Management of Recognized Non-Government Institutions (Aided & Unaided Rules, 1969) as Amended upto 1984

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Management of Recognized Non Government Institutions (Aided and Unaided Rules, 1963, as amended upto 9th August, 1984.

Rules for Management of Recognised Non-Government Institutions (Aided and Unaided) 1969, as per Government Notification No. 1598-Edn (S) dated 15th July, 1969, published in the Extraordinary issue of the Calcutta Gazette dated July 15, 1969, including the amendments made thereto in State Government Notification No. 41-Edn(S)/8B-12/72 dated 8th January, 1974 published in the Extraordinary issue of the Calcutta Gazette dated 11th January, 1974, Government Notification No. 1541-Edn(S) dated December 15, 1977 and Government Notification No. 2675-Edn(S) dated December 19, 1978 and amendments made under State Government's Notification No. 855-Edn(S) dated December 23, 1980 and published in the Extraordinary issue of the Calcutta Gazette dated January 5, 1981, Notification No. 640 Edn(S) dated, June 24, 1981 published in the Extraordinary issue of the Calcutta Gazette dated June 26, 1981, Notification No. 114-Edn(S) dated 3rd March 1982 and Notification No. 777-Edn(S/8B-3/83 dated 9th August, 1984.

1. **SHORT TITLE**—These rules may be called the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969.

2. **DEFINITIONS** —In these rules unless there is anything repugnant to the context—

(a) "the Act" means the West Bengal Board of Secondary Education Act, 1963 (West Bengal Act V of 1963), as amended ;

(b) "Institution" means an institution as defined in clause (c) of Section 2 of the Act and recognized under the Act or within the meaning of the West Bengal Secondary Education Act, 1950 (West Bengal Act XXXVII of 1950) ;

(c) "Committee" means Managing Committee as defined in clause (d) of Section 2 of the Act ;

(d) the expression 'Board" and "Head of Institution" shall have the same meaning as in the Act ;

(e) "Director" means the Director of School Education, West Bengal ;

(ee) "Executive Committee" means the Committee Constituted under clause (aa) of Section 18 of the Act ;

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(f) "Non-Government" in relation to an Institution means an Institution which is not maintained or managed by the State Covernment, the Union Government or the Railway Board ;

(ff) ' Sanctioned post" means the post of teaching or non-teaching staff sanctioned by the Director or by an officer authorized by him in this behalf ;

(g) "Sponsored Institution" means an Institution which is declared as such by the State Government by a Notification published in Official Gazette ;

Provided that an institution shall not be declared as a sponsored institution unless it is—

(i) established by the State Government with or without aid or co-operation from others, or

(ii) taken over by the State Government with the consent of the majority of persons for the time being in charge of its management for its being maintained by the State Government insofar as its financial deficit is concerned, completely by grant-in-aid.

3. **COMMITTEE**—Every recognized Non-Government Institution shall have a Committee to be consituted in the manner and for the purposes hereinafter appearing.

NOTE : Higher Secondary Classes, namely, Classes XI and XII recognized by the West Bengal Council of Higher Secondary Education shall be treated as an integral part of the Institution under one and the same Committee and shall be governed by the rules prescribed hereunder.

4. **REGISTER OF VOTERS :**

(1) A register of eligible voters for the constitution of the Committee shal be prepared by the Head of an Institution in consultation with the members of the existing Committee, if there is any, in a meeting to be convened by the Head of the Institution for the purpose, with seven clear days' notice to be served by registered post with acknowledgment due and shall, after such consultation, be revised annually. The register shall be provisionally closed on the 15th day of March very year. It shall be open to public inspection for at least one month from that date and shall be finally closed on the last day of April every year with such revision as may be made by the Head of the Institution in consultation with the members of the Committee. In case there be any dispute between the Head of Institution and the majority of the members of the Committee, the matter shall be referred to the District Inspector/Inspectress of Schools concerned and his/her decision in the matter shall be final.

(2) In the year in which an election for the constitution or reconstitution of the Committee falls due, such register of eligible voters shall be provisionally closed, and the

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electoral rolls published simultaneously on the notice-board of the institution not less than one month before the date of the election. The register of eligible voters shall be finally closed not less than fifteen days before the date of the election with such rivision as may be made by the Head of the Institution in consultation with the members of the Committee. In case of dispute between the Head of the Institution and the majority of the members of the Committee, the procedure laid down in sub rule (1, shall be followed.

(2a) The programme in detail for the purpose of holding election for constitution or reconstitution of the Committee shall be prepared by the Head of the Institution and got approved by the Committee. The election programme and the provisional voters' list shall be got approved by the Committee in the meeting to be convened by the Head of the Institution for the purpose.

(2b) In case the Head of the Institution fails or neglects to convene the meeting for the purpose of approving the election programme in detail for holding election for reconstitution of the Committee or to conduct election as per approved election programme, the Secretary, with the approval of the Committee, shall forthwith report the matter to the District Inspector of Schools concerned. The District Inspector of Schools may, after due consideration, entrust all work pertaining to the election of the Committee, including the preparation of voters' list, duties of Scrutiny Officers, or appointment of Election Officers, etc., to the Assistant Headmaster/Assistant Head Mistress, or if there be no Assistant Headmaster/ Assistant Headmistress, to the seniormost approved Assistant Teacher of the Institution, and in that event, action may be taken against the Head of the Institution by the Committee in terms of Clause (viia) of sub-rule (9) of Rule 28 :

Provided that where the Head of the Institution fails to get the election programme and/or the voters' list approved by the Committee in time due to lack of quorum or for other reasons beyond his/her control, the election programme and the voters' list may be get approved by the District Inspector of Schools concerned. The District Inspector of Schools, before approving the election programme, shall satisfy himself about the correct position of the case.

(2c) In the event of cases referred to in sub-rule (2b), the Board shall have the power to appoint a Scrutiny Officer, and/or Election Officer, if necessary, to perform the work relating to the election for reconstitution of the Committee at all stages and shall give such direction, as may be necessary, for the holding of election for constitution or reconstitution of the Committee of the Secondary Schools.

(3) After the election has been completed the register shall be reopened for making fresh entries.

5. PARTICULARS IN THE REGISTER OF VOTERS :

The Register of eligible voters shall contain the names of (i) all guardians whose names are entered as such in the Admission Register (ii) founders of the Institution who been recognized as such from the inception of the Institution.

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Explanation –For the purpose of this rule,—

(1) An employee of the Institution who is also a guardian, or founder shall be entitled to have his name registered as a guardian or as a founder, as the case may be, but shall not be eligible to stand for election to any of the categories other than category (v) referred to in Rule 6, although he/she small have the right to vote as guardian or founder, as the case may be ;

(2) [Omitted Vide Notification No. 777-Edn (S) dt. 9.8.1984]

Note : (a) The term "guardian" means father or mother, or, in the absence of both by death or disappearance, one of the following relations in the order stated, namely grandfather, grandmother, brother, sister, paternal uncle and maternal uncle. In the absence of all such relations, any other relation with whom the ward is actually residing shall be the guardian. But no one shall be the guardian if he/she is below 21 years of age and whose name does not occur in the Admission Register.

(b) The term 'founder' means a person who has been recognised as such by the First Committee of the Institution constituted according to the rules after recognition by the appropriate authority, and his/her name has occurred as a founder in the voters' list for constitution and for successive reconstitution, if any, of the Committee since its inception and on the death of the founder, his/her son or other heir shall not be entitled to be treated as a founder unless his/her right to be so treated has been recognized in any registered deed executed by the founder and accepted by the First Committee as aforesaid and approved by the University of Calcutta or the West Bengal Board of Secondary Education. In case of any dispute, the matter shall be referred to the Executive Committee whose decision thereon shall be final.

6. COMPOSITION OF THE COMMITTEE OF AN INSTITUTION OTHER THAN THAT SPONSORED BY THE STATE GOVERNMENT :

The Committee shall consist of the following members :—

(i) one founder to be chosen in the manner provided in Rule 6A ;

(ii) one Life-Member, if any, to be selected or nominated in the manner laid down in Rule 6A ;

(iii) four guardians in the case of institutions having classes XI and XII recognized by the West Bengal Council of Higher Secondary Education and/or X-Class

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High Schools and two guardians in the case of Junior High Schools, to be elected or nominated, as the case may be, in the manner laid down in sub-rule (2) of Rule 6A ;

(iv) one person interested in education (to be co opted) in the manner laid down in clause (i) of sub-rule (3) of Rule 6A :

Provided that in the case of an institution located with in the jurisdiction of a Panchayat, one person interested in education shall be the nominee of the local Panchayat Samity. The person so nominated shall be a resident of the locality within the jurisdiction of the said Panchayat Samity ;

(v) three teaching staff except the Head of an institution and one non-teaching staff in the case of an institution with Higher Secondary Classes (XI and XII) recognised by the West Bengal Council of Higher Secondary Education and/or a X-Class High School and two members from among the teaching and non-teaching staff in the case of a Junior High School, to be elected in the manner prescribed in Clause (i) of sub-rule (4) of Rule 6A ;

(vi) one member of the Committee shall be nominated by the Director or by an officer authorised by him in this behalf ;

(vii) Head of the Institution (ex-officio).

Provided that no person shall be eligible to represent more than one Category.

6A. MANNER OF FORMATION OF COMMITTEE :

(1) Persons whose names are entered in the register of eligible persons as founders all be the member of the Committee, one at a time by rotation, according to the procedure be determined by the Director or by an officer authorised by him in this behalf :

(i) If a person has paid not less than Rs. 20,000/- or its equivalent to the Institution, he shall be a Life-Member of the Committee during his life-time or shall have the right of nominating a person as a member on the Committee. But a person who has donated Rs. 10,000/- or more in cash or kind immediately preceding the date of issue of Notification No. 855-Edn(S), dated the 23rd December, 1980, shall, however, continue as a Life-Member of the Committee :

Provided that when there are more than one Life-Member and the Life-Member selected by rotation by the Director or by an officer authorised by him in this behalf, declines to serve on the Committee, the Director or the officer authorised by him in this behalf may select any other Life-Member from the panel, who is willing to serve on the Committee ;

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(ii) a person nominated by a Life-Member shall cease to be a member of the Committee on the death of the Life-Member ;

(iii) [omitted vide Notification No. 777-Edn(S) dt. 9.8.1984]

(2) Persons whose names are entered in the register of eligible voters as guardians shall elect from among themselves to the Committee four members in the case of Schools with Higher Secondary Classes (Classes XI and XII) recognised by the West Bengal Council of Higher Secondary Education and/or X-Class High Schools and two members in the case of Junior High Schools :

Provided that in the case of a Girls' Institution, one of the seats for guardians, where there is one or more female guardians, shall be reserved for a woman and if no female guardian is elected, the seat shall be filled up by nomination from among the female guardians included in the voters' list in the category of guardians by the District Inspector of Schools concerned.

Provided further that the member to be nominated by the District Inspector of Schools under the first proviso shall be placed by the District Inspector of Schools concerned within thirty days from the date of election of members from different categories. The Head of the Institution shall, in case of default on the part of the District Inspector of Schools, inform the Executive Committee of the matter immediately after the expiry of the period referred to above and, in that event the Executive Committee shall take such action in consultation with the Director as it deems fit.

(3) (i) one person interested in education shall be co-opted in the meeting convened for the purpose of co-option by the elected, nominated and ex-officio-members and the Life-Member, if any, of the newly-constituted Committee provided that the person concerned expresses his/her consent before such co-option in writing to the Head of the Institution for serving on the Committee as co-opted member. Such co opted member shall enjoy all the rights of a duly-elected member of the Committee and shall be eligible for election as office-bearer.

Provided that in the case of an Institution situated within the jurisdiction of a Panchayat, a person interested in education shall be nominated by the Local Panchayat Samity.

Provided further that the member to be nominated by the Local Panchayat Samiti under the first proviso shall be placed by the Local Panchayat Samiti within thirty days from the date of election of the members from different categories. The Head of the institution shall, in case of default on the part of the Local Panchayat Samiti, inform the Executive Committee of the matter immediately after the expiry of the period referred to above and, in that event the Executive Committee shall take such action as it deems fit.

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(ii) the Head of a newly recognised institution shall, prior to the election of office bearers, convene a meeting of the elected, nominated and ex-officio members and the Life member, if any, of the newly constituted Committee and consider the name (s) of founder (s) of the institution as required under clause (b) of the Note below rule 5 :

Provided that in the case of an institution in an urban area, the Head of a newly recognised institution shall, prior to the date of election of office bearers, also consider the name (s) of founder (s) of the institution and approve the same as indicated in clause (b) of Note below rule 5, at a meeting of the elected, nominated and ex-officio members and Life member, if any, convened for the purpose of co-option of a person interested in education as provided in clause (i) of sub-rule (3) of rule 6A.

(4) (i) The members of the teaching and the non-teaching staff of an Institution shall elect jointly three members from among the teaching staff (except the Head of an Institution) and one member from among the non-teaching staff to the Committee, if it is an Institution with Higher Secondary Classes (XI and XII) recognised by the West Bengal Council of Higher Secondary Education and/or a X Class High School, and those of a Junior High School shall elect jointly two members from among the teaching and the non-teaching staff to the Committee.

Explanation :—

Members of the teaching and non-teaching staff mean wholetime members of the teaching and the non-teaching staff working against sanctioned posts or additional sanctioned post, including probationers who have completed at least four months' continuous service on the date of election.

(ii) Immediately after the election, the same electorate shall elect to the Finance Sub-Committee one member from among the members elected to the Committee under clause (i) of sub rule (4).

(5) In case of any dispute the matter shall be referred to the Executive committee whose decision in the matter shall be final.

Rule 7 Omitted.

8. POWER OF THE EXECUTIVE COMMITTEE TO APPROVE AND SUPERSEDE COMMITTEE, APPOINT ADMINISTRATOR OR ADHOC COMMITTEE AND TO GRANT SPECIAL CONSTITUTION :

(1) The constitution of a Committee shall be subject to the approval of the Executive Committee and the Executive Committee shall have the power to supersede a Committee that has, in its opinion, not been functioning properly and to appoint an Administrator or an Ad-hoc Committee to exercise the powers and perform the functions of the Committee :

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Provided that before superseding a Committee under this rule the Executive Committee shall have due regard to the report of the Director and shall afford a reasonable opportunity to the Committee to present its case before the Executive Committee ;

(1a) The Executive Committee shall have also power to appoint an Administrator or ad-hoc Committee in respect of any institution where the term of the Committee has expired, but the Committee has not been reconstituted for any reason whatsoever.

(2) An Administrator or an ad-hoc Committee, appointed under sub-rule (1) or sub-rule (1a), shall exercise the power and perform the functions of the superseded Committee or of the Committee whose term has expired, as the case may be, ordinarily for one year and the Executive Committee may, by order, extend, in special circumstances, the term of office of the Administrator or the Ad-hoc Committee, as the case may be, by a further period, not exceeding six months at a time so, however, that the total period shall not exceed two years and the Administrator or the Ad-hoc Committee, as the case may be, shall take steps to reconstitute the Committee under these rules before the expiry of the term of office of the administrator or the Ad-hoc Committee, as the case may be.

In exceptional circumstances which are beyond the control of the Administrator or the Ad-hoc Committee, the term may, on the application of the Administrator or the Ad-hoc Committee, be extended by the Executive Committee for such period as the Executive Committee deems fit.

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(3) Notwithstanding anything contained in these rules, the Executive Committee shall have the power to approve, on the application of any institution or class of Institutions, of the special constitution of a Committee in favour of such Institution or class of Institutions and in approving the specical constitution of a Committee, the Executive Committee shall pay due regard to the recommendations of the Director, if any. While granting special constitution in favour of an Institution or a class of Institutions, the Executive Committee shall ensure that representation of the members of the teaching and the non-teaching staff, guardians and the member nominated by the Director or an officer authorised by him in this behalf, is made according to clause (iii), clause (v) and clause (vi) of Rule 6 :

Provided that if the Executive Committee is of opinion that a school enjoying special constitution has not been functioning properly, the Executive committee may, after paying due regard to the recommendations of the Director, if any, amend or withdraw such special constitution of a Committee and in that event, the Executive Committee may, by order, appoint an Administrator or an Ad-hoc Committee, as the case may be, to exercise the powers and perform the functions of the Committee for such period as may be specified in the order.

(4) The constitution of a committee shall be forwarded to the Executive Committee through the Director whose observations thereon shall be considered by the Executive Committee before the Executive Committee approves of the Committee.

9. PROCEDURE FOR ELECTION :

(1) The procedure of the election under Rules 6 and 6A shall be laid down by the Board.

(2) The date of election of a Committee for the purpose of its reconstitution shall be fixed at least 60 (sixty) days before the expiry of the term of the existing Committee.

(3) The member referred to in clause (vi) of Rule 6 shall ordinarily be placed by the Director or by an officer authorized by him in this behalf within thirty days of the date of election of members from different categories. The Head of the Institution shall, in case of default on the part of the Director or an officer authorised by him, inform the Executive Committee of the matter immediately after the expiry of the period referred to above and, in that event, the Executive Committee shall take such action in consulation with the Director as it deems fit.

10. OFFICE-BEARERS OF COMMITTEE AND QUORUM :

(1) The Committee shall ordinarily consist of not more than thirteen members as specified in Rule 6 including the President, the Vice-President and the Secretary who shall be elected by the members of the Committee from among themselves :

Provided that no member of the teaching staff and of the non teaehing staff shall be eligible for election to the office of the President or Vice-President of the Committee ;

Provided further that only the Head of the Institution from among the teaching and the non-teaching staff shall be eligible for election to the office of the Secretary of the Committee :

Provided also that if the Head of the Institution is not elected Secretary of the Committee, he shall be Joint Secretary of the Committee.

(2) Any elected office-bearer may be removed from office where such removal is in the interest of the Institution by majority votes.

(3) Fifty per cent of the total number of members of the Committee shall form a quorum for a meeting of the Committee, fraction, if any, being computed to one ;

(4) If any category of members of the Committee remains unrepresented, there shall be no bar to the constitution or the reconstitution of the Committee, provided the Executive Committee accords necessary permission.

(Inserted by Notification No. 777-Edn (S) dt 9.8.1984)

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11. CASUAL VACANCY :

(1) If any member of the Committee ceases at any time to fulfil the qualification in respect of which he was elected, nominated or co-opted he shall cease to be a member and the vacancy so caused shall, subject to sub rule (2), be filled by election, co-option or nomination, as the case may be.

(2) Any casual vacancy in the office of a teacher or a non- teaching employee shall be filled up by election in the manner laid down in rule 6A

(3) Casual vacancies other than the vacancy in the office of a teacher or a non-teaching employee shall be filled up by co-option from the original list of voters on the basis of which the Committee was constituted or reconstituted, but the member so co-opted shall represent the interest in respect of which the vacancy occurs.

(4) Any member elected, nominated or co opted to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the representative whose place he fills.

12. TERM OF COMMITTEE :

Subject to the approval of the Committee by the Executive Committee the term of the Committee shall be three years from the date on which its constitution or reconstitution is completed by the election of the office-bearers and nomination by the Director or from the date of expiry of the term of the previous Committee whichever is later ;

Provided that such term may be extended by the Executive Committee for sufficient reasons, by a period not exceeding one year. In exceptional circumstances, where, in the opinion of the Executive Committee the Committee cannot be constituted or reconstituted within the period of such extension, the Executive Committee may, extend such period further so, however, that the total period shall not exceed two years.

Provided further that if the Committee is not constituted or reconstituted within the extended term of the Committee, the Executive Committee shall take such action as it deems fit.

13. VACANCY CAUSED BY ABSENCE :

Any member of the Committee other than the Life-Member as defined in Rule 6A and the member as defined in clause (vi) of Rule 6 ; absenting himself from four consecutive meetings shall automatically cease to be such member unless the Committee otherwise directs. The vacancy shall be filled up as provjded in Rule 11.

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14. AUDIT :

The Director shall annually appoint, from the panel maintained by him an Auditor who shall examine the accounts of the Institution and submit his report to the Committee on or before 31st of December of the year following the financial year in respect of which accounts have been examined and two copies of such report shall be forwarded to the Director who shall send one copy to the Executive Committee. The Director may call for explanation of the Committee on the irregularities pointed out in the audit report and Committee shall submit to the Director within six weeks of receipt of the communication its explanation indicating the action taken or proposed to be taken on the irregularities. If the explanation is not considered satisfactory, the Director may move the Executive Committee for supersession of the Committee.

15. FINANCE SUB-COMMITTEE :

(1) There shall be in each Institution a Finance Sub-Committee of the Committee and the Finance Sub-Committee shall consist of—(i) Secretary of the Committee, or where the Head of the Institution is the Secretary, the President of the Committee—Chairman ; (ii) Head of the Institution—Secretary ; (iii) A member of the teaching and the non-teaching staff elected under rule 6A—member.

(2) Subject to the general supervision of the Committee it shall be the duty of the Finance Sub-Committee to (i) prepare budget estimate of the Institution, (ii) consider audit report and auditor's annual report, (iii) check bills, (iv) invite tenders, (v) place work-orders, (vi) scrutinise vouchers and (vii) transact any other business that may be assigned to it by the Committee. All payments exceeding Rs 100/- shall require prior approval of the Finance Sub-Committee except salary of the staff and approved recurring expenditure of the Institution.

16. MEETING OF COMMITTEE :

A meeting of the Committee shall be called by the Secretary at least once in every two months except during the vacation. Not less than seven days' notice of the meeting shall ordinarily be given.

17. SPECIAL MEETING :

A special meeting shall be convened by the Secretary within a fortnight when a requisition for such a meeting is made by not less than four members of the Committee. Not less than seven days' notice of such meeting shall be given.

18. SPECIAL MEETING CONVENED BY REQUISITION :

If the Secretary fails to convene a special meeting, the requisitionists shall refer the matter to the President who shall convence the meeting. In the event of the President failing

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to convence the meeting within ten days after reference to him, the requisitionists, not being less than half of the total number of members, shall have power to convene the meeting after giving seven days' notice.

19. EMERGENCY MEETING :

Emergency meetings may be convened by the President, if necessary, with not less than twenty-four hours' notice to consider a matter of emergent nature requiring immediate attention. All resolutions passed at an emergency meeting shall be subject to confirmation or revision at the next ordinary meeting.

20. PLACE OF MEETING :

All meetings shall be held in the premises of the Institution, unless the members of the Committee decide unanimously to the contrary.

21. AGENDA :

The notice of each meeting shall set forth the business to be transacted at the meeting, the agenda being drawn up by the Secretary of the Committee in consultation with the Head of the Institution and the President of the Committee and, except with the consent of three-fourths of the members present, no business other than that so stated shall be transacted, provided that no matter involving the appointment or deputation or dismissal or removal of a teacher or other employee shall be taken up unless the matter has been placed on the agenda of the meeting issued with the notice, and evidence of service of such notice is maintained and preserved for inspection by any member of the Committee or any person athorised by the Board or the Director or the State Education Department.

22. PRESIDENT TO PRESIDE :

The President shall preside at a meeting of the Committee. In the absence of the President, the Vice-Presideht, if there is any, shall preside and in the absence of the President and the Vice-President, the members present shall elect one from amongst themselves who shall preside.

23. CASTING VOTE :

The President of the meeting shall have a casting vote in addition to his ordinary vote when votes of the members present are equally divided.

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24. AUDITOR'S REPORT :

The Auditor's report on the accounts of the Institution shall be taken into consideration at the first ordinary meeting after the report has been received and considered by the Finance Sub-Committee. A copy of the report, along with the observations of the Committee shall, thereafter, be sent to the Executive Committee and the Director who may call for additional information or explanation in the manner as laid down in Rule 14.

25. DUTIES OF SECRETARY AND JOINT SECRETARY :

(1) Under the direction of the Committee the Secretary shall carry on correspondence with the proper authorities on behalf of the Committee. He shall also keep a record of the proceedings of the meetings of the Committee in a book, maintained for the purpose. The record of each meeting shall be confirmed at the subsequent meeting.

(2) The Joint Secretary shall perform such duties as may be assigned to him by the Committee and shall perform the duties of the Secretary in the case of continued absence of the Secretary and during casual vacancy caused by death, resignation or removal of the Secretary.

26. PRESIDENT TO CONVENE MEETING :

In the temporary absence of the Secretary and the Joint Secretary, the President may convene a meeting.

27. DOCUMENTS :

(1) The Secretary shall be in charge of the invested funds, title-deeds and other legal documents belonging to the Institution. All papers relating to the Institution shall be made available at any time for inspection after due notice by the members of the Committee, or any person authorised by the Board or the Committee or by the Director, Auditor or an officer authorised by the Education Department of the State Government. In all Institutions with pucca buildings all papers, documents and accounts shall be kept in the premises of the Institution.

(2) The accounts of the Institution shall be operated jointly by the Secretary and the Joint Secretary. All bank transactions should be over the joint signatures of both the Seccretary and the Joint Secretary. In the event of a vacancy in either office, the President of the Committee and in the absence of the President any other member of the Committee, authorised by the Committee by a resolution, shall operate the bank account on behalf of the incumbent absent :

Provided that the State Government may, by order in writing,

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(a) authorize any other person or persons to operate the accounts of the institution and/or to carry out bank transactions, or

(b) authorize the Director to appoint an officer under him to operate such accounts and/or to carry out such transactions.

(3) If the Director is satisfied that circumstances exist in which payment of grant-in-aid through the fund of the Institution is not expedient, the Director may authorize an officer under him to draw and disburse the grant-in-aid in such manner as the Director may think fit.

28. POWERS OF COMMITTEE :

(1) In an Aided Institution the Committee shall subject to the approval of the Director, have the power—

(i) to appoint in accordance with the directions given by the Director in this behalf, teachers and other employees on permanent basis against permanent vacancies, if available, within the sanctioned strength of teachers and other employees, approval for such appointment being thereafter sought for from the Director or any officer authorized by him ordinarily within a fortnight from the date of decision of the Committee ;

(ii) to appoint in accordance with the directions given by the Director in this behalf, teachers and other employees, on temporary basis against permanent or temporary vacancies, if available, within the sanctioned strength of teachers and other employees, approval for such appointment being thereafter sought for from the Director or any other officer authorized by him ordinarily within a week from the date of decision of the Committee ;

(iii) to extend the services of teachers and other employees beyond the date of superannuation, approval for such extension being thereafter sought for from the Director or any officer authorized by him ordinarily within a week from the date of decision of the Committee ;

(2) If the officer authorized by the Director under sub-rule (1) does not approve of the appointment or extension of service in any case coming under clause (i) or clause (ii) or clause (iii) of sub-rule (i), as the case may be, he shall refer the case to the Director and in the case of disapproval of any appointment or extension of service, the Director or the officer authorized by him shall communicate to the Committee the reasons therefor.

(3) Where the Committee does not recommend extension of the service of a teacher or an employee under clause (iii) of sub-rule (1), it shall record specific reasons therefor and the person concerned may make his representation to the Director through the District Inspector/

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Inspectress of schools concerned and so far as the Committee is concerned, the decision of the Director shall be final.

(4) In an unaided Institution the Committee shall, subject to the approval of the Board, have the power,

(i) to appoint in accordance with the directions given by the Director or in his behalf, teachers and other employees on permanent or temporary basis, approval of such appointment being thererfter sought for from the Board through the Director ordinarily within a fortnight from the date of decision of the Committee.

(ii) to extend as per conditions laid down by the Director the services of teachers and other employees beyond the date of superannuation, approval for such extension being thereafter sought for from the Board ordinarily within a week from the date of decision of the Committee.

(5) If in any case coming under clause (i) or clause (ii) of sub-rule (4) the Board does not approve of the appointment or extension of service, as the case may be, it shall communicate to the Committee the reasons for dispproval.

(6) Where the Committee does not recommend extension of service of the teacher under clause (ii) of sub-rule (4) it shall record specific reasons therefor and the person concerned may make his representation to the Board and the decision of the Board in the matter shatl be final so far as the Committee is concerned.

(7) In all cases of appointment, both permanent and temporary, the Committee shall issue letters of appointment specifying the terms and conditions of such appointment. In the case of a permanent appointment, a teacher on an employee appointed on probation shall be confirmed on the expiry of the period of probation unless an order to the contrary is issued at least six weeks before the date on which confirmation normally falls due. In the case of an appointment on temporary basis against a permanent post the teacher or the employee so appointed shall be confirmed on completion of two years' continuous satisfactory service in the Institution :

Provided that no appointment shall be made in a vacancy if it is not against a sanctioned post, parmanent or temporary.

(8) Both in aided and unaided Institutions the Committee shall have the power, subject to the prior approval of the Board, to remove or dismiss permanent or temporary teachers and other employees. For this purpose the Committee shall first draw up formal proceedings and issue charge-sheet to the teacher or the employee concerned, and offer him reasonable facilities for defending himself. The teacher or the employee proposed to be proceeded against shall submit his explanation, ordinarily, within a fortnight of the receipt of the charge-sheet. The Committee shall send to the Board all relevant papers including the charge-sheet, explanations submitted by the teacher or the employee concerned and the reasons for which the Committee decides in favour of taking disciplinary action. If the Board considers

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that there are sufficient grounds for taking disciplinary action the Committee shall issue formal notice calling upon the teacher or the employee concerned to show cause, ordinarily, within a fortnight, why he should not be dismissed or removed from service. The Committee shall, then, send again to the Board all relevant papers including the explanation submitted by the teacher or the employee concerned and the recommendations of the Committee for the action proposcd to be takcn So far as the Committee is concerned, the decision of the Board shall be final :

Provided that the Board may delegate to any Committee constituted under section 24 of the Act the powers and functions conferred on the Board by this sub-rule.

(8a) In case of lapses on the part of permanent or temporary teachers and other employees of an Institution, which do not warrant removal or dismissal of the persons concerned, the Committee may impose minor penalities, like stoppage of one increment in pay, reduction of pay in the time scale and censure, with the prior approval of the Board. In all such cases, the Committee shall observe the procedure laid down in sub rule (8).

(9) In aided and unaided Institutions the Committee shall have the power –

(i) to grant leave other than casual leave which shall be granted by Head of the Institution and by the Secretary of the Committee in the case of the Head of the Institution ; to grant increments in pay to teachers and other employees in accordance with the procedure laid down from time to time or where in aided schools the grant of increments is regulated by grant-in-aid rules, in accordance with such rules ;

(ii) to grant free or half-free studentship to students in accordance with the procedure laid down from time to time, but ordinarily with the consent of the Head of the Institution ;

(iii) to manage funds of the Institution as per direction given by the Director from time to time ;

(iv) to frame annual report ;

(v) To deal with all schemes of development of the Institution and such other matters ;

(vi) to allocate the total period of holidays in a year, but special holiday for a day or a portion thereof on account of death of any prominent person or for any special occassion concerning the Institution may be granted by the Secretary or the Head of the Institution at his discretion :

(vii) to grant deputation of teachers, where such deputation is in the interest of the Institution provided that a teacher affected by the decision of the Committee may make his representation to the Director ;

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(viia) to suspend a teacher or an employee where such suspension is in the interest of the Institution, pending drawal of proceedings against the person concerned within ninety days from the date of suspension and during the period of suspension, the person concerned shall be paid pay and allowances equal to fifty per cent of the pay and allowances drawn by him immediately before such suspension. Such steps shall be referred to the Board within seven days of such action for approval. The person affected by the decision of the Committee may, however, make his/her representation to the Board. The order of suspension shall automatically stand withdrawn in case proceedings are not drawn within a period of ninety days, provided that in exceptional circumstances, this time-limit may be waived by the Board after due consideration of the facts of the case, but under no circumstances the time-limit shall be waived beyond the limit of one year :

Provided that where the period of suspension exceeds 90 days, the amount of subsistence allowance shall be increased after the expiry of ninety days to seventy-five per cent of the pay and allowances drawn immediately before such suspension :

Provided further that the person concerned shall not be entitled to any subsistance allowance if he/she accepts employment during the period of suspension elsewhere.

(viii) to deal with other matters that are brought to the Committee in the interest of the Institution.

Note : After Clause (i) of Sub-rule (9) of Rule 28, add the following Note :— "The Committee shall grant leave according to rules shown in the appendix."

Note : An Institution receiving recurring financial assistance in any shape or form from the State Government either for maintenance or for payment of salary and/or allowances of teachers and/or other employees thereof shall be treated as an aided institution for the purposes of these rules

28A. POWER OF THE STATE GOVERNMENT TO TAKE ACTION AGAINST A MEMBER OF THE COMMITTEE :

Notwithstanding anything contained elsewhere in these rules, the State Government shall have the right to proceed against any member of the Committee, who, in the opinion of the State Government, commits financial irregularity or acts against the interest of the Institution.

29. STAFF COUNCIL :

The Committee of each institution shall constitute a Staff Council composed of all whole-time teaching and non-teaching staff, permanent and temporary, working against

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sanctioned posts or sanctioned additional posts for not less than two years, with the Head of the Institution as its President. The Secretary of the Council shall be elected from amongst its members. The Council may discuss all matters of academic interest and other problems relating to the development of the institution and may recommend to the Committee, measures for improvement of the institution. The Committee shall record the action taken on the recommendation, indicating reasons in the case of its non-implementation.

30. ACADEMIC COUNCIL :

(1) The Committee of each Institution shall constitute an Academic Council composed of the Head of the Institution, the Assistant Headmaster or Assistant Headmistress, if there be any, as the case may be, and not more than 3 members elected from amongst the members of the teaching staff including the Librarian and the Assistant Librarian where there is one, working against sanctioned posts or sanctioned additional posts for not less than two years.

The Head of the institution and the Assistant Headmaster or the Assistant Headmistress, as the case may be, shall be the President and the Secretary of the Council respectively.

Where there is no Assistant Headmaster or Assistant Headmistress, one from amongst the elected members shall be elected Secretary of the Academic Council. In case of any casual vacancy, it shall be filled up by election at a meeting convened for the purpose. The Head of the institution shall preside over the meeting.

In case of an Institution with Higher Secondary Classes (Classes XI and XII) recognised by the West Bengal Council of Higher Secondary Education, the total number of members of the Academic Council including the President and the Secretary shall, in no case, exceed 5.

(2) The Head of the Institution shall convene a meeting within one month from the first meeting of the newly constituted or reconstituted Managing Committee and the teacher-members including Librarian, Assistant Librarian, if any, of the Academic Council shall be elected in that meeting. Where there is an Ad-hoc Committee or an Administrator, the Academic Council shall be constituted as per provisions of this rule as and when directed by the Executive Committee and shall continue to function for the period determined by the Executive Committee from time to time.

(3) The Council may discuss matters connected with (i) admission, (ii) promotion, (iii) selection of books, (iv) time table of School hours and (v) measures relating to the improvement of teaching and co-curricular activities. The Head of the Institution shall, ordinarily, be guided by the advice of the Council in matters specified above. But the Head of the institution may, for reasons to be recorded in writing, overrule the advice of the Council, in which case any member of the Council who may be in disagreement with the decision taken by the Head of the Institution, may refer the matter to the Committee whose decision thereon shall be final.

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31. COMMITTEE TO BE CONSTITUTED WITHIN SIX MONTHS :

The Committee of an Institution shall be constituted in accordance with the provisions of these rules, as amended, within a period of six months from the date of publication of these amendments in the Calcutta Gazettee, except in the cases of Institutions where Committees were constituted in conformity with the rules as they stood before the publication of the present Notification, in which cases the Committees shall continue to function till the expiry of the period as provided in Rule 12, unless superseded earlier :

Provided that the extension of time may, for good and sufficient reasons, be granted by the Board, and if an institution fails or neglects to constitute its Committee within the period specified or within the period extended by the Board, then the Board shall have the power to supersede the Committee of the Institution concerned.

32. RULES NOT TO APPLY TO CERTAIN INSTITUTIONS :

Nothing in these rules shall apply to the Institutions maintained and managed by the State Government, the Union Government or the Railway Board or the schools managed under the provisions of the St. Thomas' School Act, 1923 (Bengal Act XII of 1923) or to any other Institution as may be specified by the State Government by order, made in this behalf from time to time.

33. POWER OF THE STATE GOVERNMENT TO FRAME FURTHER RULES FOR CERTAIN INSTITUTIONS :

Nothing in these rules shall affect the power of the State Government to frame, on the application of any Institution or class of Institutions, to which provisions of Article 26 or Article 30 of the Constitution of India may apply, further or other rules for the composition, powers, functions of the Managing Committee or Committees of such Institution or class of Institutions.

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APPENDIX

LEAVE RULES

[Education Department Notification No. 1541—Edn(s) dated 15.12.77]

Rules for the grant of leave to the teaching and the non-teaching staff of recognized non-Government Secondary Schools other than Sponsored Schools or any other Schools or Class of Schools as the State Government may specify.

1. (a) "Leave" means except in the case of casual leave absence from duty attached to the tenure of the post. There may be the following kinds of leave admissible to a teacher or a non-teaching employee of an Institution :—

   (i) Casual leave

   (ii) Leave on half-average pay

(iii) Leave on medical grounds

(iv) Special leave in exceptional circumstances

(v) Compensatory leave

(vi) Extraordinary leave

(vii) Maternity leave

(viii) Quarantine leave.

Note : (a) No leave can be claimed as a matter of right.

(b) Absence of a teacher attending duties as juror in a Law Court or Head Examiners' Meeting of the Board or having an interview with the Board, if called for by the Board, or if required, to join a seminar organised or sponsored by the All India Council, State Government or by the Board, shall be treated as on duty.

(c) "Medical Certificate" means a certificate granted by a Registered Medical Practitioner in the following form :—

"I, ...after careful personal examination of the case certify that .....whose signature is given above is suffering from ..... and I consider that a period of absence from duty of..... is absolutely necessary for the restoration of his or her health".

Date.....

Government Medical Officer
or
Registered Medical Practitioner

A similar certificate may be necessary when a teacher or a non-teaching employee is declared fit to rejoin his duties.

(d) "Average pay" means the average of basic pay for the period of twelve months immediately preceding the date on which teacher or the non-teaching employee proceeds on leave.

(e) "Teacher" means a Headmaster/Headmistress, Assistant Headmaster/Assistant Headmistress or any other approved member of the teaching staff.

2. CASUAL LEAVE :

Casual leave shall not be treated as absence from duty and there shall, consequently, be no interference with the rate of emolument of the teacher or the non teaching employee concerned.

A teacher or a non teaching employee of the school may have 14 days of casual leave in a calendar year. The casual leave may be affixed or prefixed to any holiday or Sunday

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but the total period including the holiday or Sunday shall not exceed 7 days at a time. Sundays and holidays falling within the period of casual leave shall not be counted as a part of the casual leave :

PROVIDED casual leave shall not be affixed or prefixed to any long vacation.

3. LEAVE ON HALF-AVERAGE PAY :

A teacher or a non-teaching employee of a school may be granted 15 days' leave on half-average pay in a year of service :

PROVIDED that the total period of leave on half-average pay which may accrue to the credit of the teacher or the non-teaching employee shall not exceed two months :

PROVIDED FURTHER that during such period a teacher or a non-teaching employee shall be entitled to a leave salary at the rate of half of the average pay.

4. LEAVE ON MEDICAL GROUND :

A teacher or a non-teaching employee of a school may be granted 15 days' leave on medical ground for each completed year of service spent on duty, on production of medical certificate from a Medical Officer or a Registered Medical Practitioner with the application for leave and a fit certificate at the time of resuming duties.

The total period of leave on medical ground, which may accrue to the credit of a teacher or a non-teaching employee shall not exceed one year, that is, 365 days during the whole period of service in a school or schools.

During the period of leave on medical ground the teacher or the non-teaching employee will get a salary at the rate of full average pay.

5. SPECIAL LEAVE IN EXCEPTIONAL CIRCUMSTANCES :

In exceptional circumstances a teacher or a non-teaching employee of a school may be granted leave not exceeding 18 months ; provided the whole case is reported to the Board with a concrete proposal which shall have to be approved by the Board.

Note : (i) Leave under Rule 5 may be granted with the approval of the Board to a teacher or a non teaching employee of any school suffering from prolonged illness, such as, Tuberculosis, injury to limbs requiring plastering etc. making him or her bed-ridden for a long time, when he or she has exhausted all other leave due to him or her.

(ii) Leave on full pay under Rule 5 may be granted a teacher intending to appear at an examination for the period of examination and a week prior to its commencement.

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A study leave of any other nature shall, however, not be granted to any teacher under this rule.

(iii) Subject to Notes (i) and (ii), the period of leave may be granted on half-average pay or full average pay by the Managing Committee with prior approval of the Board.

6. COMPENSATORY LEAVE :

A teacher or a non-teaching employee of a school may be granted Compensatory leave for half the period he or she may be required to attend the school for duty during a long vacation or holidays provided he or she attends the school at least seven days during such vacation or holidays.

7. EXTRAORDINARY LEAVE :

If for any unforeseen reason a teacher or a non-teaching employee of a school fails to attend his or her duties and if there is no other leave due at his or her credit he or she may be granted leave without pay at the discretion of the Managing Committee for a period not exceeding two years.

8. MATERNITY LEAVE :

(1) Maternity leave may be granted to a permanent female teacher or a non teaching employee, on full pay, for a period which may extend upto the end of three months from the date of its commencement or to the end of six weeks from the date of confinement, whichever is earlier.

(2) Maternity leave may also be granted to a temporary female teacher or a non-teaching employee, on full pay, upto four weeks prior to the date of confinement and four weeks after the date of confinement :

PROVIDED that she has becn in service for at least nine months immediately preceding the date of delivery.

(3) Maternity leave may also be granted to a female teacher or a non-teaching employee in case of miscarriage or abortion subject to the condition that such leave shall not exceed six weeks and the application for the leave is supported by a certificate from a registered Medical Practitioner or a Government Hospital.

(4) Any other kind of leave, in continuation of maternity leave may be granted if the request for its grant is supported by a medical certificate.

9. QUARANITINE LEAVE :

Quarantine leave is leave of absence from duty necessitated by orders not to attend school in consequance of the presencc of infections disease in the family or household of a

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teacher or a non-teaching employee of a school. Such leave may be granted on production of a certificate of a Medical or Public Health Officer for a period not exceeding 21 days, or in exceptional circumstances, 30 days Any leave necessary for quaranitine purposes in excess of this period shall be treated as ordinary leave. Quarantine leave may also be granted when necessary in continuation of other leave subject to the above maximum. No substitute shall ordinarily be appointed in place of a teacher or a non-teaching employee absent on quarantine leave. A substitute may, however, be appointed for the absence of a teacher or a non-teaching employee on quarantine leave, whose duties cannot be arranged otherwise. A teacher or a non-teaching employee on qnarantine leave is not treated as absent from duty and his or her pay is not intermitted.

Explanation —For the purpose of granting Quarantine Leave under this rule the list of infectious diseases shall include the following :

(a) (i) Small Pox,

(ii) Scarlet Fever,

(iii) Plague (Bueumonic or bubonic),

(iv) Typhus,

(v) Carbre-spinal Meningitis.

(b) For persons employed in the preparation and distribution of food, the following additional diseases should also be treated as infectious s—

(i) Dysentery,

(ii) Enteric fever (Typhoid fever),

(iii) Malta fever,

(iv) Paratyphoid fever.

10. (i) No kind of leave except Casual leave should be availed of without written application and previous sanction except in very exceptional circumstances which should be explained to the satisfaction of the leave santioning authority.

(ii) Any member of teaching and non-teaching staff remaining absent for more than 3 days for reasons of illness, shall submit a certificate from a registered medical practitioner.

(iii) Leave for reasons of private affairs except Casual leave must be applied for and got approved before it is availed of. Member of the teaching and non-teaching staff before finalising their private engagment should previously ascertain from the authority concerned as far as practicable whether the leave asked for is likely to be granted :

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PROVIDED that in exceptional case of emergency nature in which it was not possible on the part of the staff concerned to apply for the leave and get it sanctioned before proceeding on leave, formal leave application fully stating the facts and circumstances necessitating such leave should be submitted to the authority concerned at the earliest possible opportunity.

11. (i) No permanent teaching or non-teaching employee shall be granted leave of any kind for a continuous period exceeding 5 years. Where such an employee does not resume his or her duty after remaining on leave for a continuous period of 5 ycars or where such an employee after the expiry of his or her leave remains absent from duty, otherwise on ground of suspension for any period, which together with the period granted to him or her exceeds 5 years, he or she shall, unless the Board on reference from the school authorities and in view of exceptional circumstances of the case, otherwise determines, be deemed to have resigned and shall accordingly cease to be in the employment of the school

(ii) When an employee who is not in permanent employ, fails to resume his or her duties on the expiry of maximum period of extra-ordinary leave granted to him or her under Rule 7 or where such an employee who is granted a shorter period of extra-ordinary leave than the maximum period admissible, remains absent from duty for any period which together with extra-ordinary leave granted exceeds the limit upto which he or she would have been granted such leave under Rule 7, he or she shall, unless the Board on reference from the school authorities and in view of exceptional circumstances of the case otherwise determines, be deemed to have resigned and shall accordingly cease to be in the employment of the school.

12. Excepting Casual Leave and Compensatory Leave, any kind of leave mentioned below may be granted in combination with or in continuation of any other kind of leave stated below :

1. Leave on half-average pay,
2. Leave on medical ground,
3. Special Leave in exceptional circumstances,
4. Extra-ordinary Leave,
5. Maternity Leave,

By Order of the Governor,
B. N. CHATTERJEE
Special Secretary to the
Government of West Bengal.

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West Bengal Board Of Secondary Education

77/2, Park Street, Calcutta-700 016

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Procedure for holding election of members for the purpose of constituting or reconstituting the Managing Committee of Non-Government Institutions (Aided and Unaided in reference to Rule 9 read with Rules 6 and 6A of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, as amended, and the amendments made under Government Notification No. 855—Edn(S) dated 23rd December, 1980 published in the Extraordinary Issue of the Calcutta Gazette dated 5th January, 1981 and amendments made under Government Notification No. 640—Edn(S) dated 24th June, 1981 published in the Extraordinary Issue of the Calcutta Gazette dated 26th June, 1981, No. 114—Edn(S) dated 3rd March 1982 and No. 777—Edn(S) dated 9th August 1984.

1. In this Procedure the Head of the Institution means the Head of the teaching and non-teaching staff of an institution by whatever name he or she may be designated.

2(a). Election Officer means a person who has been selected as such at a meeting of the Managing Committee/Ad-hoc Committee from a panel of three persons prepared by the Head of the Institution who are not in any way connected with the management of the institution or are not voters under any category, including the teacher and members of the non-teaching staff, to conduct the election of the Committee unless any other person is authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b) 2c) of the Rules.

2(b). Where the school is under an Administrator, the Administrator will, in writing, approve the name of a person for selection as Election Officer from a panel of three persons prepared by the Head of the Institution who are not in any way connected with the management of the institution or are not voters under any category, including the teacher and member of the non-teaching staff, to conduct the election of the Committee, unless any other person is authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b) (2c) of the Rules.

3. Scrutiny Officer means generally the Head of the Institution unless any other person has been authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules to perform the work relating to the election of the Committee.

DUTIES OF SCRUTINY OFFICER :

The following may be indicated as the duties of the Scrutiny officer :

(i) The Scrutiny Officer will issue nomination paper (s) to and receive the same from the contesting candidate (s).

(ii) The Scrutiny Officer will scrutinize nomination paper(s) of contesting candidate(s) in reference to voters' list and his decision in the matter of treating the nomination paper(s) as valid or otherwise will be final.

(iii) For withdrawal of nomination paper(s), contesting candidate(s) will do so by writing to the Scrutiny Officer.

DATE OF ELECTION :

4. The date of election of members of a Committee of an Institution shall, for the purpose of the constitution or reconstitution, be fixed at least 60 (sixty) days before the expiry of the term of the existing Committee [Vide Rule 9(2) of the Rules], except in cases mentioned

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under Clause 7(b) of the Procedure and also where there is specific direction of the Executive Committee of the Board with regard to the extension of the term of the Managing Committee as per Rule 12 of the Rules.

Note : (i) The process of election for constitution or reconstitution of the Managing Committee viz., preparation of provisional voters list under the category of 'Guardian' etc., shall not commence before 16th July of the academic year.

(ii) The date of election under the category of Guardians for constitution or reconstitution of the Managing Committee shall not be fixed before 16th August of the academic year.

(Vide Board's Circular No. S/125 dt. 20.3.89 read with No. S/554 dated 15.4 89 as amended.)

APPROVAL OF PROVISIONAL VOTERS' LIST :

5(a). The Head of the Institution or any other person authorized by the District Inspector of Schools or apppinted by the Executive Committee of the Board under Rule 4(2b) (2c) of the Rules shall prepare a programme of election, in detail, as per Procedure 17 read with specimen at Form No. 1 (MC) for the purpose of constitution or reconstitution of the Committee and also prepare a register of eligible voters under the category of guardians for constitution or reconstitution of the Committee and get them approved at a meeting of the Managing Committee/Ad-hoc Committee convened by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules with 7 (seven) clear days' notice to be served by registered post with acknowledgment due to every member of the Committee.

5(b). Where the school is under an Administrator, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall get the election programme and the voters' list as mentioned under Clause 5(a) above approved, in writing, by the said authority.

6(a). The Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall communicate the approved programme of election, to all eligible voters included in the provisional voters' list, under certificate of posting, within a week of the meetirg of the Managing Committee/Ad-hoc Committee, as the case may be, convened for the purpose of approval of the said election programme as per Form No. 3(MC).

6(b) The Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall publish the provisional voters' list and the Election Programme duly approved by the Managing Committee/Ad-hoc Committee/Administrator at a meeting as mentioned under Clause 5(a) and 5 (b) of the Procedure above in the Notice Board of the Institution on a date fixed for the publication of the Provisional Voters' List.

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APPROVAL OF FINAL VOTERS' LIST :

7(a) The Head of the Institution or any other person authorised by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall prepare the final voters' list on the basis of claims to and objections against, if any, and get the same approved at a meeting of the Committee convered by him/her with a notice of 7 (seven) clear days serviced under registered post with acknowledgment due.

(b) In cases where due to unforeseen reasons the meeting of the Committee mentioned under Clause 7(a) could not be held, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall within a fortnight, convene another meeting of the Committee for the purpose of getting the final voters' list approved by the Committee and in that event, the dates of remaining stages of election shall be so altered as to conform to what are indicated in the specimen election programme.

(c) Where the school is under an Administrator, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall prepare the final voters' list on the basis of claims to and objections against, if any, and shall get the same approved by the Administrator.

Note : While getting the Final Voters' List approved by the Committee/Ad-hoc Committee/ Administrator, the Head of the Institution or any other person authorised by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall place all papers relating to claims to and objections against, if any.

ELIGIBLE GUARDIAN VOTERS :

8. The lists of eligible voters in the category of guardians shall be prepared by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules on the basis of both Admission and Attendance Registers.

Note : (i) If it is found from the Attendance Register that a student has been absent from the school for three consecutive months without the knowledge and permission of the Head of the Institution till the date of preparation of the Provisional Voters' List, the student shall be deemed to have left the Institution and the guardian of the ward(s) whose name was recorded in the Admission Register will cease to be a guardian for the purpose of election of the Managing Committee.

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But prior to debarring the guardian from exercising his voting right on the ground of his/her ward being absent for three consecutive months as stated above, a notice shall have to be issued by the Head of the Institution to the guardian concerned before publication of the Provisional Voters' List.

Note : (ii) No first admission upto Class IX shall be made after the 15th of July of the academic year without the prior approval of the Board in exceptional circumstances. Admission of pupil on transfer from recognised institution may, however, be made upto 15th December of the year on valid ground, if not otherwise directed by the Board.

N. B. First admission and admission on transfer shall be regulated as laid down in the Board's Circular No. S/851 dated 2.12.88 or as may be amended from time to time.

Note : (iii) Admission of pupil to Class XI may be made as per directions of the West Bengal Council of Higher Secondary Education issued from time to time in this regard. Similarly, admission on transfer to Class XII may be made as per directions of the West Bengal Council of Higher Secondary Education.

Note : (iv) All guardians of students who get themselves admitted to an Institution before the meeting of the Committee held for the purpose of approving the provisional lists of eligible voters shall be included in the list of eligible voters for the election under the category "Guardians".

LETTER OF INTIMATION :

9. Every page of lists of Voters, Nomination Papers, Letter of Intimation to Voters etc. shall bear the signature of the Head of the Institution or any other person authorised by the District Inspectors of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules.

10. Nomination Papers should be submitted as per specimen at Form No. 2(MC).

11. Election in respect of the category of 'Guardian' shall be held by Ballot. In case, the category goes unrepresented due to non-submission of Nomination Paper(s) or invalid Nomination paper(s) or withdrawal of Nomination Paper(s) by the candidate(s) the election shall be held afresh on the said voters' list within 30 (thirty) days of the date of election with a notice of 7 (seven) clear days, the stage of such election commencing from inviting Nomination Paper(s) etc. In case, the said election again falls through, the matter shall forthwith be reported to the Executive Committee of the Board whose decision thereon shall be final.

12. The election shall be held on a Public Holiday, preferably on Sunday. If any election becomes due within a long vacation, arrangement shall be made for holding the election before such vacation commences. If the holding of election of the Committee prior to commencement of a vacation be not possible as per provision of Rule 9(2 of the Rules, the matter shall be reported to the Executive Committee of the Board well in time (vide Proviso to Rule 12 of the Rules) and approval of the Executive Committee of the Board obtained in the matter.

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Note : No part of the Election Programme shall fall within a long vacation, if not directed otherwise by the Board.

13. In case the person selected for conducting the election fails to be present on the date of election in time, in that event, the Head of the Institution shall conduct the election as 'Election Officer' if not directed otherwise by the District Inspector of Schools or by the Executive Committee.

14. The counterpart of each Ballot Paper to be used for the purpose of election of members of the Managing Committee shall be serially numbered and each Ballot Paper shall bear the names of contesting candidates in the alphabetical order on the basis of the first name. No symbol shall be used on the Ballot Paper.

Each Ballot Paper shall be signed by the Election Officer before issue.

15. In case, a voter casts votes in excess of the total number of seats, the entire Ballot Paper shall be cancelled.

While casting vote(s), if a voter uses his seal in a way causing confusion in specifically determining the candidate(s) in whose favour such a vote is has been cast, only the confusing portion shall be cancelled, provided the voter does not vote in excess of the total number of seats.

16. When contesting candidates poll equal number of votes in respect of a category, a decision shall be made by the Election Officer by drawing lot for once only in the presence of the contestants at that time.

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EXECUTION OF ELECTION PROGRAMME :

17. The programme shall contain the precise dates and hours of election :

(i) Publication of the Provisional Voters' List at least 30 (thirty) days before the date of election..... ....between 11 A.M. and 2 P.M.

(ii) Submission of claims to the inclusion or objections, if any, against omission or inclusion of any name(s) in the Provisional Voters' List within 8 (eight) days from the date of publication of Provisional Voters' List..... ....between 11 A.M. and 2 P.M.

(iii) Publication of the Final Voters' List not less than 15 (fifteen) days before the date of election.....between 11 A.M. and 2 P.M.

(iv) Submission of Nomination Paper(s) by the contesting candidate(s) not less than 7 (Seven) days before the date of election ..... between 11 A.M. and 2 P.M.

(v) Scrutiny of Nomination Paper(s) and declaration of name(s) of eligible candidate(s) not less than 5 (five) days before the date of election ..... at 2 P M.

(vi) Withdrawal of Nomination Paper(s) within 24 (twenty-four) hours of the scrutiny of Nomination Paper(s) ..... between 11 A.M. and 2 P.M.

(vii) Holding of election of member(s) to the Committee from 9 A.M. to 12 Noon and from 1 P.M. to 4 P.M., if necessary.

Note : In the case of a school sitting in the morning shift, suitable time for election programme will be fixed by the Head of the Institution in consultation with the Managing Committee.

18. Where the number of contestants does not exceed the number of members to be elected as per provision of the Rules, the contestants shall be declared elected uncontested. If the number of contestants fall short of the number of members to be elected, such contestants also shall be declared elected uncontested and the remaining vacancy / vacancies shall be filled by a fresh election in the manner as indicated under Clause 11 of the Procedure.

COUNTING OF VOTES :

19. The counting of the votes shall be completed on the date of election. If that be not possible for any unavoidable reason, that will be recorded in writing by the Election Officer and the Election Officer shall in that case seal the Ballot Box(es) in the presence of the contesting candidates at the Polling Booth informing them of the time of counting of votes the following day and keep such sealed Ballot Box(es) in the custody of the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules.

DECLARATION OF ELECTION RESULT :

20(a). The Election Officer immediately after the counting of votes shall declare the names of elected members in the presence of all contesting candidates and submit a written report to the Head of the Institution or a person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules

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PRESERVATION OF ELECTION PAPERS ETC :

20(b). All election papers including unused Ballot Papers and a copy of the Report of the Election Officer shall be kept under the custody of the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules in a sealed cover by the Election Officer in presence of the candidates.

NOMINATION UNDER SPECIAL CONSTITUTION :

21(a). To complete constitution or reconstitution of the Managing Committee, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b) (2c) of the Rules, shall write to an Organization/Society/Trust/Person(s) concerned to send the name(s) of their nominee s), especially where the Executive Committee of the Board has sanctioned a Special Constitution of the Committee in favour of an Institution, at least 15 (fifteen) days prior to the date of holding of election of members on the Committee by registered post with acknowledgment due. In case of non-receipt of the name(s) of such representative(s) within the period specified, such representation of the Committee may not be considered for that term, if not otherwise, directed by the Executive Committee of the Board.

NOMINATION OF LOCAL PANCHAYAT SAMITY.:

21(b). In the case of an Institution within the jurisdiction of Panchayet, the Head of the Institution or any other person authorised by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall write to the local Panchayat Samity to send the name of a nominee of the local Panchayat Samity who is a Person Interested in Education as per Proviso to Rule 6 of the Rules, at least 15 (fiftee) days prior to the date of holding election of members on the Committee, by registered post with acknowledgment due with the request to send the name of nominee of Local Panchayat Samity within 30 days from the date of election of guardian members on the Committee. In case of non-receipt of the name of a nominee from the local Panchayat Samity within the said specified period, the matter shall be reported to the Executive Committee of the Board. [As amended under Board's Circular No. S/35 dated 2.2.83.]

DEPARTMENTAL NOMINEE :

22. Within three days of the declaration of results of the election of the Committee, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b, (2c) of the Rules, shall write to the District Inspector of Schools (Secondary Education) for sending the name of a departmental nominee on the Committee to enable him/her to complete

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recorstitution of the Committee. Any delay in the placement of a departmental nominee within the period speified under Rule 9 (3) of the Rules may be brought to the notice of the Executive Committee of the Board by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules.

23. The election of office-bearers shall not be held until the constitution or recorstitution of the Committee has been completed by the elected, co-opted or nominated members, unless otherwise directed by the Board.

CO-OPTION OF A PERSON INTERESTED IN EDUCATION :

24. In the case of an Institution situated in an urban area where co option of a Person Interested in Education on the Committee has been provided as per Rule 6A (3) (i) of the Rules, the newly elected, nominated and ex-officio member and the life-member, if any, at meeting of the incoming committee convened for the purpose of such co-option by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, with clear 7 (seven) days notice to be served by registered post with acknowledgment due, to each of the said members, shall propose the name of a person considered by the said members to be a Person Interested in Education who has communicated his/her intention in writing to the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, through any of the elected, nominated and ex-officio members and the life-member, if any, to be co-opted as a member of the Committee. The above meeting shall be convened by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule4 (2b) (2c) of the Rules, within 15 (fifteen) days from the date of receipt of the name of a departmental nominee from the Distriet Inspector of Schools (Secondary Education).

ELECTION OF OFFICE-BEAERERS ; [Vide Board's Circular No S/36 dated 2.2.83]

(A) FOR URBAN AREA :

25 (a) After the co-option of a member on the newly-constituted committe as per Rule 6A (3) (i) of the Rules, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall, within ten days of the co-option of a member of the Committee, convene the first meeting of the elected, nominated and co-opted members and the life member, if any, of the newly constituted/reconstituted Committee for the purpose of election of office-bearers with clear 7 (seven) days notice for the holding of such a meeting.

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FOR RURAL AREA :

25. (b) In case of an Institution referred to under Clause 21(b) of the Procedure, the first meeting of the elected, nominated and ex-officio members and the life-member, if any, shall be convened by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules for the purpose of election of office-bearers within 15 (fifteen) days from the date of receipt of the name of a departmental nominee from the District Inspector of Schools (Secondary Education).

25. (c) The convener of the meeting in respect of 25(a) and 25 b) who may be either the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules, shall conduct its proceedings till the election of the President for the meeting following which the election of office-bearers shall be held. In case of a tie, drawing of lots for once only, shall be applicable to resolve the tie.

26. The newly-elected Committee shall be deemed to have assumed charge from the outgoing Committee from the date of election of office-bearers or from the date of expiry of outgoing Committee/Administrator whichever is later and the newly-elected Committee shall start functioning from the very said date.

CO-OPTION :

27. If an elected member resigns, dies or loses his/her qualification for any reason before election of office-bearers, the remaining members (elected, nominated and co-opted) shall first elect the office-bearers and thereafter, the vacancy already caused shall be filled by co-option of a member according to provisions of the Rule 11 of the Rules.

RESIGNATION AND ELECTION OF A NEW SECRETARY :

28. If the Secretary (where Head of the Institution has not been elected Secretary) resigns at any time for any reason from the Secretaryship or his membership has ceased, the Joint Secretary shall perform the duties of the Secretary until a new Secretary has been elected at a meeting convened by the Joint Secretary. If such Secretary has, however, resigned from membership of the Committee or his membership has ceased, the Joint Secretary shall convene a meeting of the remaining members for co-option in the said vacancy.

After the vacancy in the Committee has been filled by co-option as indicated above, the Joint Secretary shall convene another meeting for the purpose of election of a new Secretary to the Committee. The two meetings for such purposes, shall be held not later than two months of the resignation or cessation of membership of the Secretary of the Committee.

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In case of any difficulty in the filling up of the vacancy caused due to resignation or cessation of membership of the Secretary to the Committee, the matter shall be reported to the Executive Committee of the Board whose decision thereon shall be final.

ELECTION OF TEACHERS AND THE NON-TEACHING STAFF :

29 (a) The Election of Teachers' Representatives and the Non-Teaching Staff shall be jointly held by the teac ers and the non-teaching staff of the Institution at least 7 (seven) days before the election of members of the Committee [Vide Rule 6A (4) (i) of the Rules].

29. b) The Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b)) (2c) of the Rules or in the absence of the Head of the Institution, any other member of the teaching staff temporarily assigned to discharge the duties and functions of the Head of the Institution, shall conduct the election of Teachers' Representatives and the Non-Teaching staff on a date fixed by him/her with clear 7 (seven) days' notice to all eligible teachers and non-teaching staff of the school. The election shall be held by Ballot and the Nomination Paper (s) to be prescribed by the Head of the Institution for the purpose shall be submi.ted to the Head of the Institution at least 72 (seventy-two) hours before the election. Nomination Paper(s) shall be scrutinized by the Head of the Institution 48 forty eight) hours before the date of election of Teachers' Representatives and the Non—Teaching Staff. His/her decision in respect of invalidating a nomination paper assigning sufficient reason shall be final. Nomination Paper(s) may be withdrawn within 24 (twenty-four) hours after the scrutiny of the same.

29. (c) In case of a tie, as there is no provision for 'casting vote' of the Head of the Institution, a decision shall be made by the Head of the Institution by drawing lot (for once only) in the presence of the teachers and the non-teaching staff participating in the election.

CESSATION OF GUARDIANSHIP :

30. (a) A guardian-voter owes his/her eligibility as a voter under the category of "Guardian", in respect of a particular ward or wards. As soon as that ward or wards leave the Institution, the qualification of a guardian-voter shall cease. "In case a ward is sent up for the Madhyamik Pariksha (Secondary Examination) in a particular academic year, the eligibility of the guardian-voter in respect of that ward shall cease from first May of the following academic year."

30. (b) In case a pupil reading in the Higher Secondary classes of the same Institution is sent up for the Higher Secondary Examination conducted by the West Bengal Council of Higher Secondary Education in a particular year, the guardianship of that ward shall cease from the 30th June of that year.

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MEMBERS TO VACATE :

31. Unless there is specific approval from the Executive Committee of the Board extending the statutory term of a Committee, every member of such Committee shall have to vacate on the expiry of its usual term of three years.

32. The Head of the Institution or in the absense of the Head of the Institution, any other member of the teaching staff temporarily assigned to discharge the duties of the Head of the Institution, shall submit, to the Board three copies of the report on the constitution or reconsitution of the Committee after it has assumed charge, as per specimen of Form No. 4 (MC) through the District Inspector of Schools (Secoudary Education) and the Director of School Education, West Bengal with an advance copy to the Board within seven days.

33. The Head of the Institution or in the absence of the Head of the Institution, any other member of the teaching staff temporarly assigned to discharge the duties of the Head of the Institution, shall submit to the Board three copies of the report on the co option of a member on the Committee as per specimen at Form No. 5 (MC) through the District Inspector of Schools (Secondary Education) and the Director of School Education, West Bengal with an advance copy to tbe Board within seven days.

34. In case of any doubt or dispute in the matter of holding election at any stage, the matter shall be referred to the Board whose decision thereon shall be final.

N. SINHA
Secretary

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FORM—1 (MC)

SPECIMEN

Programme for holding election of members of the Managing Committee

Suppose the term of a Committee expires on and from 24.6.81. In that event, the election shall be held by the 24th April of 1981 at the latest. If the 24th of April be fixed as the date of election (assuming it as Sunday or a holiday), the programme shall be as under :

(1)	Date and time of publication of the Provisional Voters' List	15th March, 1981 between 11 A.M. and 2 P.M.
(2)	Submission of claims to and objections against inclusion of any name (s)	22nd March, 1981 between 11 A.M. and 2 P.M.
(3)	Publication of the Final Votear's List	7th April, 1981 between 11 A.M. and 2 P.M.
(4)	Submission of Nomination Paper (s)	17th April, 1981 between 11 A.M. and 2 P.M.
(5)	Scrutiny of Nomination Paper(s)	18th April, 1981 at 2 P.M.
(6)	Withdrawl of Nomination Paper(s)	19th April, 1981 between 11 A.M. and 2 P.M.
(7)	Holding of Election	24th April, 1981 (From 9 A.M. to 12 Noon and if necessary from 1 P.M. to 4 P.M.)

Signature of lhe Head of the Institution affixing the Seal, or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b)(2c) of the Rules.

NOTE (a) In drawing up an election programme, the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules may please see that the time-gaps between the different stages leading to the holding of election, are adhered to, excepting where minor adjustments may be necessary, in exceptional circumstances, to maintain the entire schedule.

NOTE (b) Dates under Items (1) to (6) should be all working days.

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FORM - 2 (MC)

NOMINATION PAPER

SPECIMEN

(In connection with the Election of Members of the Managing Committee of.....

.....

Name of the contesting candidate ....
(in block letters)

Voter's number on the list of voters..... in the Category of Guardian

Proposed by (full signature) ....

Proposer's Voter No .....

Seconded by (full signature) .....

Seconder's Voter No.....

Signature in full of the contesting candidate .....

.....

Date and time of issue of the Nomination Paper .....

Signature of the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules.

Date and time of receipt of Nomination paper from the Contesting Candidate.....

Signature of the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b)(2c) of the Rules.

NOTE : (1) It should be carefully noted that the name of the contesting candidate as well as of the Proposer and Seconder should tally with those recorded in the final voters' list.

(2) Minor defects like spelling mistakes in the name(s) should be ignored.

(3) In case of any major discrepancy making confusion regarding identity of the candidate or the Proposer or the Seconder, the Nomination Paper is liable to be rejected. Of course, the decision of the Scrutiny Officer in this respect shall be binding.

service problem prem

UNDER CERTIFICATE OF POSTING

FORM—3 (MC)

SPECIMEN

Letter of intimation to be issued to the Guardian-voters

To
Sri / Srimati.....
.....
.....

Sub : Constitution / Reconstitution of the Managing Committee of.....

Dear Sir/Madam,

You are hereby informed that the Constitution/Reconstitution of the Managing Committee of the above-named school will be held on ..... according to the programme noted below.

You are requested to contact the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b) (2c) of the Rules for any detailed information in this regard.

Signature of the Head of the Institution or any other person authorised by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4(2b) (2c) of the Rules (affixing the Office Seal).

ELECTION PROGRAMME

	Date	Time
1. Date and time for publication of the Provisional Voters' List		
2. Submission of claims to and objections against omission or inclusion of any name(s) in the Voters' List.....		
3. Publication of the Final Voters' List		
4. Date of submission of the Nomination Paper(s) to the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules.....		

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14. for rule 29. *substitute* the following rule :—

"29. Staff Council.—The Committee of each institution shall constitute a Staff Council composed of all whole-time teaching and non-teaching staff, permanent and temporary, working against sanctioned posts or sanctioned additional posts for not less than two years, with the Head of the Institution as its President. The Secretary of the Council shall be elected from amongst its members. The Council may discuss all matters of academic interest and other problems relating to the development of the institution and may recommend to the Committee, measures for improvement of the institution. The Committee shall record the action taken on the recommendation, indicating reasons in the case of its non-implementation" ;

15. for rule 30, *substitute* the following rule :—

"30. Academic Council - (1) The Committee of each Institution shall constitute an Academic Council composed of the Head of the Institution, the Assistant Headmaster or Assistant Headmistress, if there be any, as the case may be, and not more than 3 members elected from amongst the members of the teaching staff including the Librarian and the Assistant Librarian where there is one, working against sanctioned posts or sanctioned additional posts for not less than two years.

The Head of the institution and the Assistant Headmaster or the Assistant Headmistress, as the case may be, shall be the President and the Secretary of the Council respectively.

Where there is no Assistant Headmaster or Assistant Headmistress, one from amongst the elected members shall be elected Secretary of the Academic Council. In case of any casual vacancy, it shall be filled up by election at a meeting convened for the purpose. The Head of the institntion shall preside over the meeting.

In case of an Institution with Higher Secondary Classes (Classes XI and XII) recognised by the West Bengal Council of Higher Secondary Education, the total number of members of the Academic Council including the President and the Secretary, shall, in no case, exceed 5.

(2) The Head of the Institution shall convene a meeting within one month from the firsr meeting of the newly constituted or reconstituted Managing Committee and the teacher—members including Librarian, Assistant Librarian, if any, of the Academic Council shall be elected in that meeting. Where there is an Ad-hoc Committee or an Administrator, the Academic Council shall be constituted as per provisions of this rule as and when directed by the Executive Committee and shall continue to function for the period determined by the Executive Committee from time to time.

(3) The Council may discuss matters connected with (*i*) admission, (*ii*) promotion, (*iii*) selection of books, (*iv*) time table of school hours and (*v*) measures relating to the

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5. Scrutiny of Nomination paper (s) .....

6. Withdrawal of Nomination Paper (s) .....

7. Holding of Election .....

Name of the Ward Sri/Sm.——————————————————

Class Section

Year and date of admission of the Ward——————————————————

Sl. Number of the admission in the Admission Register——————————————————

FORM—4 (MC)

SPECIMEN

Letter for reporting Constitution/Reconstitution of the Managing Committee to the Board through the District Inspector of Schools (Secondary Education) and the Director of School Education, West Bengal with an advance copy to the Board.

To
The Secretary,
West Bengal Board of Secondary Education,
77/2, Park Street,
Calcutta-16.

Sub : Report on the Constitution/Reconstitution on the Managing Committee of .....

1. The date of election of members under the category of Guardians.....

2. The date of election of teachers' representatives and the non-teaching staff.....

3. A copy of the letter with number and date from the Director of School Education, West Bengal or any other officer authorized by him in this behalf showing the precedence in the list of Founders, where the number of Founders in an Institution is more than one. [Vide Rule 6A(1) of the Rules.] .....

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4. The date of nomination of a member from the local Panchayat Samity quoting the number and date of the letter.
[Proviso to Rule 6A(3) (i) of the Rules,]

5. The date of receipt of the name of a departmental nominee quoting the number and date of the letter of the District Inspector of Schools (Secondary Education)

6. Date of co-option of a person Interested in Education by the elected, nominated and ex-officio members and the life member, if any, of the newly elected committee under Rule 6A (3) (i) of the Rules.

7. The date of election of office-bearers along with the names of members and date of assumption of charge of the school by the members of the new Managing Committee

8. The name, occupation and address of each member of the constituted/reconstituted committee

9. Whether the election has been held under a special constitution approved by the Board. If so, an attested copy of the order of the Board should be enclosed

10. Total number of voters under the Category of Guardians

11. Whether nomination paper (s) have been invited and the election has been held by Ballot

12. Whether the Head of the Institution has been elected as Secretary

13. Constitution of the Committee should be detailed as under :

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Names of Members	Category to which they belong
(1) President	
(2) Vice-President	
(3) Secretary	
(4) Joint Secretary	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
(11)	
(12)	

14. The following particulars are required to be enclosed along with the report :

(i) An attested copy of the resolution of the Managing Committee/Ad-hoc Committee approving the programme of election, selecting the election officer and approving the provisional and final voters' list. Where the school is under an Administrator, copy of an order of the Administrator approving the programme of election, selecting the Election Officer and approving the provisional and final voters' list ;

(ii) Where the election officer has been appointed by the District Inspector of Schools or by the Board, a copy of the order to this effect ;

(iii) An attested copy of the letter of intimation of the programme of election to the Guardian voters ;

(iv) An attested copy of the report of the election officer ;

(v) The date of holding of election of office-bearers of the outgoing Committee and the date of expiry of the term of the said Committee.

Signature of the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules (affixing the office seal).

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FORM—5 (MC)

SPECIMEN

To
The Secretary,
West Bengal Board of Secondary Education,
77/2, Park Street,
Calcutta-16.

Sub : Co-option of Sri/Sm..... .....
on the Managing Committee of..... .....

1. Date of assumption of charge after constitution/reconstitution of the existing Managing Committee..... ....

2. Whether the existing Managing Committee was approved by the Board. If so, the number and date of the letter of approval should be quoted.....

3. The date upto which the school is recognised .....

4. The name of the outgoing member ... .

5. Circumstances in which the seat has fallen vacant..... ....

6. Name of the co-opted member..... ....

7. Whether the name of the co-opted member is included in the list of original voters' on the basis of which the election of members of the existing committee was held. ....

8. (a) Whether the co-opted member (guardian member) has any ward still reading in the school .....

   (b) If so, the name of the pupil and the class in which he/she is reading.....

   (c) The date of admission of the pupil to the school ....

   (d) The relationship of the pupil with the co-opted member.....

   (e) If the co-opted member is other than father or mother of the ward, it should be stated if the parents of the pupil are living and if the pupil lives with the parents .....

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9. Copy of the resolution of the Managing Committee regarding the co-option should be enclosed.

NOTE : In case of a vacancy occurring in the seat of a teachers' representative or the non-teaching staff it should be filled by a fresh election by the teachers and non-teaching staff from amongst themselves as per provisions under the Rules.

Signature of the Head of the Institution or any other person authorised by the District Inspector of Schools or appointed by the Executive Committee of the Board under Rule 4 (2b) (2c) of the Rules (affixing the office seal)

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GOVERNMENT OF WEST BENGAL
EDUCATION DEPARTMENT

Secondary

No. 777-Edn (S)
8B-3/83

Dated Calcutta, the 9th August, 1984,

In exercise of the power conferred by Sub-Section (1), and in particular, by clause(d) of sub-seciion (2) of section 45 of the West Bengal Board of Secondary Education Act 1363 (West Ben. Act V of 1963), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Management of Recognised Non-Government Institntions (Aided and Unaided) Rules, 1969, published with this department notification No. 1598-Edn (S), dated the 15th July 1969, at pages 2223-2230 of Part I of the "Calcutta Gazette, Extraordinary, "dated the 15th July 1969, as subsequently amended (hereinafter referred to as the said rules) :—

Amendments

(I) In the said rules,—

(I) in rule 2,—

(i) for clause (e), substitute the following clause :—'(e) "Director" means the Director of School Education, West Bengal ;'

(ii) after clause (*e*), insert the following clause :—'*(ee)* "Executive Committee" means the Committee constituted under clause (*aa*) of section 18 of Act ;'

(iii) after clause (f), insert the following clause :—'(ff) "Sanctioned post" means the post of teaching or non-teaching staff sanctioned by the Director or by an officer authorised by him in this behalf ;'

(2) in sub-rule (2) of rule 4, for the words "at least" in the two places where they occur, *substitute* the words "not less than" ;

(3) in rule 5,—

(a) omit clause (2) of the *Explanation* ;

(b) in clause (b) of the Note, for the words "the Board" subtiitute the words "the Executive Committee" :

(4) in rule 6,—

(a) for the proviso to clause (iv), *substitute* the following proviso :

"Provided that in the case of an institution located within the jurisdiction of a *Panchayat* one person interested in education shall be the nominee of the local *Panchayat* Samity. The person so nominated shall be a resident of the locality within the jurisdiction of the said Panchayat Samity :",

(b) add the following proviso at the end :—

"Provided that no person shall be eligible to represent more than one category ;"

(5) In rule 6A,—

(a) in sub-rule (*1*), omit clause (iii)

(b) to sub-rule (*2*), after the first proviso, *add* the following further proviso ;

' Provided further that the member to be nominated by the District Inspector of Schools under the first Proviso shall be placed by the District Inspector of schools concerned within thirty days from the date of election of members from different categories. The Head of the Institution shall in case of default on the part of the District Inspector of Schools, inform the Executive Committee of the matter immediately after the expiry of the period referred to above and, in that event the Executive Committee shall take such action in consultation with the Director as it deems fit",

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(c) in sub-rule (3),—

(i) to clause (*i*), after the first proviso, add the following further proviso ;—

"Provided further that the member to be nominated by the Local Panchayat Samiti under the first proviso shall be placed by the Local *Panchayat Samiti* within thirty days from the date of election of the members from different categories. The Head of the institution shall, in case of default on the part of the Local *Panchayat* Samiti, inform the Executive Committee of the matter immediately after the expiry of the period referred to above and, in that event the Executive Committee shall take such action as it deems fit.",

(ii) after clause (i) as so amended, insert the following clause :—

"(ii) the Head of a newly recognised instiution shall, prior to the election of office bearers, convene a meeting of the elected, nominated and *ex officio* members and the Life member, if any, of the newly constituted Committee and consider the name (s) of founder (s) of the institution as required under clause (*b*) of the Note below rule 5 :

Provided that in the case of an institution in an urban area, the Head of a newly recognised institution shall, prior to the date of election of office bearers, also consider the name(s) of founder(s) of the institution and approve the same as indicated in clause (b) of Note below rule 5, at a meeting of the elected, nominated and *ex-officio* members and Life member, if any, convened for the purpose of co-option of a person interested in education as provided in clause (*i*) of sub-rule (3) of rule 6A.".

(d) in sub-rule (4) for the *Explanation* under clause (*i*), *substitute* the following *Explanation* :—

"**Explanation**—Members of the teaching and non teaching staff mean wholetime members of the teaching and the non-teaching staff working against sanctioned posts or additional sanctioned post, including probationers who have completed at least four months' continuous service on the date of election." ,

(e) after snb-rule (*4*), *add* the following sub rule :—

"(5) In case of any dispute the matter shall be referred to the Executive Committee whose decision in the matter shall be final." ;

6. in rule 8,—

(a) For the title "POWER OF BOARD TO APPROVE AND SUPERSEDE COMMITTEE", *substitute* the following title :—

"Power of Executive Committee to approve and supersede Committee. to appoint Administrator or Ad hoc Committee and to grant special constitution." ;

service problem prem

(b) in sub-rule (*1*), and the proviso thereto, *for* the words "the Board" wherever they occur, *substitute* the words "Executive Committee" ;

(c) After sub-rule (*1*) insert the following sub-rule :—

"(la) The Executive Committee shall have also power to appoint an Administrator or Ad-hoc Committee in respect of any institution where the term of the Committee has expired, but the Committee has not been reconstituted for any reason whatsoever." ;

(d) for sub-rule (*2*), substitute the following sub-rule :—

(2) An Adminstrator or an Ad-hoc Committee, appointed under sub rule (*1*) or sub-rule (la), shall exercise the power and perform the functions of the superseded Committee or of the Committee whose term has expired, as the case may be, ordinarily for one year and the Executive Committee may, by order, extend, in special circumstances, the term of office of the Administrator or the Ad-hoe Committee, as the case may be, by a further period, not exceeding six months at a time so, however, that the total period shall not exceed two years and the Administrator or the Ad-hoc Committee, as the case may be, shall take steps to reconstitute the Committee under these rules before the expiry of the term of office of the Administrator or the Ad hoc Committee, as the case may be.

In exceptional circumstances which are beyond the control of the Administrator or the Ad-hoc Committee, the term may, on the application of the Administrator or the Ad-hoc Committee, be extended by the Executive Committee for such period as the Executive Committee deems fit." ;

(e) in sub-rule (*3*), and the proviso thereto, for the words "the Board" wherever they occur, *substitute* the words "the Executive Committee" ;

(f) in sub-rule (*4*), for the words "the Board" wherever they occur, *substitute* the words "the Executive Committee" ;

7. in sub-rule (*3*) of Rule 9, for the words "the Board" in the two places where they occur, *substitute* the words "the Executive Committee" ;

8. In rule 10,—

(a) for sub rule (*3*), and the Explanation thereunder, *substitute* the following sub rule :—

"(3) Fifty percent of the total number of members of the Committee shall form a quorum for a meeting of the Committee, fraction, if any, being computed as one." ;

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(b) after sub-rule (*3*),—

add the following sub-rule :—

"(4) If any catcgory of members of the Committee remains unrepresented, there shall be no bar to the constitution or the reconstitution of the Committee, provided the Executive Committee accords necessary permission." ;

9. for rule 11, *substitute* the followtng rule :—

' 11 *Casual vacancy*, (1) If any member of the Committee ceases at any time to fulfil the qualification in respect of which he was elected, nominated or co-opted he shall cease to be a member and the vacancy so caused shall, subject to sub-rule (2), be filled by election, co-option or nomination, as the case may be.

(2) Any casual vacancy in the office of a teacher or a non-teaching employee shall be filled up by election in the manner laid down in rule 6A.

(3) Casual vacancies other than the vacancy in the office of a teacher or a non-teaching employee shall be filled up by co-option from the orginal list of voters on the basis of which the Committee was constituted or reconstituted, but the member so co-opted shall represent the interest in respect of which the vacancy occurs.

(4) Any member elected, nominated or co opted to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the representative whose place he fills." ;

10. (a) in rule 12, and in the proviso thereto, *for* the words "the Board" in the two places where they occur subsititute the words "the Executive Committee." ;

(b) in the first proviso, in the second line, *omit* the words "with prior approval of the State Government" ;

11. In rule 13, after the word, figure and letter "rule 6A", *add* the following words, brackets and figures "and the member as defined in clause (*vi*) of rule 6" ;

12. in rule 14, *for* the words "the Board" in the two places where they occur. *substitute* the words "the Executive Committee" ;

13. in rule 24, for the words "the Borrd" appearing in the second sentence *substitute* the words "the Executive Committee" ;

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14. for rule 29, *substitute* the following rule :—

"29. Staff Council.—The Committee of each institution shall constitute a Staff Council composed of all whole-time teaching and non-teaching staff, permanent and temporary working against sanctioned posts or sanctioned additional posts for not less than two years, with the Head of the Institution as its President. The Secretary of the Council shall be elected from amongst its members. The Council may discuss all matters of academic interest and other problems relating to the development of the institution and may recommend to the Committee, measures for improvement of the institution. The Committee shall record the action taken on the recommendation, indicating reasons in the case of its non-implementation" ;

15. for rule 30, *substitute* the following rule :—

"30. Academic Council - (1) The Committee of each Institution shall constitute an Academic Council composed of the Head of the Institution, the Assistant Headmaster or Assistant Headmistress, if there be any, as the case may be, and not more than 3 members elected from amongst the members of the teaching staff including the Librarian and the Assistant Librarian where there is one, working against sanctioned posts or sanctioned additional posts for not less than two years.

The Head of the institution and the Assistant Headmaster or the Assistant Headmistress, as the case may be, shall be the President and the Secretary of the Council respectively.

Where there is no Assistant Headmaster or Assistant Headmistress, one from amongst the elected members shall be elected Secretary of the Academic Council. In case of any casual vacancy, it shall be filled up by election at a meeting convened for the purpose. The Head of the institution shall preside over the meeting.

In case of an Institution with Higher Secondary Classes (Classes XI and XII) recognised by the West Bengal Council of Higher Secondary Education, the total number of members of the Academic Council including the President and the Secretary, shall, in no case, exceed 5.

(2) The Head of the Institution shall convene a meeting within one month from the firsr meeting of the newly constituted or reconstituted Managing Committee and the teacher-members including Librarian, Assistant Librarian, if any, of the Academic Council shall be elected in that meeting. Where there is an Ad-hoc Committee or an Administrator, the Academic Council shall be constituted as per provisions of this rule as and when directed by the Executive Committee and shall continue to function for the period determined by the Executive Committee from time to time.

(3) The Council may discuss matters connected with (*i*) admission, (*ii*) promotion, (*iii*) selection of books, (*iv*) time table of school hours and (*v*) measures relating to the

improvement of teacning and co-curricular activities. The Head of the Institution shall, ordinarily, be guided by the advice of the Council in matters specified above. But the Head of the Institution may, for reasons to be recorded in writing, overrule the advice of the Council, in which case any member of the Council who may be in disagreement with the decision taken by the Head of the Institution, may refer the matter to the Committee whose decision thereon shall be final."

By order of the Governor,
Sd/- A. K. Basu,
Secy to the Govt.. of
West Bengal

Notification No. S / I / 85 Dated 1.4.1.85

Copy forwarded for information to :—

(1) Heads of all recognised Non-Govt. Secondary Schools in West Bengal.

(2) Director of School Education, West Bengal.

(3) All District Inspectors of Schools, S. E.

(4) All Teachers' organisations,

(5) Regional offices, Calcutta, Burdwan, Midnapore, North Bengal.

(6) 'Parsat Varta' for notification.

Sd/—S. R. Bhattacharjee
Secretary
West Bengal Board of Secondary
Education.

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West Bengal Board of Secondary Education

77/2, PARK STREET, CALCUTTA-16

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Further Amendments, Modifications, Clarifications to the Management Rules, Procedure for holding election and Leave Rules, circulated under Board's Circular No. S/MC-386/81 Dt. 7th July 1981,

GOVERNMENT OF WEST BENGAL
EDUCATION DEPARTMENT
SECONDARY BRANCH

No. 114-Edn-S Dated, Calcutta, the 3rd March, 1982

NOTIFICATION

In exercise of the power conferred by sub section (1) and in particular, by clause (d) of sub-section (2), of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Bengal Act, V of 1963), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Management of Recognized Non-Government Institutions (Aided and Unaided) Rules, 1969, as subsequently amended (hereinafter referred to as the said rules) —

Amendments

In the said rules :—

(1) In sub-rule (2a) of rule 4, after the words "and got approved by the Committee", omit the words "at least thirty days prior to the date of publication of the provisional voters' list."

(2) In rule 5, in item (1) of the Explanation, for the words "categories under the provisions of", substitute the words ' categories other than category (v) referred to in".

By order of the Governor,
Sd/- B. N. CHATTERJEE
Spl, Secy. to the Govt. of West Bengal

West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/678 Dated : 16. 12. 81

Sub :—Clarification regarding the nomination of Person Interested in Education from the Local Panchayat Samity.

It is hereby notified for the information of all concerned that in cases where an institution does not fall within the jurisdiction of a Panchayat, as contemplated under Section

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94 of the West Bengal Panchayat Act, 1973, the managing committee of such an institution will be required to co-opt a Person Interested in Education as provided under Rule 6A(3) (i) of the Management Rules read with Procedure 24 of the said Rules.

2. In cases where an area has been brought under the purview of a Panchayat but a Panchayat Samity, as contemplated under Section 94 of the West Bengal Panchayat Act. 1973, has not been constituted till now, the category of Person Interested in Education on the Managing Committee of an institution located in such an area will remain vacant.

(N. SINHA)
Secretary

West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/802 October 20, 1982

Sub :—Amendment of Note under Paragraph 4 of the Election Procedure regarding the "Date of Election" circulated to all recognized secondary institutions in the State under Board's Circular No. S/MC-386/81 dated July 7, 1981.

The undersigned is directed to state that the Note under Paragraph 4 of the Election Procedure regarding the 'Date of Election' has been amended as follows :

Date of Election

4. .....

.....

Note—There shall be no electiou for coustitution or reconstitution of the Managing Committee before the 15th March of the Calender year." [Further amendmentes made by circular No. S/125 dt. 20.3.89 read with No. S/554 dt. 15.4.89].

The Amended Procedure comes into force with immediate effect.

(N. SINHA)
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. Date

To
The Heads of all recognised High & Junior
High Schools in the State

Sub :—Procedure for holding election of members for the purpose of constitution or reconstitution of the Managing Committees of Non-Govt. Institutions (Aided and unaided) in reference to Rule 9 of the Management of Recognised Non-Government Institutions (Aided and Udaided) Rules, 1969, as amended from time to time.

The undersigned is directed to state that the times indicated under "Execution of Election Programme" under item 17 of the Election Procedure and in the Specimen of Programme for holding election of members of the Managing Committee under Form 1 M.C are modified as follows —

"Execution of Election Programme"

17. The programme shall contain the precise dates and hours of election :

(i) Publication of the Provisional Voters' List at least 30 (thirty) days before the date of election — — between 11 a.m. and 2 p.m.

(ii) Submission ef claims to inclusion or objection, if any, against omission or inclusion of any name(s) in the Provisional Voters' List within 8 (eight) days from the date of publication of Provisional Voters' List — between 11 a.m. and 2 p.m.

(iii) Publication of the Final Voters' List not less than 15 (fifteen) days before the date of election. — between 11 a.m. and 2 p.m.

(iv) Submission of Nomination Paper(s) by the contesting candidates(s) not less shan 7 (seven) days before the date of election. — — — between 11 a.m. and 2 p.m.

(v) Scrutiny of Nomination Paper(s) and declaration of name(s) of eligible candidate(s) not less than 5 (five) days before the date of election. — — at 2 p.m.

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(vi) Withdrawal of Nomination Paper(s) within 24 (twenty-four) hours of the scrutiny of Nomination Paper(s). — between 11 a.m. and 2 p.m.

(vii) Holding of election of member(s) to the Committee from 9 a.m. to 12 noon and from 1 p.m. to 4 p.m., if necessary.

Note : In the case of school sitting in the morning shift, suitable time for election programme will be fixed by the Head of the Institution in consultation with the Managing Committee.

FORM 1(MC)

Specimen

PROGRAMME FOR HOLDING ELECTION OF MEMBERS OF THE MANAGING COMMITTEE

Suppose the term of a Committee expires on and from 24.6.81. In that event, the election shall be held by the 24th April of 1981 at the latest. If the 24th of April be fixed as the date of election (assuming it as Sunday or a holiday), the programme shall be as under :

(1)	Date and time of publication of Provisional Voters' List.	— 15th March, 1981 between 11 a.m. and 2 p.m.
(2)	Submission of claims to and objections against inclusion of any name(s)	— 22nd March, 1981 between 11 a.m. and 2 p.m.
(3)	Publication of the Final Voters' List	— 7th April 1981 between 11 a.m. and 2 p.m.
(4)	Submission of Nomination Paper(s)	— 17th April, 1981 between 11 a.m. and 2 p.m.
(5)	Scrutiny of Nomination Paper(s)	— 18th April, 1981 at 2 p.m.
(6)	Withdrawal of Nomination Paper(s)	— 19th April, 1981 between 11 a.m. and 2 p.m.
(7)	Holding of Election	— 24th April, 1981 (From 9 a.m. to 12 noon and from 1 p.m. to 4 p.m.)

Under Form No. 3(MC) the word "Last" shown under item (4) of the Election Programme is deleted.

(N. SINHA)
Secretary

N.B. : The directions of the Board given in its Notification No S/444, dated 29.7.81 in regard to the execution of the programme of election stand for this year only.

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/35 Date : 2. 2. 83

To
The Heads of all recognised schools
under the West Bengal Board of Secondary Education.

Sub :—Amendment of Procedure 21(b) in respect of Nomination of local Panchayet Samity—Board's Circular No. S/MC-386/81 dated 7th July, 1981.

The undersigned is directed to state that the Procedure 21(b) in respect of "Nomination of Local Panchayet Samity" has been modified as follows .—

After the words "acknowledgement due" in line 7 of the above procedure, **the following words have been added :**

"with the request to send the name of nominee of Local Panchayet within 30 days from the date of election of guardian members on the Committee."

The Amended Procedure is reproduced below :

"Nomination of Local Panchayet Samity 21 (b) : In the case of an Institution within the jurisdiction of Panchayet, the Head of the institution or any other person authorised by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rales, shall write to the local Panchayet Samity to send the name of a nominee of the local Panchayet Samity who is a Person Interested in Education as per provision to Rule 6 of the Rules, at least 15 (fifteen) days prior to the date of holding election of guardian members on the Committee, by registered post with acknowledement due, with the request to send the name of a nominee of Lccal Panchayet Samity within 30 days from the date of election of guardian members on the Committee. In the case of non-receipt of the name of a nominee from the Local Panchayet Samity within the said specified period, the matter shall be reported to the Board.

(N. SINHA)
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. S/76 Dated the 16th February, 1984

Notification

To : The Heads of all recognised Non-Govt.
Secondary Schools in West Bengal.

Sub :—Nomination of members by the Panchayet Samities in the Managing Committees of Non-Govt. Secondary Institutions.

The undersigned is directed to state that the Board has since received a number of enquiries seeking clarification as to whether the person nominated by the Panchayet Samity on the Managing Committee of a school can be replaced by a fresh nomination within full term of the Managing Committee or the unexpired portion thereof.

A clarification was sought for, from the State Government on the above matter.

The State Government in his Memo No. $\frac{46\text{-Edn(S)}}{7C\text{-}62/83}$ dated 24. 1. 1984 opined that since a Panchayet Samity is a body corporate having perpetual succession and a common seal [Sec. 94(4) of the West Bengal Panchayet Act 1973] it continues to exist as the same body corporate despite change of the members of the Samity from time to time by periodical election. A valid nomination once made by a Panchayet Samity must have its full term (full term of the Managing Committee or the unexpired portion thereof) and the nominee cannot be replaced by a fresh nomination unless the nominee ceases to be a member of the Managing Committee in terms of rule 11 of the Management of Recognized Non-Govt. Institutions (Aided and Unaided) Rules, 1969, as amended.

A copy Education Department's Memo No. $\frac{46\text{-Edn(S)}}{7C\text{-}62/83}$ dated 24. 1. 1984 referred to above, is given below.

(A. K. DASGUPTA)
Deputy Secretary (General)

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GOVERNMENT OF WEST BENGAL
EDUCATION DEPARTMENT
SECONDARY BRANCH

No. 46-Edn(S)
7C-62/83

Dated Calcutta, the 24 January, 1984

From : Sri S. Ghosh
Dy. Secy. to the Govt. of West Bengal

To : The Secretary
W. B. B. S. E.
77/2, Park Street,
Calcutta-16

Sub : Nomination of members by the Panchayet Samities in the Managing Committees of Non-Govt. Secondary Institutions.

Sir,

I am directed to say that a provision for inclusion of a person in the Managing Committee of a Non-Govt. Secondary Institution nominated by the Local Panchayet Samity, has been made in Rule 6(iv) of the Management of Non-Govt. Secondary Institution (Aided and unaided), Rules, 1969, as amended. Most of the Panchayet Samities have co-operated with the Govt. Institutions by sending their nominees in the Managing Committees. Complications are reported to have arisen after the newly elected Panchayet Samities have taken charge of offices. It has now been represented to Govt. that, in certain cases, the newly formed Panchayet Samities have replaced the existing nominees in the Managing Committees by new nominees though the terms of the Managing Committees have not yet expired.

Govt. have taken legal advice in the matter. Govt. have been advised that since a Panchayet Samity is a body corporate having perpetual succession and common seal [Sec. 94(4) of the West Bengal Panchayet Act. 1973] it continues to exist as the same body corporate despite change of the members of the Samity from time to time by periodical elections A valid nomination once made by Panchayet Samity must have its full term (full term of the Managing Committee or the unexpired portion thereof) and the nominee cannot be replaced by a fresh nomination unless the nominee ceases to be a member of the Managing Committee in terms of rule 11 of the Management of Recognized Non-Govt. institutions (Aided and Unaided) Rules, 1969.

It is requested that all concerned may kindly be instructed accordingly.

Yours faithfully
Sd/-
Deputy Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Substituted Procedure laid down under Paragraph 24 of the Election Procedure.

Re :—Constitution/reconstitution of Managing Committee of secondary institutions in the State.

24. In the case of an Institution situated in an urban area and in an area not covered by the Panchayet, where co-option of a Person Interested in Education on the Committee has been provided as per Rule 6A(3)(i) of the Rules, the newly-elected, nominated and ex-officio members and the life member, if any, shall propose—at a meeting of the incoming Committee convened for the purpose of such co-option by the Head of the institution or any other person authorised by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules respectively, with clear seven days' notice to be served by registered post with acknowledgement due to each of the said members - the name of a person or persons interested in education who have communicated their intention in writing to the Head of the institution or any other person authorised by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules respectively, through any of the elected, nominated and ex-officio member and the life-member, if any, to be co-opted as a member of the Committee.

In case there is no unanimity on the co-option of a person interested in education, co-option of a person shall be made by way of election from amongst the proposed names, each name being duly seconded.

A meeting for the co-option of a Person Interested in Education shall be convened by the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules respectively, within 15 (fifteen) days from the date of receipt of the name of a departmental nominee from the District Inspector of Schools (Secondary Education).

The convener of the meeting who may be either the Head of the Institution or any other person authorized by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules shall conduct its proceeding for the purpose of co-option of a Person interested in Education.

In case of a tie as there is no provision for 'casting vore' of the Head of the Institution, a decision shall be made by a draw of lots once only.

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West Bengal Board of Secondary Education

77/2, Patk Street, Calcutta-16

Circular No. S/36 Date : 2. 2. 83

To
The Heads of recognized Schools under the
West Bengal Board of Secondary Education,

Sub :—Re-arrangement of Paragraph 25(A), 25(b) and 25(c) in respect of Procedure under Election of Office Bearers—Board's Circular No. S/MC-386/81, dated 7. 7. 81.

The undersigned is directed to say that paragraphs 25(a), 25(b) and 25(c) indicating the Procedure of Election of Office Bearers for urban area and rural area published in the Board's Circular No. S/MC-386/81. dated 7th July, 1981 have been rearranged as follows :—

"Election of office bearers :

25(a)—**For Urban Area :** After the co-option of a member on the newly-constituted committee as per Rule 6A(3)(i) of the Rules, the Head of the institution or any other person authorized by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules, shall, within ten days of the co-option of a member on the Committee, convene the first meeting of the elected/nominated and co-opted members and the life member, if any, of the newly constituted/reconstituted Committee for the purpose of election of office-bearers with 7 (seven days' notice for the holding of such a meeting.

25(b)—**For Rural Area :** In case of an institution referred to under clause 21(b) of the procedure, the first meeting of the elected, nominated and ex-officio members and the life-member, if any, shall be convened by the Head of the institution or any other person authorised by the District Inspector of Schools or appointed by the Board under Rule 4(2b)/(2c) of the Rules for the purpose of election of office-bearers within 15 (fifteen) days from the date of receipt of the name of a departmental nominee from the District Inspector of Schools (Secondary Education).

25(c) : The convener of the meeting in respect of 25(a) and 25(b) who may be either the Head of the institution or any other person authorized by the District Inspector of Schools or appointed by the Board under Rule 4(2b /(2c of the Rules, shall conduct its proceedings till the election of the President for the meeting, following which the election of office-bearers shall be held. In case of a tie, drawing of lots for once only, shall be applicable to resolve the tie."

(N. SINHA)
Secretary

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Government of West Bengal

Directorate of Secondary Education

6, Bhabani Dutta Lane, Top floor, Calcutta-73

No. 4000 (16) Sc/S

Calcutta, the 4th December, 1981

From : The Director of Secondary Education, West Bengal

To : The District Inspector of Schools (SE)

Sub :—Determination of the procedure as required in rule 6A (1) and 6A (I)/(i) of the rules for Management of Recognised Non-Govt. Institutions (Aided and Unaided) 1969 as published after amendments in Govt. Notification No. 640—Edn (S) dated 24.6.81.

His/her attention is drawn to the above and he/she is requested to follow the procedure as determined hereunder in respect of Founders and Life-members for the Managing Committee to be constituied/reconstituted according to above rules,

The District Inspector of Schools (SE) is authorised by the Director of Secondary Education, West Bengal, to approve of the rotation of Founders and Life-members in the Managing Committees in the manner, indicated below.

(1) In case of founders, serial as it stood in the first resolution of the school in this behalf should be strictly adhered to, and the persons named first therein will serve as founder in the Committee to be constituted/reconstituted and others will serve as founders in the subsquent Committees according to the serial mentioned sbove. The rotation in the manner will be completed after the last name serves the Committee.

(2) The rotation of Life-members will be determined according to the dates of donation. In other words the person who donated first should be given first chance and so on until the rotation is completed.

This procedure of approval of Life-member/Founder does not, however apply to the Managing Committees to bc constituted/reconstituted according to Special Constitution for which papers are to be submitted to this Directorate for taking necessary action from this end.

Sd/ S. Rai Choudhuri
Director of Secondary Education
West Bengal

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. S/606 Dated, Calcutta, the 21st June, 1982

To
The Management of All Recognized Non-Govt. Secondary institution in the State.

Sub :—Proposal for approval of suspension of members of the teaching/non-teaching staff of secondary schools as required under Rule 28 (9) (viia) of the Management of Recognized Non-Govt institutions (Aided and Unaided) Rules, 1969, as amended.

The management of recognized secondary institutions is hereby informed that they will strictly act according to the formalities, as set forth below, in the matter of submision of a proposal seeking Board's approval to the suspension of any member of teaching non-teaching staff of the school under Rule 28 (9) (viia) referred to above,

1. Any proposal for approval of suspension of a member of teaching/non-teaching staff should contain the following particulars ;

   (a) Name and designation of the person concerned ;
   (b) Date of appointment against a sanctioned post ;
   (c) Date of order of suspension ;
   (d) Copy of the resolution of the Managing Committee recommending such suspension ;
   (e) Information about the payment of subsistence allowance to the person concerned ;
   (f) Whether there is any previous record of suspension and/or punishment against him ; if so, give details.

2. Letter seeking approval of suspension shall be submitted within seven days of such suspension, containing the particulars as mentioned under 1 above, with the superscription "Suspension under Rule 28(9) (viia) of the Management Rules" written legibly on the envelope.

3. The order of suspension shall normally be issued to a member of the teaching/non-teaching staff under Rule 28(9) (viia) when his/her presence in the school is deemed likely to prejudice the proper conduct of inquiry into the charges brought or to be brought against him/her.

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4. Proceedings containing the articles of charges shall be drawn up against a suspended person within 90 (ninety) days from the date of his/her suspension on the basis of a resolution of the Managing Committee and communicated to him/her without fail.

5. If such proceedings be not drawn up within 90 (ninety) days, the order of suspension shall automatically stand withdrawn as per provision of Rule 28(9), (viia) of the Management Rules.

6. The Board will acknowledge receipt of school's letter on the subject at the earliest opportunity.

7. If no acknowledgement letter is received from the Board within a month of despatch of school's letter, the school concerned shall send a reminder to the Secretary of the Board by name, bearing the superscription on the cover of the envelope—"Reminder-suspension case."

8. If no communication about the decision of the Board on the school's proposal be received by the school concerned within two months of the date of submission of the proposal, the school authority will meet the Secretary of the Board with all relevant papers on the subject, with prayer for expeditious disposal of the case.

(N. SINHA)
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Crlcutta-16

No. S/607

Dated, Calcutta, the 21st June, 1982.

To
The Management of All Recognized Non-Govt. Secondary Institutions in the State.

Sub : Proposal for obtaining approval in respect of disciplinary proceedings against any member of the teaching/non-teaching staff of secondary schools under Rule 28(8) and (8a) of the Management of Recognized Non-Govt. Institutions (Aided and Unaided) Rules, 1969 as amended.

The Management of recognized secondary schools is hereby informed that in the matter of submission of proposal seeking Board's approval for the initiation of discipli-

nary proceedings in respect of any member of the teaching/non-teaching staff of a school under Rule 28(8) and (8a) of the Management Rules, the formalities as set forth below shall be observed :

1. The school management shall initiate disciplinary proceedings against any member of the teaching/non teaching staff of the school in two stages as noted hereunder :

(a) **First Stage :**

The procedure of the "first stage" shall comprise the following ad seriatim :—

(i) Resolution of the Managing Committee containing the charges against the person(s) to be proceeded against ;

(ii) Formal charge-sheet to be issued to the person concerned, containing the articles of charges as per resolution of the Managing Committee ;

(iii) Reply to the charge-sheet by the person proceeded against to be submitted to the Managing Committee ordinarily within a fortnight from the date of receipt of the charge-sheet ;

(iv) Consideration of the reply by the Managing Committee and its decision thereon, with the underlying reasons for taking such decision to be stated in detail.

The school management shall, thereafter, send to the Board the proposal along with attested copies of all relevant papers coming within the scope of the 'First Stage' above.

If the Board considers that there are sufficient grounds for taking disciplinary action against the person concerned on the basis of papers submitted by the school and also papers that may be subsequently called for, if necessary, the Board will accord **first approval** to the school's proposal for initiating disciplinary proceedings against him/her.

In all cases, the Board will acknowledge the school's letters on the subject at the earliest opportunity.

If no communication from the Board be received within one month of submission of the proposal regarding the punishment to be meted out to the teaching/non-teaching employee, the school concerned will meet the Secretary of the Board along with all relevant papers with a prayer for expeditious disposal of the case.

(b) **Second Stage :**

The procedure of the second stage, if necessary, shall comprise the following ad seriatim :

(i) On receipt of the Board's aforesaid approval, the Managing Committee shall issue a show-cause notice, on the basis of its resolution, to the person concerned ordinarily within a fortnight, specifying the nature of the punishment proposed to be awarded to him/her, as provided under Rule 28(8) or (8a).

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(ii) On receipt of the person's reply to the show-cause notice, the Managing Committee shall consider the reply in its meeting and take a decision thereon in the form of a resolution.

(iii) The school management shall thereafter forward all relevant papers, as mentioned in (i) and ii) above, to the Board for consideration ordinarily within one month of the reply to the show-cause notice, as indicated under (b) (ii).

The Board will then consider the case in all its aspects, decide it finally and communicate its decision to the school authority for implementation. The decision of the Board on the matter is final and binding upon all concerned.

2. The school management shall not remove any person from service or award any punishment **without the prior approval of the Board and without following the procedure** indicated under Rule 28(8) and/or (8A) of the Management Rules as elaborated in item 1 above.

3. All communications relating to the aforesaid matter shall be sent to the Secretary of the Board by name, with the **superscription "Disciplinary Proceedings" written legibly** on **the envelope.**

4. In all cases, the Board will acknowledge the school's letters on the subject at the earliest opportunity.

5. If no communication from the Board be received within one month of submission of the proposal regarding the pudishment to be meted out to the teaching/non-teaching employee, the school concerned will meet the Secretary of the Board along with all relevant papers with a prayer for expeditious disposal of the case.

N. SINHA
Secretary.

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. 4/75 Date 15. 1. 1975

To
The Heads of all recognised Secondary Schools in West Bengal

Sub : – Special Leave and drawal of salary of a teacher of a school elected as M.L.A. or M.P.

In reference to the above subject the undersigned is directed to invite their attention to the Memo No. $\frac{1859\text{-Edn (CS)}}{8T\text{-}36/67}$ dated 8th November, 1967 (copy enclosed) of Deputy Secretary, Education Department, C. S. Branch, Government of West Bengal forwarded by the

Director of Public Instruction with his endorsement No. 3732(400) Sc/G dated 24th November, 1972 and to enclose an extract to the relevant resolution of the Board for information and guidance.

Sd/- A. C. BISWAS
Secretary

Extract from the minutes of the 59th Meeting of the West Bengal Board of Secondary Education held on Wednesday, the 11th April, 1973.

Item No: 2

Considered a letter No. 1859-Edn(CS) dated 8.11.67 from the Education Department, Govt of West Bengal, regarding drawal of salary of a teacher of a school elected M. L. A. or M. P.

RESOLVED that the Govt letter No. 1859-Edn(CS) dated 8.11.67 along with the relevant extract of the D.P.I's letter dated 24.11.72 be circulated to all recognised Secondary Schools with direction that such leave as may be granted to a teacher elected to the State Legislative or Parliament for attending the Assembly / Parliament sessions—le treated as **SPECIAL LEAVE** with pay.

Sd/- A. C. BISWAS
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/342 Datr 24.4.79

From : The Secretary,
West Bengal Board of Secondary Education.
Calcutta-16.

To : The Heads of all Secondary Schools
recognized by the Board

Sub :—Rules for grant of leave to the teaching and the non-teaching staff of recognised Non-Government Secondary Schools

The undersigned is directed to state that represeutations were received by the Board from time to time from the heads of recognised Secondary Schools seeking clarification whether a teacher or a member of the non-teaching staff serving a secondary school shal continue to

enjoy the benefit of leave during the period of extension of their services, as contemplated under Leave Rules published in Government Notification No. 1541-Edn (S) dated 15.12.77.

2. The heads of insitutions are hereby informed that an approved teacher or a member of the non-teaching staff of a recognised secondary school whose services have been extended by the Managing Committee of such an institution may be granted all kinds of leave, as contemplated under the said Leave Rules.

Sd/- N. SINHA
Secretary

West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. : 79/1 / G/Misc/787 Dated : 29.8.79

To

From : The Secretary,
West Bengal Board of Secondary Education
Phone No. : 29-8594 (six lines), Telegram ; Secondary

To : The Administrator / Secretary
All recognised Secondary Schools in West Bengal.

Sub :—Grant of Special Casual Leave to the Stafi of the Recognised Non-Government Secondary Schools for attending Meetings of District Press Advertising Advisory Committee.

Dear Sir / Madam,

I am directed to state that on the recommendations of the Edncation Department (Secondary Branch), Government of West Bengal, the Administrator of the Board has been pleased to order that the teachers of schools, appointed members of the District Press Advertising Advisory Committee, may enjoy Special Casual Leave for attending the Meetings of the said Committee, and the school authorities may grant such leave on production of documents to show that they actually attended the meeting for the day or days for which Special Casual Leave was required. This order is issued pending ammendment of the Leave Rules.

Yours faithfully,
Sd/- N. Sinha
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. : 79/2 G/Misc/787 Dated : 29.8.79

From : The Secretary
West Bengal Board of Secondary Education,
Phone : 29-8594 (six lines), Telegram : Secondary

To : The Administrator / Secretary,
All Recognised Non-Govt. Secondary Schools in West Bengal.

Sub :— Grant of Special Casual Leave to the staff of the Recognised Non-Government Secondary Schools for attendiag the maetings of 'Panchayet Bodies'.

Dear Sir / Madam,

I am directed to say that the Education Department, Govt. of West Bengal, under its Memo No. 555-Edn (S) dated 18.5.79, has requested the Board to issue instructions to all authorities to the effect that, pending amendment of Leave Rules of the Board Special Casual Leave may be granted to the staff, elected as members of Gram Panchayets, Panchayet Samities and Zilla Parishads, for attending the meetings of Panchayet Bodies. Such leave may be granted by the school authority on production of documents by the persons concerned, showing that they actually attended the meeting for the day or days for which leave was required.

Yours faithfully
Sd/- N. Sinha
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/9 / G/Misc/787/A(11) Date 18.1.1984

To
The Administrator / Secretary.
All recognised Non-Govt. Secondary Schools in West Bengal

Sub :—Grant of Special Casual Leave to the staff of the Recognised Non-Govt. Secondary Schools for attending the meetings of Panchayet Bodies.

Dear Sir / Madam,

I am directed to state on the recommendations of the Education Department (Secondary Branch), Govt. of West Bengal, under its Memo No. 43-Edn.(S) / 2L.4/79 dated 13. 1. 81 and in partial modification of this office Circular No. 79/2 / G/Misc/7870 dated 29. 8. 79, the President, West Bengal Board of Secondary Education, has been pleased to pass an order to the effect that the staff of the school elected as members of Gram Panchayet, Panchayet Samities and Zilla Perishads may enjoy Special Casual leave for attending the meetings of Panchayet Bodies and such special leave may be granted by the school authority on production of documents by the staff concerned, showing that they actually attended the meeting for the day or days for which the leave was required.

I am directed to state further that the staff concerned of the school elected as 'Sabhadhipatis' of Zilla Parishads may also enjoy special casual leave for performing his/her duties attached to the said office as and when necessary. Such leave may be sanctioned by the school authority on production of certificates given by them that they had to work during the period concerned in Zilla Parishads on official purpose.

Yours faithfully,
Sd/- N. Sinha
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/357 (i) / G/Misc/787 December 5, 1979

Frym : The Secretary
West Bengal Board ot Secondary School Education

To : The Secretary / Administrator,
All Recognised Secondary Schools in West Bengal.

Sub :—Grant of Special Leave (to be treated as on duty) to teachers of Secondary Schools appointed as President or Member of the Ad-hocCommittee of the District School Board.

In partial modification of Board's Circular No, S/357 / G/Misc/787 dated 7th May, 1979 the undersigned is directed to say that it has been decided by the Administrator of the Board that absence of teachers of Secondary Schools appointed to act as President or member of the Ad-hoc Committee of the District School Board will be treated as on duty for the purpose of attending the meetings of the District School Board.

Further, the absence of the President of the Ad-hoc Committee of the District School Board performing other duties of the District School Board will also be treated as on duty, as and when necessary.

Sd/- N. SINHA
Secretary

West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. S/490 (1-3 Date 19. 7. 1980

To
The General Secretary,
(1) All Bengal Teachers' Association
(2) West Bengal Headmasters' Association
(3) West Bengal Teachers' Association.

Sub :—Grant of special casual leave to the staff of recognized Non-Government secondary institutions for attending the State-Level Annual Conference held by different recognized Teachers' Associations.

The undersigned is directed to say that with the concurrence of the State Government (Vide Education Department's letter No. 535-Edn(S) dated 16.7.80), the President, West Bengal Board of Secondary Education, has been pleased to pass an order to the effect that approved

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staff of recognized Non-Government Secondary Institutions intending to participate in the State-Level Annual Conference of any recognized Teachers Association, of which they happen to be members, will be eligible for availing themselves of Special Casual Leave with full pay for the period which the Annual Conference is held and the actual period of journey for attending the same from their respective places of posting and return.

2. Such leave will be sanctioned by the head of the institution concerned on production of necessary documents that the incumbents actually attended the conference.

Sd/- N. SINHA
Secretary

West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. $\frac{S/197}{G/Misc/787(A)}$ March 22, 1982

To
The Administrator/Secretary,
All Recognized Non-Government Secondary Schools in West Bengal.

Sub :—Grant of Special Casual Leave to the staff of the recognised non-government secondary schools for attending the meetings of Municipalites in the State.

Dear Sir / Madam,

I am directed to the state that on the recommendation of the Education Department (Secondary Branch), Government of West Bengal under its Memo No. $\frac{1047\text{-Edn (S)}}{2L\text{-}5/81}$ dated 2:3 2:8 11. 81. the Presideut of the Board has been pleased to pass an order that the staff of the schools elected as members / Chairman / President / Vice-Chairman / Vice-President etc. in diifferent Municipalities of the State, may enjoy special casual leave for attending the meetings only of the 'Municipalities' during the school hours and the school authorities may grant such leave (to be treated as on duty) to them on production of documents to show that they actually atttended the meetings for the day or days for which such special casual leave was required.

I am further to request you to note that you will instruct such members of the Municipalities who are to perform duties in addition to attending meetings, to pe form such duties beyond school hour s.

This order is issued pending amendment of the Leave Rules of teachers and non-teaching staff of Secondary Schools.

Yours faithfully,
Sd/- N. SINHA
Secretary

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GOVERNMENT OF WEST BENGAL
EDUCATION DEPARTMENT

S. E. Branch

No. : 32493-Edn (SE) / 5L-28/86

Dated Calcutta,
the 29th April, 1986.

From : Shri S. H. Bhattacharyya,
Deputy Secrctary to the Govt. of West Bengal,

To (i) : The Secretary,
West Bengal Board of Secondary Education,
77/2, Park Street, Calcutta-16.

(ii) : The Secretary,
West Bengal Council of Higher Secondary Education,

(iii) : The Director of School Education (Pry. Edn.),
1, N.S. Bldgs, Calcutta-1.

Sir,

I am directed to inform you that some teachers of the Secondary/Higher Secondary/ Primary Schools are the members of the local Library Authorities and they have to attend the meetings of the local Library Authorities.

I would, therefore, request you to kindly grant them Special Casual Leave (as on duty) for attending the meetings of the Local Library Authorities. I would like to mention here that such Special Casual Leave is granted to the staff of the-recognized Secondary Schools for attending the meeting of the Governing body of a College, Schools, etc., being nominated on the body by the Government.

An early action will be heghly appreciated.

Yours faithfully,
Sd/- S. Bhattacharyya
Deputy Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circulilar No. S/125 Dated Calcutta 20.3.89

To
The SSecretary / Administrator / Heads of all
Recoggnised Secondary Institutions in the State.

Sub : Procedure for holding election of members for the purpose of constituting or reconstituing the Managing Committee of Non-Government Institutions (Aided & Unaided).

Consequent upon the decision to start the academic session from 1st May instead of 1st Januuary, the following amendments, on the above subject, have been made by the Board in acccordance with the provision made under Rule 9 of the Management of Recognised Non-Ggowernment Institutions (Aided and Unaided) Rules, 1969, as amended :—

AMENDMENTS

In the said procedure.....

(1) in Clause 4—Date of election —

For Note under Clause 4 substitute the following Clause —

Notte : (i) The process of election for constitution or reconstitution of the Managing Committittee viz., preparation of provisional voters list under the category of Guardians' etc., hall noot commence before 16th July of the calender year.

(iiii) The date of election under the category of Guardians for constitution or reconstitution of the Managing Committee shall not be fixed before 16th August of the alendeer year.

(2) In Clause 8 —for Note (ii), substitute the following Clause :—

Notte : (ii) No first admission upto class IX shall be made after the 15th July of the cademiic year without the prior approval of the Board in exceptional circumstances. dmissiom of pupil on transfer from recognised institution may, however, be made upto 15th ecembber of the year on valid ground, if not otherwise directed by the Board.

N.B. First admission and admission on transfer shall be regulated as laid down in the Board's circular No. S/851 dated 2.12.88 or as may be amended from time to time.

The Heads of the Institutions are requested to note the aforesaid amendments in the rocedurre for holding election for constitution or reconstitution of the Managing Committee,

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and see that no election for constitution or reconstitution of Managing Committee is held during the period from 1st May to 15th August of the calender year.

This amendment takes effect from 1.5.89. Election for constitution / reconstitution of Managing Committee may be held according to existing procedure upto 30.4.89.

Sd/- Sudin Chattopadhyay
Secretary

Memo. No.S/125/1-7. Dated. 20. 3. 89.

Copy forwarded for information to :—

(1) The Director of School Education. West Bengal.

(2) All District Inspectors of Schools (SE) in West Bengal.

(3) All Teachers' Organisations.

(4) Regional Officers, Calcutta, Burdwan, Midnapore, North Bengal.

(5) All Deputy Secretaries, General Section & O.S.D.

(6) All Assistant Secretaries, General Section.

(7) Parsad Barta for publication.

Sd/- Sudin Chattopadhyay
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

No. S/554 Date. 15-4-89

To : The Secretary / Administrator / Heads of all
Recognised Secondary Institutions in the State.

Sub : Procedure for holding election of members for the purpose of constituting or reconstituting the Managing Committee of Non-Government Institutions (Aided and Unaided) ——— ——— Amendments of ——— ———.

Ref : Board's Circular No. S/125 dated 20.3.89.

CORRIGENDUM

(1) Please read the words "academic year" in place of "calender year" in the last line in page 1 of Note (i) and (ii .

(2) Please drop the words "of the calender year" in the last line of the penultimate para in page 2.

Sd/- Sudin Chattopadhyay
Secretary

Memo No. S/554/(1—7) Dated 15.4.89

Copy forwarded for information to

1. The Director of School Education, West Bengal.
2. All District Inspectors of Schools (SE) in West Bengal.
3. All Teachers' Organizations.
4. Regional Officers, Calcutta, Burdwan, Midnapore & North Bengal.
5. All Deputy Secretaries, General Section & O.S.D.
6. All Assistant Secretaries, General Section.
7. Parsad Varta for publication.

Sd/- Sudin Chattopadhyay
Secretary

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West Bengal Board of Secondary Education

77/2, Park Street, Calcutta-16

Circular No. S/881 Dated, Calcutta, 15.11.89

To
The Secretary / Administrator / Head of
all Secondary Iustitutitution
recognized by the Board

Sub. Procedure for holding election or members for the purpose of constituting or reconstituting Managing Committee of Non-Govt. Institutions (Aided and Unaided).....Amendments of.....

In continuation of the Board's Circulars No. S/125 dated 20.3.89 and No. S/554 dated 15.4.89, on the obove subject, the following further amendment has been mado under Ciause 30(a) of the proeedure ;—

AMENDMENT

In the said procedure—
In clause 30(a)—Cessation of Guardianship

For the sentense—"In case a ward is sent up for the Madhyamik Pariksha (Secondary Examination) in a particular year, the eligibility of the guardian-voter in respect of that ward shall cease from first January of that year."—Substitute the sentence —"In case a ward is sent up for the Madhyamik Pariksha (Secondary Examination) in a particular academic year, the eligibility of the guardian-voter in respect of that ward shall cease from first May of the following academic year."

This amendment takes immediate effect.

Sd/- Sudin Chattopadhyay
Secretary

Memo. No. S/881/1-8 **Dated 15.11.89**

Copy forwarded for information to :—

(1) Shri H,P. Mukhopodhyay, IAS, Joint Secretory, Govt. of West Bengal, Education Department (Secondary Branch) ;

(2) The Director of School Education, West Bengal ;

(3) All District Inspectors of Schools (SE) in West Bengal ;

(4) All Teacher's Organizations ;

(5) Regional Officers,, Caicutta, Burdwan, Midnapore, North Bengal ;

(6) All Deputy Secretaries, General Section, and Officer on Special Duty ;

(7) All Asst. Secretaries, General Section ;

(8) Parsad Varta for publication.

Sd/- R. Das Gupta
for Secretary

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