

ANDAMAN AND NICOBAR ISLANDS PRIMARY EDUCATION REGULATION 1959

PUBLISHED BY AUTHORITY No. 8, PORT BLAIR, SATURDAY, SEPTEMBER 5, 1959/3BADRA'14, 1881 B lei? A '(gust 1881. No. 17/59.—The following Regulation promulgated by President under clause (1) of article 240 of the Constitution, published in the Gazette Of India, Part 11 Section 1, Extraordinary dated 27th June 1959, is hereby gei\gyal information : — TILE ANDAMAN AND ISLANDS EDECATLO+Nj 1959 No. g or 1950 Promulgated by the President in the Tenth Year of the Republic of India. A Regulation to provide for free and compulsory primary education for children in the Anduman and Nioobur Islands. In exercise of the powers conferred by clause (I) of article 240 of the Constitution, the President is pleased to promulgate the follov, ing Regulation mado by him l. 61_) This Regulation be called the Andaman Short title, •stout and Nicobar Isluogis ('rimary Eduewtion) Regulation, (21 It extends to the. whole of the' I.Tuiou- territory of and Nicol).u• Islunds. It shall reome into force ou such dute a.s the Chief Commission-er by notification in C)ffieial Gazette, appoint, 2. In tlÜs Ulegulation, unless the context otherwise requires, — (a) s' attendance officer" means a person appointed by the Chief Commissioner for any specified area to perform all or any of the functions of an uptendance under this R ; means the Chief (b) Chief Coin missioner Commissioner of the Ancltvmun and Nicobar Islands ; (c) child means a boy or a girl whose age is not less than six, and not more than eleven, years ; eguardian " means any person to whom the care, nurture or custody of any Child falls by law, or by natural right or reeogmseu usage, or who has accepted or •assumed Che care, nurture or custody of any child, or to whom the eare or custody Of any child has been entrusted Ly any lawful uutbority ; Andaman and Nicobar Islands ; (f) prescribed means prescribed by rules made der this Regulation ; (g) primury education '3 means such elementary \$ßducation us be prescribed ; (h) recognised school " means a school or department of a school maintained or aided by the Government for, imparting primary education ; (i) specified urea " means uny referred to seetiop 3, 3. The Chief Commissioner may, after ensuring that Declara t ion of ••p,Eiãed for adequate facilities for imparting primary education to pu Por' children have been provided in uny area, by educauou. in the (umcial Gazette, declare that tu•ea. witliiu the Islands to be an area in which primary educatiou (or children shall be compulsory, and thereupon the provi- sions of sections 4 to 12 inclusive shall take effect in area. 4. (1) Ii shall bethe duty of the guardian of every ot guxr•.diau to eau— child residing within a specified area to cause thé child to cbildreu to Ebool. attend a recognised school in the manner required by sub-section (2) uilless there be a reasonable . excuse -ror biV10u-attendance. '42) The Chief Commissioner Ittay, by order in writins, specify the days in each month and the hours in each day for which any child shall be required to utteud a recognised school} and no child shall be deemed to have attended the school within the meaning of this section unless he has attended the school for so specified

5. No gee shall be levied in respect of any child for Fees cot attending recognised school for obtaining primary education. Any of the following cil•cu tosttvnees shall be deemed Reasovable excuø for to • be a reasonable excuse for the purposes of this lIegulation (a) that there is no recognised school within distance of one mile measured by the shortest route from the residence of the child which he æan attend, or that any such school is a school iu which uny yeligious observance or religious instruction of the nature not upproyed by the g uardian is compulsory ; (b) that the child -bus been granted temporary leave of absence from school for sickness or other prescribed reason ; (c) that the child is receiving instruction in some declared to be satisfactory by the Chief ; (d) that the child has al ready received instruction up to the standard prescribed for primary education ; (e) Chat the child is unfit to attend school by reason of some physigal or mental defect. .53 provisions of section "or that a child is being employed • elsewhere by any person during the specified hours of eoguinuce Ot power to Certain persons be public Protu•tiou of a etiot\ Deleotioa Power attendance at a recognised school, the attendance officer shall warn the guardian or other person, as the ease may be, in the prescribed manner to cause tho child to attend the recognised school, or to discontinue the employment 01 such child, as the case may be, within a week after the receipt of the warning

8. Any guardian or person, whb, after the receipt of a warning under section 7, funs to com'ply •with the cequiremeuts of such warning, shall lie punishbble with which to lify rupees.j. (1) Nc; court "hatll take Cognizance of offence dhdei section eicãpt on the complaint of a person 'ohefãlly or Specially

wuthorised iwiliis behalf by the éhief Cordmissioner. (2) No magistrate of the third class shall try any offence unishable under this Regulation, unless he IS empoveied bs the Chiet CoinmissiOuer ih this iO. The Chiéf Conimissioner may, 'by notification in the Official Gazette, exempt any elasÅ'of PerSOns or any community in any specified area from theoperation of this Regulation

11. Every attendance, oftieer and all persons duly a'Uthorised -under seetioo 9 to make com laiuts shall be deeriâed to be publiie servants Within {he meaning of sectiön of the Indiatl Penal Code

12. NO suit, prosecution or other legal proceeding shall lie against the Government or any aithofity or person in rékpect of anything which is in good faith done Or inten- ded to be done by it or him uncler this Regulatioå or any rule or order made thereunder

13. The Chief Commissioner may, by notification in the Official Gazette, authorise any officer or person to exercise all or any of the powers conferred on him by ghis Regulation except the er to make rules.

14', 11) The Chief Commissioner may, by •notification in the Official Gazette, make rifles vo carry out the purposes of this Regulation. gen'era power, suéll eules may provide for WII or uny of the following mutters, namely : -Z (cy•declaring Vhat s h a I I constitute !irmary education ; (b) the circumstances in which, the autho- ritiés by which, leave may be granted to child under section G ; (c) the manner in liieh warnings by officers shall be given and their powers exercised ; (d) tTio registers statemonés'ahx&dtfrelrtnformation which shall be maintained by recognised 'schools for the purposes of this Regulation ; (e) •other 'matter which maflje, has to be, prescribed. ANP, 5, CJ) Thewower to rules conferred by this section shall be subject to the condition of previous publioution. (4) In making such rules, the Chief Commissioner may direct thata .breach of evny provision thereof shall be puuishable with lnay. extend to RAJENDRA PRASAD, President. 11. C, S, secy. By order, (B. B. SRIVASTAVA)Y A ssistan;t Secretary (Judicial) Wo the Chie/ C ommissioner, A. & N. Vide dminâetrtion•g No-166/62/ F.No.13—63 62—J dated the 3rd Augugt, 1962 publishe the Andaman and Nicobar Gazette No. 8 dated 5th September. 1 962, tho Chief Commi63ionor appoint the 1st day of August, 962 the daie on which the Baid Regulation game Into force.