

# **The Goa Members of the Legislative Assembly (Special Rights) Act, 1995**

(Goa Act No. 18 of 1995) [12-8-1995]

AN

ACT

*to confer special rights on Members of the Legislative Assembly of the State of Goa who are serving in the Government aided educational institutions.*

Be it enacted by the Legislative Assembly of the State of Goa in the Forty-sixth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Goa Members of the Legislative Assembly (Special Rights) Act, 1995.

(2) It shall be deemed to have come into force with effect from the 1st day of April, 1995.

**2. Definition.**— In this Act, the terms and expressions used but not defined in the Act, shall have the same meaning as assigned to them under the respective enactment as in force.

**3. Special rights of Members of the Legislative Assembly.**— (1) Where an elected Member of the Legislative Assembly of the State of Goa is, on the date of his election, employed in a Government Aided Primary, Middle, Secondary or Higher Secondary Educational Institution, then, if,—

- (a) elected by the Legislative Assembly as the Speaker or Deputy Speaker thereof; or
- (b) appointed as a Minister under Article 164 of the Constitution of India or recognised as Leader of Opposition; or
- (c) exercises option to be on special leave as specified in this sub-section;

he shall be entitled to a special leave without pay from the concerned educational institution till he continues to hold such office or the membership as the case may be, and shall, on giving a notice of holding of such office, be deemed to be on special leave from the educational institution in which he was so employed from the date of such election, appointment or recognition, as the case may be.

(2) If the provision of sub-section (1) is not applicable to any such Member, he shall be granted special leave without pay by the educational institution to attend to the Business of the Legislative Assembly for such period as may be specified in a certificate to be issued by the Speaker of the Legislative Assembly.

(3) Any leave granted to a Member of the Legislative Assembly by the educational institution under the provisions of this section shall be deemed as period spent on duty for the purposes of retirement benefits as also for determination of his seniority in the educational institution.

**[“3-A. Act to apply to certain cases.**— Notwithstanding anything to the contrary contained in this Act, the provisions of this Act shall be applicable to any elected Member of the Legislative Assembly of the State of Goa or of the then Union Territory of Goa, Daman and Diu, as the case may be, who, on the date of his election as such member, was employed in a Government Aided Primary, Middle, Secondary or Higher Secondary Educational Institution in Goa, at any time during the period commencing from the 1<sup>st</sup> day of January, 1981 to the 31<sup>st</sup> day of March, 1995.”.]

**4. Act to override other laws.—** The provisions of this Act shall have effect notwithstanding anything contained in the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985).

Secretariat Annexe,  
Panaji,  
17th August, 1995.

B. S. SUBBANNA,  
Secretary to the Government of Goa,  
Law Department (Legal Affairs).

<sup>1</sup> Inserted by the Amendment Act 19 of 2004.