



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa University
(Amendment) Bill, 2006**

(Bill No. 10 of 2006)

AS

~~To be introduced in the Legislative Assembly of the State of Goa~~

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA**

MARCH, 2006

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(Amendment) Bill, 2006**

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A

BILL

*further to amend the Goa University Act, 1984
(Act 7 of 1984).*

5 BE it enacted by the Legislative Assembly of
Goa in the Fifty-seventh Year of the Republic of
India, as follows:-

1. *Short title and commencement.*— (1) This
Act may be called the Goa University
(Amendment) Act, 2006.

(2) It shall come into force at once.

10 2. *Substitution of new sections for sections
15A and 15B.*— In the Goa University Act, 1984
(Act 7 of 1984) (hereinafter referred to as the
"principal Act"), for sections 15A and 15B, the
following sections shall be respectively
15 substituted, namely:-

20 "15A. Retirement age.— (1) The retirement
age on superannuation of the teaching staff
and of employees in 'D' category of the Goa
University and of the affiliated colleges of the
Goa University, whether aided by the
Government or not, including the Principals
of such colleges, shall be sixty years:

25 Provided that any member of the teaching
staff referred to above who is due to retire on
superannuation at sixty years in the middle of
the academic year, such member of the teaching

staff shall be allowed to retire at the end of such academic year.

(2) A member of the teaching staff who is allowed to retire at the end of the academic year 2005-2006 on completion of the age of fifty-eight years on any day during the said academic year 2005-2006 shall also retire at the age of sixty years and the provisions of sub-section (1) shall accordingly apply to such member of teaching staff.

(3) The retirement age on superannuation of persons other than the teaching staff and of employees in 'D' category as stated in sub-section (1) above, by whatever category called, of the Goa University and affiliated colleges of the Goa University, whether aided by the Government or not, shall be fifty-eight years.

Explanation.—For the purpose of this section,-

(a) "academic year" shall mean the period from 1st June to 31st May;

(b) "teaching staff" shall mean and include all the teaching staff of the Goa University and also of all the colleges affiliated to the Goa University including Principals of such colleges.

15B. *Bar on University and its authorities.*—The Goa University or for that matter any authority under the Goa University Act, 1984 (Act 7 of 1984), shall not have any powers to make any statute dealing with the age of retirement or extension in service of any teaching staff or any other employee of the

Goa University or any teaching staff or any other employee of aided or non-aided colleges affiliated to the said University and if any such powers stand conferred on any authority under the provisions of the said Act, 1984, they shall, to that extent, stand repealed. Any statute so made or existing shall, to the extent it contravenes any of the provisions of the Goa University (Amendment) Act, 2006, be deemed to be void and of no effect."

3. *Amendment of section 15C.*— In section 15C of the principal Act, the words "teaching or" and the words and figure "including Principals of such Colleges," shall be omitted.

Statement of Objects and Reasons

In terms of section 15A of the Goa University Act, 1984 (Act 7 of 1984), the retirement age on superannuation of teaching and non-teaching staff of the Goa University and of the Colleges affiliated to the Goa University, whether aided by the Government or not, including the Principals of such colleges, except employees in "D" category, shall be fifty-eight years.

In Goa, the retirement age for the University and College teaching staff has always been 60 years even before the Goa University Act, 1984 (Act of 1984) came into force, based on the pattern of the University of Bombay to which all the Colleges in Goa were then affiliated. The retirement age in many other State Universities is 60 years and Central Universities and other National Institutions is 62 years.

The reduction of retirement age in the State of Goa has triggered movement of faculty to the other Universities. Qualified young faculty are also reluctant to join the Goa University for fear of early retirement and even if they come, they prefer an early exit. In such situations, the commitment and performance from the faculty will not be at the desired level. To prevent academic loss resulting from want of senior experienced teachers who have left/leaving the Goa University for better prospects, it is essential to restore the retirement age to 60 years. Hence, it is proposed to amend said section 15A of the said Act so as to enhance the retirement age from 58 to 60 years for teaching staff of the Goa University and of its affiliated Colleges.

Amendment to sections 15B and 15C is consequential amendment.

Financial Memorandum

The financial implications due to the proposed enhancement of retirement age of all the teaching staff of the Goa University and its affiliated Colleges to 60 years works out to Rs.70.00 lakhs approximately annually. This additional liability arises from salary differentials and higher pension scales.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this bill.

Porvorim, Goa,
17th March, 2006

LUIZINHO FALEIRO
Minister for Education

Assembly Hall,
Porvorim, Goa
17th March, 2006.

T. N. DHRUVA KUMAR
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution

In pursuance of Article 207 of the Constitution of India, I, S. C. Jamir, the Governor of Goa, hereby recommend the introduction and consideration of the Goa University (Amendment) Bill, 2006 by the Legislative Assembly of Goa.

ANNEXURE

Extract from the Goa University Act, 1984
(7 of 1984)

"15A. *Retirement Age.*— The retirement age on superannuation of Registrar, Dean of Faculty, Professor, Reader, Assistant Professor, Lecturer, Finance Officer, Deputy Registrar, Assistant Registrar and other teaching and non-teaching staff, except the employees in "D" category of the Goa University, and teaching and non-teaching staff of affiliated colleges of the University, within exception of employees in "D" category whether aided by the Government or not including the Principals of such colleges shall be fifty-eight years:

Provided that only the members of the teaching staff referred to above who are in service beyond the age of fifty-eight years and has not attained the age of sixty years during the academic year 2002-2003, such members of the teaching staff shall be allowed to continue in service till the end of the academic year 2002 -2003, by grant of extension in service:

Provided further that any member of the teaching staff referred to above who is due to retire on superannuation in the middle of the academic year such member of the teaching staff shall be allowed to retire at the end of such academic year.

Explanation.— For the purpose of this Section, "academic year" shall mean the period from 1st June to 31st May.

15B. *Bar on University and its authorities.*— The Goa University or for that matter any authority under the Goa University Act, 1984 (Act 7 of 1984), shall not have any powers to make any statute dealing with the age of retirement or extension in service of any teaching and non-teaching staff or any employee of the University or any employee of aided or non-aided

colleges affiliated to the said University and any such powers if stands conferred on any authority under the provisions of the said Act, 1984 shall to that extent stand repealed. Any statute so made or existing shall, to the extent it contravenes any of the provisions of the Goa University (Amendment) Act, 2002, be deemed to be void and of no effect.

15C. *Provisions for giving effect over other existing provisions.*— Notwithstanding anything contained in any other provisions of this Act or Statutes and Ordinances of the University or any other law for the time being in force or notification, rules, regulations, decree, order or judgement of any court, circular or instructions, every employee of the Goa University and also that of all colleges affiliated to the Goa University, whether aided or not, and falling in teaching or non-teaching category, including Principals of such colleges, except "D" category employees, shall retire on superannuation at the age of fifty-eight years".

Assembly Hall,
Porvorim, Goa
17th March, 2006.

T. N. DHRUVA KUMAR
Secretary to the Legislative
Assembly of Goa.