

GOVERNMENT OF GOA

Department of Law and Judiciary

Legal Affairs Division

Notification

7-25-95/LA

The Goa Compulsory Elementary Education Act, 1995 (Goa Act of 1996), which has been passed by the Legislative Assembly of Goa on 14-12-1995 and assented to by the Governor of Goa on 13-3-1996, is hereby published for general information of the public.

P.V. Kadneker, Joint Secretary (Law).  
Panaji, 18<sup>th</sup> March, 1996.

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The Goa Compulsory Elementary Education Act, 1995

(Goa Act No.4 of 1996) [13-3-1996]

AN

ACT

to make provisions for compulsory elementary education in the State of Goa.

BE it enacted by the Legislative Assembly of the State of Goa in the Forty-sixth Year of the Republic of India as follows: -

1. Short title, extent and commencement, --- (1) This Act may be called the Goa Compulsory Elementary Education Act, 1995.
  - (2) It extends to the whole of the State of Goa.
  - (3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.
1. Definitions – In this Act, --

- (a) “attendance at an elementary school” means presence for instruction at an elementary school for such number of days, and on such days in a year, and at such time or times on each day of attendance, as may be prescribed;
  - (b) “competent authority” means the Director of Education of the Government or such other authority as may be specified by the Government;
  - (c) “elementary education” means education in such subjects and upto such standard as may be prescribed;
  - (d) “elementary school” means a school recognised as an elementary school by the competent authority and includes any elementary school in existence on the date of commencement of this Act which has been recognised as such by the Education Department;
  - (e) “Government” means the Government of Goa;
  - (f) ”guardian” means any person to whom the care, nurture or custody of any child falls by law or by natural rights or by recognised usage, or who has accepted or assumed the care, nurture or custody of any child or to whom the care, nurture or custody of any child has been entrusted by any lawful authority;
  - (g) “parent” means the father or mother of a child and includes an adopted father or mother;
  - (h) “school age” in relation to a child means such age as may be prescribed;
  - (i) “year” means the academic year commencing on the 1<sup>st</sup> day of June.
3. Elementary education to be compulsory,--- (1) Subject to the provisions of this Act, elementary education shall be compulsory for every child of school age.
- (2) For giving effect to the provisions of sub-section (1), the Government shall provide such number of elementary schools in the State with trained teachers, as may be considered necessary.
4. Duty of every parent or guardian, ---- It shall be the duty of every parent or guardian of a child of school age to cause a child to attend an elementary school.
5. Exemptions,---- Attendance at an elementary school for a child of school age shall not be compulsory ---

- (i) if there is no elementary school within such distance, as may be notified by the Government, from the residence of such child;
- (ii) if such child is prevented from attending an elementary school by reason of sickness, infirmity or such other cause as may be prescribed;
- (iii) if such child is attending any unrecognised school provided that the education imparted therein is declared to be satisfactory by the competent authority;
- (iv) if such child is imparted education in such other manner as may be declared to be satisfactory by the competent authority;
- (v) if such child has already been imparted education in an elementary school or otherwise, upto the standard prescribed for elementary education; or
- (vi) if such child is exempt from attendance on any other ground as may be prescribed.

Penalty,--- Every parent or guardian of a child of school age who fails to discharge his duty section 4 shall be punishable with fine which may extend to one hundred rupees.

Cognizance of offences,---- No court shall take instance of an offence punishable under this Act on a complaint in writing made by the competent authority.

Protection of action taken in good faith,--- No prosecution or other legal proceedings shall lie the Government or any officer of the Government for anything which is in good faith done extended to be done in pursuance of this Act or Rule or order made thereunder.

Power to make rules,---- The Government may to carry out all or any of the purposes of Act.

Secretariat Annexe,  
Panaji.

B.S. SUBBANNA,  
Secretary to the  
Government of Goa,  
Law Department (Legal Affairs)

Dated: 13-3-1996

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