under this Act, from amongst themselves;
- (iii) one member elected by the teachers of registered schools other than post basic schools from amongst themselves;
- (iv) one member elected by the Principals of the Secondary Teachers Training Colleges and Graduate Basic Training Colleges from amongst themselves in such manner as may be prescribed;
- (v) one member elected by the non-teaching staff of registered private secondary schools, secondary and higher secondary schools, from amongst themselves;
- (vi) one member elected by the teaching staff of registered higher secondary schools from amongst themselves;

XXI of 1860.
Bom. XXIX of 1950.

- (vii) one member elected from amongst teachers of Government secondary and higher secondary schools;
- (viii) one member elected by the representatives of the management of registered secondary and higher secondary schools registered under the Societies Registration Act, 1860 and the Gujarat Public Trusts Act, 1950 from amongst themselves in such manner as may be prescribed;
- (ix) one member elected by the Presidents of the Parents' Associations of registered private secondary schools and registered private higher secondary schools, from amongst themselves.

Explanation. - In this clause, –

- (1) "Parents' Association" in relation to any registered private secondary schools shall mean an association of parents and guardians of students of that schools, formed and recognised by the headmaster of that school, whether before or after the appointed day.
- (2) (a) in relation to Parents' Association whose President is a headmaster, a teacher, a manager or a member of a governing body or other body in charge of the management of the school, "President" shall mean such member of that Association other than such headmaster, teacher, manager or, as the case may be, member, as may be authorised in writing by the Association; and
 - (b) in a case where the President of a Parent's Association is himself absent or incapable of acting, the President shall, for the purpose of electing a member under this clause, mean such other member of that Association as may be authorised in writing by the Association for that purpose.
 - (c) A member of the Parents' Association shall cease to be such member on completion of his child's secondary or, as the case may be, higher secondary education.
- (x) two members elected by the Gujarat Legislative Assembly from amongst its members in accordance with the system of proportional representation by means of the single transferable vote:

Provided further that a person shall cease to hold office as a member of the Board if he ceases to be a headmaster or teacher of a registered school or the Principal of a Secondary Teachers Training College or a Graduate Basic Training College or a member of non-teaching staff of registered private secondary schools and registered private higher secondary schools or of teaching staff of registered higher secondary schools or a representative of the management of the registered schools or a President of a Parents' Association or, as the case may be, a member of the Gujarat Legislative Assembly.”;

- (3) under the heading “**Class C- Nominated Members**”, the existing paragraph shall be numbered as clause (i) and after clause (i) as so numbered, the following clause shall be inserted, namely:-

“(ii) The State Government shall nominate one member from amongst the members of the Academic Council of the Universities controlled by the State Government in Education Department.”.
