

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 11th September 2006 and is hereby published for general information:—

ACT No. 26 OF 2006.

An Act to provide for declaring the Birth day of Perunthalaivar Kamarajar, former Chief Minister of Tamil Nadu, on the 15th day of July, as "Educational Development Day" and for matters connected therewith or incidental thereto.

WHEREAS a policy decision has been taken by the Government of Tamil Nadu to declare the birth day of Perunthalaivar Kamarajar, former Chief Minister of Tamil Nadu, on the 15th day of July, as "Educational Development Day" and to celebrate the Educational Development Day in all schools in the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-seventh Year of the Republic of India as follows —

1. Short title and commencement. (1) This Act may be called the Tamil Nadu Educational Development Day (Declaration and Celebration) Act, 2006.

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

2. Definitions . In this Act, unless the context otherwise requires,—

(a) "competent authority" means the competent authority appointed by the Government under section 5;

(b) "Government" means the State Government;

(c) "prescribed" means prescribed by rules;

(d) "school" means,—

(i) any Primary School, Middle School, High School or Higher Secondary School maintained by the State or Local Bodies; or

(ii) any Primary School, Middle School, High School or Higher Secondary School established and administered or maintained by any private educational agency including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not; or

(iii) any Nursery and Primary School, Matriculation School, Anglo-Indian School or Oriental School including minority school established and administered under clause (1) of Article 30 of the Constitution, whether receiving aid out of the State fund or not; or

(iv) such other school as may be notified by the Government in this behalf.

Explanation.—For the purpose of this clause,—

(i) Nursery and Primary School shall consist of standards L.K.G. to V;

(ii) Primary School shall consist of standards I to V;

(iii) Middle School shall consist of standards I to VIII or standards VI to VIII;

(iv) High School shall consist of standards I to X or VI to X or IX and X;

(v) Higher Secondary School shall consist of standards I to XII, VI to XII or IX to XII.

3. Declaration of Education development day. The birth day of Perunthalaivar Kamarajar, former Chief Minister of Tamil Nadu, on the 15th day of July, is hereby declared as the "Educational Development Day"

4. Celebration of Educational Development Day. (1) Every school shall celebrate the Educational Development Day.

(2) The Educational Development Day shall be celebrated in the manner specified below:—

(a) The portrait of Perunthalaivar Kamarajar, former Chief Minister of Tamil Nadu, shall be decorated and the pupils shall pay tribute to him;

(b) Various competitions such as essay writing, drawing and painting and oratory shall be conducted for the pupils with reference to the contributions made by Perunthalaivar Kamarajar, former Chief Minister of Tamil Nadu, towards education;

(c) In such other manner as may be prescribed.

(3) If the Educational Development Day falls on a holiday, it shall be a working day for all schools and in lieu thereof another working day shall be declared as a holiday by the competent authority.

5. Competent authority. (1) The Government may, by notification, appoint any officer of the Education Department not below the rank of District Educational Officer to be the competent authority for the purposes of carrying out

the provisions of this Act and different competent authorities may be appointed for different areas.

(2) The competent authority shall exercise such powers and perform such functions as may be prescribed.

6. Competent authority to be public servant. central Act XLV of 1850

The competent authority appointed under section 5 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

7. Power of Government to give direction. (1) The Government may, in the public interest, by order, direct the competent authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order, and the competent authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period as may be prescribed.

(2) On receipt of the report from the competent authority under sub-section (7), the Government shall give such direction as they deem fit and such direction shall be final and binding.

8. Protection of action taken in good faith. No suit, prosecution or other legal proceedings shall lie against the. competent authority, Government or its Officers for anything which is in good faith done or intended to be done under this Act or any rule or order made thereunder.

9. Power to make Rules. (1) The Government may make rules for carrying out the purposes of this Act.

(2) Every rule or notification or order made under this Act, shall, as soon as possible, after it is made or issued, be placed on the Table of the Legislative Assembly, and if Before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order or the Assembly decides that the rule or notification or order should not be made, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

10. Power to remove difficulties. If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the Tamil Nadu Government Gazette, make such provisions as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government in-charge.

Law Department