

**GUJARAT SECONDARY AND HIGHER SECONDARY EDUCATION
(AMENDMENT) BILL, 2026.**

GUJARAT BILL NO. 26 OF 2026.

A BILL

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

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

1. (1) This Act may be called the Gujarat Secondary and Higher Secondary
Education (Amendment) Act, 2026.
(2) It shall come into force on such date as the State Government may, by
notification in the *Official Gazette*, appoint.

**Short title and
commencement.**

**Amendment
of section 2 of
Guj. 18 of
1973.**

2. In the Gujarat Secondary and Higher Secondary Education Act, 1972 (hereinafter referred to as “the principal Act”), in section 2, -

**Guj. 18 of
1973.**

- (i) after clause (f), the following clauses shall be inserted, namely: -
 - “(ff) “Government aided private higher secondary school” means a higher secondary school owned and managed by a private management, which receives financial aid or grant-in-aid from the Central Government or the State Government;
 - “(fff) “Government aided private secondary school” means a secondary school owned and managed by a private management, which receives financial aid or grant-in-aid from the Central Government or the State Government;”;
- (ii) for clause (nn), the following clause shall be substituted, namely: -
 - “(nn) “private higher secondary school” means a higher secondary school which is not owned, managed, or sponsored by the Central Government or any State Government and which does not receive any financial aid from the Central or the State Government;”;
- (iii) for clause (o), the following clause shall be substituted, namely: -
 - “(o) “private secondary school” means a secondary school which is not owned, managed or sponsored by the Central Government or any State Government and which does not receive any financial aid from the Central or the State Government;”;
- (iv) after clause (w), the following clause shall be inserted, namely: -
 - “(ww) “special educator” means a person who has undergone specialised training in special education through a course approved by the Rehabilitation Council of India constituted under section 3 of the Rehabilitation Council of India Act, 1992 and who is registered with the Central Rehabilitation Register maintained by the Rehabilitation Council of India; such person is qualified to assess, instruct, facilitate and guide learners with disabilities and to design and implement individualised educational interventions and supports for them;”.

34 of 1992.

3. In the principal Act, in section 3, in sub-section (2), -
- (i) under the heading “Class A- *Ex-Officio* Members”, the entry at serial No. (viii) shall be deleted;
 - (ii) under the heading “Class B- Elected Members”, -
 - (a) for the entry at serial No. (iii), the following entry shall be substituted, namely: -

“(iii) one member elected by the teachers of registered secondary schools other than post basic schools and Government schools from amongst themselves;”;
 - (b) for the entry at serial No. (v), the following entry shall be substituted, namely: -

“(v) one member elected by the non-teaching staff of registered Government aided private secondary schools, registered Government aided private higher secondary schools, registered private secondary schools and registered private higher secondary schools, from amongst themselves;”;
 - (c) for the entry at serial No. (vi), the following entry shall be substituted, namely: -

“(vi) one member elected by the teaching staff of registered higher secondary schools other than post basic schools and Government schools from amongst themselves;”;
 - (d) for the entry at serial No. (ix), the following entry shall be substituted, namely: -

“(ix) one member elected by the Presidents of the Parents' Associations of registered secondary schools and registered higher secondary schools, from amongst themselves;”;
 - (e) in Explanation (1), for the words “private secondary schools”, the words “secondary schools and registered higher secondary schools” shall be substituted.

**Amendment
of section 3 of
Guj. 18 of
1973.**

**Amendment
of section 17
of Guj. 18 of
1973.**

4. In the principal Act, in section 17, -
- (i) in clause (8), for the words “the Board is of opinion that a registered school, has failed to observe any of the conditions of registration or that a registered school is conducted in a manner which is prejudicial to the interests of education”, the words “the Board is of opinion that a registered Government aided private secondary school or registered Government aided private higher secondary school has failed to observe any of the conditions of registration or that a such school is conducted in a manner which is prejudicial to the interests of education” shall be substituted;
 - (ii) in clause (16), for the words “registered private secondary schools and registered private higher secondary schools”, the words “registered Government aided private secondary school, registered Government aided private higher secondary school, registered private secondary schools and registered private higher secondary schools” shall be substituted;
 - (iii) for clause (26), the following clause shall be substituted, namely: -
 “(26) to lay down conditions of appointment, promotion, and termination of employment and rules for conduct and discipline of the head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary schools, registered Government aided private higher secondary school, registered private secondary school and registered private higher secondary school;”;
 - (iv) in clause (42), for the words “registered private secondary school and registered private higher secondary school”, the words “registered Government aided private secondary school, registered Government aided private higher secondary school, registered private secondary school and registered private higher secondary school” shall be substituted.

**Amendment
of section 33
of Guj. 18 of
1973.**

5. In the principal Act, in section 33, in sub-section (1), for the words “registered private secondary school or registered private higher secondary school”, the words “registered Government aided private

secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school” shall be substituted.

6. In the principal Act, for the existing heading of Chapter VI, the following heading shall be substituted, namely: -

“PROVISIONS RELATING TO SERVICES IN REGISTERED GOVERNMENT AIDED PRIVATE SECONDARY SCHOOLS, REGISTERED GOVERNMENT AIDED PRIVATE HIGHER SECONDARY SCHOOLS, REGISTERED PRIVATE SECONDARY SCHOOLS AND REGISTERED PRIVATE HIGHER SECONDARY SCHOOLS.”.

**Amendment
of heading of
Chapter VI of
Guj. 18 of
1973.**

7. In the principal Act, in section 34, -

- (i) for sub-section (1), the following sub-section shall be substituted, namely: -

“(1) The reservation policy of the State Government, as in force and amended from time to time, shall be applicable to all recruitments of teaching and non-teaching staff in the registered Government aided private secondary schools and registered Government aided private higher secondary schools.”;

- (ii) in sub-section (2), for the words “Subject to sub-section (1), the Board shall by regulations regulate the recruitment and conditions of service including conduct and discipline of persons appointed as headmasters, teachers and members of non-teaching staff of registered private secondary schools and registered private higher secondary schools in the State”, the words “The Board shall by regulations regulate the conditions of service including conduct and discipline of persons appointed as head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary schools, registered Government aided private higher secondary school, registered private secondary school and

**Amendment
of section 34
of Guj. 18 of
1973.**

registered private higher secondary school in the State” shall be substituted;

- (iii) in the second proviso, for the words “headmaster, teachers and members of non-teaching staff of that school”, the words “headmaster, teachers, special educators and members of non-teaching staff of that school” shall be substituted.

**Substitution
of section 35
of Guj. 18 of
1973.**

- 8.** In the principal Act, for section 35, the following section shall be substituted, namely: -

**Qualification,
procedure and
method of selection
of head masters,
teachers, special
educators and non-
teaching staff.**

“35. (1) The qualification of head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary school, registered Government aided private higher secondary school, registered private secondary school and registered private higher secondary school shall be such as may be prescribed by rules by the State Government.

(2) The procedure and method of selection of head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary school and registered Government aided private higher secondary school shall be such as may be prescribed by rules by the State Government.”.

**Amendment
of section 36
of Guj. 18 of
1973.**

- 9.** In the principal Act, in section 36, -

- (i) in sub-section (1), for the words “No person who is appointed as a head master, a teacher or a member of non-teaching staff of a registered private secondary school or registered private higher secondary school”, the words “No person who is appointed as a head master, a teacher, a special educator or a member of non-teaching staff of a registered Government aided private secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school” shall be substituted;

- (ii) for sub-section (3), the following sub-section shall be substituted, namely: -

“(3) Where a head master, a teacher, a special educator or a member of non-teaching staff of a registered Government aided private secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school is suspended by the manager of the school, any inquiry having pending or proposed to be held against him, the fact of such suspension together with the grounds therefor, shall be immediately communicated by the manager to an officer authorised in this behalf by the Board, and such suspension shall be subject to ratification by the said officer within a period of forty-five days from the date of the receipt of the communication in this behalf by such officer and it shall be mandatory for such officer to make a decision on communication received.”;

- (iii) in sub-section (4), for the words “Where a head master, a teacher or a member of the non-teaching staff of a registered private secondary school or registered private higher secondary school”, the words “Where a head master, a teacher, a special educator or a member of the non-teaching staff of a registered Government aided private secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school” shall be substituted.

- 10.** In the principal Act, in section 37, for the words “Every contract between a registered private secondary school and a person in service of such school as a head master, a teacher”, the words “Every contract between a registered Government aided private secondary school or registered Government aided private higher secondary school and a person in service of such school as a head master, a teacher, a special educator” shall be substituted.

**Amendment
of section 37
of Guj. 18 of
1973.**

**Amendment
of section 41
of Guj. 18 of
1973.**

- 11.** In the principal Act, in section 41, -
- (i) for sub-section (1), the following sub-section shall be substituted, namely: -

“(1) No manager of a registered Government aided private secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school shall appoint a head master and no manager or head master of such school shall appoint a teacher, a special educator or a member of non-teaching staff of the school except in the manner provided in section 35.”;
 - (ii) in sub-section (2), for the words “one thousand rupees”, the words “ten lakh rupees” shall be substituted.

**Amendment
of section 42
of Guj. 18 of
1973.**

- 12.** In the principal Act, in section 42, for the words “on conviction, be punished with fine which shall not be less than rupees one lakh and which may extend to rupees two lakh”, the words “on conviction, be punished with imprisonment for a term which shall not be less than one year but which may extend to two years, or with fine which shall not be less than ten lakh rupees but which may extend to fifteen lakh rupees, or both” shall be substituted.

**Amendment
of section 44
of Guj. 18 of
1973.**

- 13.** In the principal Act, in section 44, -
- (i) in sub-section (1), for the words “No manager of a registered private secondary school or registered private higher secondary school”, the words “No manager of a registered Government aided private secondary school or registered Government aided private higher secondary school or registered private secondary school or registered private higher secondary school” shall be substituted;
 - (ii) in sub-section (2), for the words “one thousand rupees”, the words “twenty lakh rupees” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Secondary and Higher Secondary Education Act, 1972, to provide for the regulation of secondary and higher secondary education in the State of Gujarat and to establish a Board for that purpose. The Board conducts the certificate examinations for both the secondary school and higher secondary school. The Board grants permission to open new school as well as registration to the schools in the State.

As a welfare State, taking care to ensure that specially abled students are not disadvantaged compared to other students and that they are given appropriate and adequate opportunities in the field of education, it is necessary to regulate the appointment of Special Educators and their administrative controls.

Further, it is required to amend the Gujarat Secondary and Higher Secondary Education Act, 1972 to bring Government aided private secondary and higher secondary schools within the scope of this Act.

It is also required to enhance the amount of the fine for more effective control over activities like imparting secondary education or higher secondary education through a school without registration and discontinuance of school without giving notice as required by the said Act.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

DR. PRADYUMAN VAJA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in following respects: -

Clause 1. - Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 8. - (i) Sub-section (1) of section 35 proposed to be substituted by this clause empowers the State Government to prescribe by rules, the qualification of head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary school, registered Government aided private higher secondary school, registered private secondary school and registered private higher secondary school;

(ii) Sub-section (2) of section 35 proposed to be substituted by this clause empowers the State Government to prescribe by rules, the procedure and method of selection of head masters, teachers, special educators and non-teaching staff of registered Government aided private secondary school and registered Government aided private higher secondary school.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Dated the 3rd September, 2026.

DR. PRADYUMAN VAJA.

ANNEXURE**EXTRACT FROM THE GUJARAT SECONDARY AND HIGHER
SECONDARY EDUCATION ACT, 1972.****(Guj. 18 of 1973)**

2. In this Act, unless the context otherwise requires:-**Definitions.**

(a) to (n) XXX XXX XXX

(nn) "private higher secondary school" means higher secondary school which is not owned, managed or sponsored by the Central or State Government.

(o) "private secondary school" means a secondary school which is not owned, managed or sponsored by the Central or State Government;

(p) to (aa) XXX XXX XXX

3. (1) XXX XXX XXX**Constitution
and
incorporation
of Board.**

(2) The Board shall consist of a Chairman and a Deputy Chairman, both of whom shall be appointed by the State Government and of the following members that is to say-`

Class A - Ex-Officio Members

(i) to (vii) XXX XXX XXX

(viii) the Director of Examination, Gujarat Secondary and Higher Secondary Education Board;

(ix) XXX XXX XXX

Provided that if there is no post having any of the designations mentioned above, the State Government may designate any officer holding a corresponding post, who deals, with the matters that would be normally connected with such post.

Class B-Elected Members.

(i) to (ii) XXX XXX XXX

(iii) one member elected by the teachers of registered schools other than post basic schools from amongst themselves;

(iv) XXX XXX XXX

(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;

(vii) and (viii) XXX XXX XXX

(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) XXX XXX XXX

(x) XXX XXX XXX

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.

17. Subject to the provisions of this Act, the powers and duties of the Board shall be as follows, namely.-

**Powers and
duties of the
Board.**

(1) to (7) XXX XXX XXX

(8) to recommend to the State Government a cut in maintenance grant if after giving a reasonable opportunity of being heard to the management of the school, the Board is of opinion that a registered school has failed to observe any of the conditions of registration or that a registered school is conducted in a manner which is prejudicial to the interests of education or has failed to carry out any instructions issued by the Board to ensure maintenance of academic standards in secondary education and higher secondary education;

(9) to (15) XXX XXX XXX

(16) to exercise proper and effective control on the academic performance and conduct of head-masters and teachers of registered private secondary schools and registered private higher secondary schools and to issue instructions in that behalf to the managements of such schools;

(17) to (25) XXX XXX XXX

(26) to lay down qualifications, methods of selection and conditions of appointment, promotion and termination of employment and rules for conduct and discipline of the headmaster and the teaching and non-teaching staff of registered private secondary schools and registered private higher secondary schools;

(27) to (41) XXX XXX XXX

(42) on receipt of a notice under section 44 in regard to any registered private secondary school and registered private higher secondary school to encourage

the management of any existing registered school to take such action as may be considered necessary for keeping the school proposed to be closed down in a state of continuous functioning or to encourage the formation of a new management for a like purpose ;

(43) to (46) XXX XXX XXX

**Taking over
management of
registered
schools.**

33. (1) Notwithstanding anything contained in any law for the time being in force, whenever it appears to the State Government that the manager of any registered private secondary school or registered private higher secondary school has neglected to perform any of the duties imposed on him by or under this Act or the regulations, and that it is necessary in the public interest to take over the management of the school, it may, after giving to the manager of such school a reasonable opportunity of showing cause against the proposed action and after considering the cause, if any, shown by him take over the management of the school for such period as the State Government may, from time to time fix, so however, that such period shall not exceed five years in the aggregate.

(2) to (7) XXX XXX XXX

CHAPTER VI

PROVISIONS RELATING TO SERVICES IN REGISTERED PRIVATE SECONDARY SCHOOLS

**Recruitment
and condition
of service of
persons
appointed in
registered
private
secondary
schools or
registered
private higher
secondary
schools.**

34. (1) Fifteen per cent. of vacancies of the teaching staff of a registered private secondary school and a registered private higher secondary school shall be filled up by the persons belonging to the Scheduled Castes and the Scheduled Tribes:

Provided that where a person belonging to a Scheduled Caste or Scheduled Tribe is not available for filling any such vacancy, the vacancy shall be filled up as otherwise provided in this Act.

Explanation- In this sub-section,-

(a) "Scheduled Castes" means such castes, races or tribes or parts of, or groups within, such castes, races or tribes as are deemed to be Scheduled Castes in relation to the State of Gujarat under article 341 of the Constitution of India.

(b) "Schedule Tribes" means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Gujarat under article 342 of the Constitution of India.

(2) Subject to sub-section (1), the Board shall by regulations regulate the recruitment and conditions of service including conduct and discipline of persons appointed as headmaster, teachers and members of non-teaching staff of registered private secondary schools and registered private higher secondary schools in the State:

Provided that the conditions of service applicable immediately before the appointed day to the guaranteed staff shall not be varied to their disadvantage except with the previous approval of the State Government:

Provided further that it shall be lawful for any registered private secondary school or registered private higher secondary school imparting post basic education to make, with the previous approval of the Board, additional regulations, consistent with the basic nature and concept of posts basic education and not inconsistent with the regulations made by the Board for regulating the conditions of service of persons appointed as head-master, teachers and members of non-teaching staff of that school.

35. The procedure for selection of teachers and headmasters of registered private secondary and higher secondary schools shall be such as may be notified by the State Government by rules from time to time.

Selection of teachers and headmasters, etc.

36. (1) No person who is appointed as a headmaster, a teacher or a member of non-teaching staff of a registered private secondary school or registered private higher secondary school shall be dismissed or removed or reduced in rank nor shall his service be otherwise terminated by the manager until-

Dismissal, removal and reduction in rank of certain persons.

(a) he has been given by the manager a reasonable opportunity of showing cause against the action proposed to be taken in regard to him, and

(b) the action proposed to be taken in regard to him, has been approved in writing by an officer authorised in this behalf by the Board:

Provided that nothing in this sub-section shall apply to any person who is appointed for a temporary period only.

(2) XXX XXX XXX

(3) Where a head master, a teacher or a member of non-teaching staff of a registered private secondary school or registered private higher secondary school is suspended by the manager of the school pending any inquiry proposed to be held against him, the fact of such suspension together with the grounds therefor, shall be immediately communicated by the manager to an officer authorised in this behalf by the Board, and such suspension shall be subject to ratification by the said officer within a period of forty-five days from the date of the receipt of the communication in this behalf by such officer and if such ratification is not communicated to the manager by the said officer within such period, the suspension under reference shall cease to have effect on the expiry of such period.

(4) Where a head master, a teacher or a member of the non- teaching staff of a registered private secondary school or registered private higher secondary school desires to submit his resignation, the resignation shall be tendered by him in person to the District Education Officer concerned and shall not be accepted by the manager unless it is so tendered and forwarded to him by such officer duly endorsed. The acceptance of any such resignation tendered in contravention of this sub-section shall be ineffective.

(5) XXX XXX XXX

**Certain
contracts null
and void.**

37. Every contract between a registered private secondary school and a person in service of such school as a headmaster, a teacher or a member of nonteaching

staff, whether made before or after the appointed day shall to the extent that it takes away any right conferred on such person by or under this Act, be null and void.

41. (1) No manager of a registered private secondary school or registered private higher secondary school shall appoint a headmaster and no manager or headmaster of such school shall appoint a teacher of the school except in the manner provided in section 35.

**Prohibition
against
appointment.**

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with fine which may extend to one thousand rupees.

42. Any person who contravenes the provisions of sub-section (1) of section 31, shall, on conviction, be punished with fine which shall not be less than rupees one lakh and which may extend to rupees two lakh.

**Penalty for
contravention
of certain
provisions.**

44. (1) No manager of a registered private secondary school or registered private higher secondary school shall close down the school at any time during an academic year and without giving notice in writing of his intention so to do to the Board at least six months before the date with effect from which the school is proposed to be closed down.

**Prohibition
against
discontinuance
of school.**

(2) Any person who contravenes the provisions of sub-section (1), shall, on conviction be punished with fine which may extend to one thousand rupees.

GUJARAT LEGISLATURE SECRETARIAT

GUJARAT BILL NO. 26 OF 2026.

A B I L L

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

**[DR. PRADYUMAN VAJA,
MINISTER FOR EDUCATION]**

**(As published in the Gujarat Government Gazette
of 3rd September, 2026)**

Chetan Pandya,
Secretary,
Gujarat Legislative Assembly.

Government Central Press, Gandhinagar.