



# महाराष्ट्र शासन राजपत्र

असाधारण  
प्राधिकृत प्रकाशन

सोमवार, एप्रिल ३०, २००७/वैशाख १०, शके १९२९

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Bombay Primary Education and the Maharashtra Employees of Private Schools (Conditions of Service) Regulation (Amendment) Act, 2007 (Mah. Act No. XIV of 2007), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,  
Secretary to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XIV OF 2007.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 30th April 2007).

An Act further to amend the Bombay Primary Education Act, 1947 and the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977.

Bom. WHEREAS it is expedient further to amend the Bombay  
LXI of Primary Education Act, 1947 and the Maharashtra  
1947. Employees of Private Schools (Conditions of Service)  
Mah. Regulation Act, 1977, for the purposes hereinafter  
III of  
1978.

(२८८)

appearing; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:—

## CHAPTER I.

### PRELIMINARY

Short title. 1. This Act may be called the Bombay Primary Education and the Maharashtra Employees of Private Schools (Conditions of Service) Regulation (Amendment) Act, 2007.

## CHAPTER II

### AMENDMENTS TO THE BOMBAY PRIMARY EDUCATION ACT, 1947

Amendment of section 2 of Bom. LXI of 1947. 2. In section 2 of the Bombay Primary Education Act, 1947 (hereinafter, in this Chapter, referred to as "the Bombay Primary Education Act"), after clause (19), the following clauses shall be added, namely:—

Bom.  
LXI  
of  
1947.

"(20) "shikshan sevak" means a member of base teaching cadre appointed on honorarium and subject to such terms and conditions as specified in the Government Resolution, published in the *Maharashtra Government Gazette, Extraordinary*, No. 12, Part I-Central, Sub-Section, dated the 15th February 2007, for eventual appointment as a teacher;

(21) "teacher" means a member of the teaching staff and includes the head of a school."

Amendment of section 13 of Bom. LXI of 1947. 3. In section 13 of the Bombay Primary Education Act, in sub-section (2), in clause (d), after the word "teachers," the words "shikshan sevaks," shall be inserted.

Amendment of section 16 of Bom. LXI of 1947. 4. In section 16 of the Bombay Primary Education Act, in sub-section (2), after the word "teachers" the words "shikshan sevaks" shall be inserted.

Amendment of section 17 of Bom. LXI of 1947. 5. In section 17 of the Bombay Primary Education Act, in sub-section (1), in clause (c), after the word "teachers," the words "shikshan sevaks," shall be inserted.

Amendment of section 19 of Bom. LXI of 1947. 6. In section 19 of the Bombay Primary Education Act,—  
(a) in sub-section (1), after the word "teacher" the words "shikshan sevak" shall be inserted;

(b) in sub-section (3), after the word "teachers" the words "shikshan sevaks" shall be inserted.

Amendment of section 20 of Bom. LXI of 1947. 7. In section 20 of the Bombay Primary Education Act,—  
(a) in sub-section (1), after the word "Teachers" the words "Shikshan sevaks" shall be inserted;

(b) in sub-section (2), for the word "pay," the words "honorarium, pay," shall be substituted;

(c) in sub-section (3),—

(i) for the word “pay” the words “honorarium, pay” shall be substituted;

(ii) after the words “school teachers” the words “and *shikshan sevaks*” shall be inserted.

8. In section 23 of the Bombay Primary Education Act,— Amendment of section 23 of Bom. LXI of 1947.

(a) in sub-section (6), after the word “teachers” the words “and *shikshan sevaks*” shall be inserted;

(b) in the marginal note, after the word “teachers” the words “and *shikshan sevaks*” shall be inserted.

9. In section 27 of the Bombay Primary Education Act, in clause (d), after the word “teachers” the words “, *shikshan sevaks*” shall be inserted. Amendment of section 27 of Bom. LXI of 1947.

### CHAPTER III

#### AMENDMENTS TO THE MAHARASHTRA EMPLOYEES OF PRIVATE SCHOOLS (CONDITIONS OF SERVICE) REGULATION ACT, 1977.

Mah. III of 1978. 10. In section 2 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 [hereinafter, in this Chapter, referred to as “the Employees of Private Schools (Conditions of Service) Regulation Act”],— Amendment of section 2 of Mah. III of 1978.

(a) in clause (7), after the words “recognised school” the words “and includes *shikshan sevak*” shall be inserted;

(b) in clause (10), after the word “teachers” the words “and *shikshan sevaks*” shall be inserted;

(c) after clause (24), the following clause shall be inserted, namely:—

“(24A) “*shikshan sevak*” means a member of base teaching cadre appointed on honorarium and subject to such terms and conditions as specified in the Government Resolution published in the *Maharashtra Government Gazette*, Extraordinary, No. 12, Part I—Central Sub-Section, dated the 15th February 2007, for eventual appointment as a teacher;”.

11. In section 5 of the Employees of Private Schools (Conditions of Service) Regulation Act,— Amendment of section 5 of Mah. III of 1978.

(a) in sub-section (2), after the words “permanent vacancy” the words “except *shikshan sevak*” shall be inserted;

(b) to sub-section (2), the following proviso shall be added, namely:—

“Provided that, every person appointed as *shikshan sevak* shall be on probation for a period of three years.”;

(c) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) Subject to the provisions of sub-sections (3) and (4), *shikshan sevak* shall, on completion of the probation period of three years, be deemed to have been appointed and confirmed as a teacher.”;

(d) in sub-section (3), after the words “or salary” the words “or honorarium” shall be inserted.

## CHAPTER IV

### SAVING

Regularisation of appointments of *shikshan sevaks* and savings. 12. (1) Notwithstanding anything contained in the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, all *shikshan sevaks* appointed in accordance with the provisions of the Government Resolution published in the *Maharashtra Government Gazette*, Extraordinary, No. 12, Part I—Central Sub-Section, dated the 15th February 2007, shall be deemed to have been appointed as base cadre *shikshan sevak* under the said Act, for appointment as teachers on completion of three years service as such *shikshan sevak* rendered heretobefore or heretoafter, as the case may be. Mah. III of 1978.

(2) The terms and conditions prescribed by Government for appointment of *shikshan sevak*, by issuing Government Resolutions, from time to time, before the date of commencement of the Bombay Primary Education and the Maharashtra Employees of Private Schools (Conditions of Service) Regulation (Amendment) Act, 2007, shall continue to be in force unless modified or revoked. Mah. XIV of 2007.