

**THE ASSAM EDUCATION (PROVINCIALISATION OF SERVICES OF TEACHERS
AND RE-ORGANISATION OF EDUCATIONAL INSTITUTIONS) AMENDMENT
BILL, 2025**

By

Shri Abdur Rashid Mandal, MLA

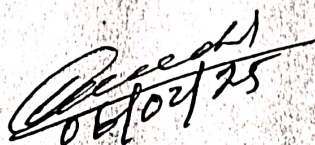
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BILL

*to amend the Assam Education (Provincialisation of Services of Teachers and
Re-Organisation of Educational Institutions) Act, 2017.*

BE it enacted by the Legislature of the State of Assam in the Seventy-sixth Year of the Republic of India as follows:-

- Short title, extent and commencement. 1. (1) This Act may be called the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025.
(2) It extends to the whole of the State of Assam.
(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
- Amendment of section 2. 2. In section 2 of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Act, 2017 (hereinafter referred to as the principal Act), -
(i) in clause (d), for the words "for the year 2009-2010 or before", the words "on or before the coming into force of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted;
(ii) in clause (j), for the words "1st day of January, 2011", the words "5th day of September, 2011" shall be substituted;
(iii) in clause (w), for the numbers "01.01.2006", at both the places, the numbers "05.09.2011" shall be substituted;
(iv) in clause (x), for the numbers "01.01.2006", at both the places, the numbers "05.09.2011" shall be substituted;
(v) in clause (y), for the numbers "01.01.2006", at both the places, the numbers "05.09.2011" shall be substituted;
(vi) in clause (z), for the numbers "01.01.2006" and "01.01.06", the numbers "05.09.2011" shall be substituted;
(vii) in clause (za), -
(a) for the numbers "1.1.2006" and "01.01.2006", the numbers "05.09.2011" shall be substituted;
(b) for the words "2009-10", the words "on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted; and


05/09/25

(c) in the proviso, for the words "on or before 2009-10", the words "on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted;

(viii) in clause (zb), -

(a) for the words "prior to 1.1.2006 whose name figure in the DISE code up to 2009-10 and prior to that", the words "prior to 05.09.2011 whose name figure in the DISE code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted;

(b) for the proviso, the following proviso shall be substituted, namely:-

"Provided that the DISE code issued within three years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 shall be considered for the purpose of provincialisation of services of any employee of the institution;";

(ix) in clause (zc), -

(a) for the numbers "01.01.2006", the numbers "05.09.2011" shall be substituted;

(b) for the words "before 01.01.2006 and captured in the DISE code up to 2009-10", the words "before 05.09.2011 and captured in the DISE code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted.

Amendment of section 3.

3. In section 3 of the principal Act, -

(A) in sub-section (1),-

(a) in clause (i), -

(i) for the words "concurrence, as the case may be up to the last and higher class required", the words "concurrence or any one of them" shall be substituted;

(ii) for the numbers "1.1.2006", the numbers "05.09.2011" shall be substituted; and

(iii) the proviso shall be omitted;

(b) in clause (iii), for the numbers "01.01.2006" at all the three places, the numbers "05.09.2009" shall be substituted;

(c) in clause (iv), for the words "30 students", the words "20 students" shall be substituted;

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(d) in clause (v), for the words "25 students" at both the places and the words "30 students", the words "20 students" shall be substituted;

(e) in clause (vi), for the words "at least 30%", the words "at least 20%" shall be substituted;

(f) in clause (vii), for the words "10 students" and the words "15 students", the words "5 students" shall be substituted;

(g) in clause (ix), for the words "exceeds eighty" and the words "exceeds 150", the words "exceeds forty" and the words "exceeds 80", respectively, shall be substituted;

(h) in clause (x), for the words "Two numbers of teachers and/or tutors", the words "One teacher and/or tutor per class" shall be substituted;

(i) in clause (xi), for the words "three teachers or tutors at least one teacher each", the words "one head Master, four assistant teachers and one teacher each" shall be substituted;

(j) in clause (xii),

(i) for the words "2009-10 or before", the words "on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025" shall be substituted;

(ii) the following proviso shall be added at the end, namely:-

"Provided that the DISE code captured within three years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 shall also be considered as valid DISE code for all purposed";

(B) in sub-section (2), the following proviso shall be added at the end, namely:-

"Provided that the teachers or tutors who do not possess the minimum qualifications laid down at the time of provincialisation shall be permitted to acquire such minimum qualifications within a period of five years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025";

(C) in sub-section (3), for the words "having DISE Code for the year 2009-2010 or prior to that", the words "having DISE Code on or before the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025";

(D) in sub-section (4), the following proviso shall be added at the end, namely:-

"Provided that such Private Institution or Non-Government Educational Institution shall be given reasonable financial assistance by the State Government";

06/02/25

(E) in sub-section (6), -

(a) in clause (a), for the words "3 Kms", "5 Kms" and "7 Kms" occurring in sub-clauses (ii), (iii) and (iv), respectively, the words "2 Kms", "3 Kms" and "5 Kms", respectively, shall be substituted; and

(b) after clause (a), the following proviso shall be added at the end, namely:-

"Provided that for remote and inaccessible hill and *char* areas, the State Government may prescribe different need based specified area and norms and standards.;

(F) in sub-section (10), for the words "one year", the words "three years" shall be substituted.

4. In section 4 of the principal Act, -

(A) in sub-section (1), for the words "shall be deemed to have been provincialised", the words "shall be deemed to have been provincialised retrospectively from the date of joining service in the institution" shall be substituted;

(B) in sub-section (2),-

(a) in clause (i), for the words "that have been fully recognized up to the last and highest class required for such Institution by the competent authority on or before 01.01.2006", the words "that have reports of inspection or permission or recognition or concurrence or affiliation by the competent authority on or before 05.09.2011" shall be substituted;

(b) in clause (ii), the following proviso shall be added at the end, namely:-

"Provided that the teachers or tutors who do not possess the minimum qualifications laid down at the time of provincialisation shall be permitted to acquire such minimum qualifications within a period of five years from the commencement of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025.;"

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

"(iii) must have rendered at least six years of continuous service on the coming into force of the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Amendment Act, 2025 from the date of joining in the concerned Venture Educational Institution which must be on 05.09.2011 or prior to that date.;" and

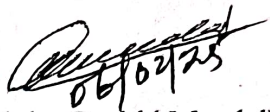
(d) in clause (iv), for the words "10 students", the words "5 students" shall be substituted.

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STATEMENT OF OBJECTS AND REASONS

The teaching employees who are appointed by the management authority of the venture educational institutions having inspection report or permission or concurrence or recognition or affiliation from the competent authority on or before 5th September, 2011 should also be considered for provincialisation provided such institutions have captured DISE code on or before the commencement of this Act.

Hence this Bill.


(Abdur Rashid Mandal)

MLA,


Secretary,

Assam Legislative Assembly

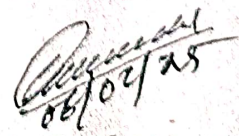
FINANCIAL MEMORANDUM

The Bill is to provide for provincialisation of venture educational institutions established prior to 5th September, 2011 instead of 1st January, 2006 as provided at present under the Assam Education (Provincialisation of Services of Teachers and Re-Organisation of Educational Institutions) Act, 2017.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of the State of Assam. Since exact details of the number of venture educational institutions that will be provincialised by the Government are not known, it is not possible at this stage to give the estimate of recurring and non-recurring expenditure which will be involve from the Consolidated Fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

The Bill does not provide to delegate Legislative Power to the Executive.



(Abdur Rashid Mandal)
MLA, Assam Legislative Assembly