

# West Bengal Act V Of 1963

The West Bengal Board of Secondary Education Act, 1963  
as amended upto 1990



**WEST BENGAL BOARD OF SECONDARY EDUCATION**

77/2, Park Street, Calcutta-700 016

**Compiled and Republished by the *Secretary*,  
West Bengal Board of Secondary Education  
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## REFERENCE TO AMENDMENTS

- (A) The West Bengal Board of Secondary Education (Amendment) Act, 1969 (West Bengal Act XIV of 1969).
- (B) The West Bengal Board of Secondary Education (Amendment) Act, 1973 (West Bengal Act XXXI of 1973).
- (C) The West Bengal Board of Secondary Education (Amendment) Act, 1977 (West Bengal Act IX of 1977).
- (D) The West Bengal Board of Secondary Education (Amendment) Act, 1978 (West Bengal Act II of 1978).
- (E) The West Bengal Board of Secondary Education (Amendment) Act, 1979 (West Bengal Act XXXII of 1979).
- (F) The West Bengal Board of Secondary Education (Amendment) Act, 1982 (West Bengal Act XIII of 1982).
- (G) The West Bengal Board of Secondary Education (Amendment) Act, 1983 (West Bengal Act XXVII of 1983).
- (H) The West Bengal Board of Secondary Education (Amendment) Act, 1984 (West Bengal Act X of 1984).
- (I) The West Bengal Board of Secondary Education (Amendment) Act, 1986 (West Bengal Act XV of 1986).
- (J) The West Bengal Board of Secondary Education (Amendment) Act, 1988 (West Bengal Act XVI of 1988).
- (k) The West Bengal Board of Secondary Education (Amendment) Act, 1990.

[ These amendments of 1990 have not been Compiled. They may beread from Annexure. ]

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**West Bengal Act V of 1963**  
**THE WEST BENGAL BOARD OF SECONDARY**  
**EDUCATION ACT, 1963.**

**CHAPTER I**

**Preliminary**

1. (1) This Act may be called the West Bengal Board of Secondary Education Act, 1963. Short title, extent and commencement.
- (2) It extends to the whole of West Bengal.  
Provided that any institution situated in any other State or in any Union Territory may also, with the sanction of the Government of such State or Union Territory, as the case may be, apply to the Board for recognition and the Board may, subject to such conditions or restrictions as it may, with the approval of the State Government, think fit to impose, grant recognition to such institution.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Vide W.B. Act  
IX of 1977.

2. In this Act, unless the context otherwise requires,— Definitions.
- (a) “Board” means the West Bengal Board of Secondary Education established under this Act ;
- (aa) “by-law” means a by-law made by the Executive Committee under this Act ;
- (b) “Head of Institution” means the head of the teaching staff of an Institution, by whatever name he or she may be designated ;
- (c) “Institution” means a Secondary School or an educational Institution or part or department of such school or Institution imparting instruction in Secondary Education ;
- (d) “Managing Committee” used in reference to an Institution includes the Governor or the Governing Body of such an Institution ;
- (e) “notification” means a notification published in the Official Gazette ;

Vide W. B. Act  
XXXII of 1979.

## [ West Bengal Act V of 1963 ]

- (f) "prescribed" means prescribed by rules made under this Act ;
- (g) "President" means the President of the Board ;
- (h) "Primary Education" means education imparted in a primary school as defined in any Bengal Act or West Bengal Act or education equivalent thereto ;
- (i) "recognised" with its grammatical variations, used with reference to Institutions, means recognised under this Act or within the meaning of the West Bengal Secondary Education Act, 1950 ; West Bengal Act XXXVII of 1950.
- (j) "regulation" means a regulation made by the Board under this Act ;
- (k) "rule" means a rule made by the State Government under this Act ;
- (l) "Secondary Education" means general education above the primary education stage provided for students with a view to qualifying them for admission to a certificate, diploma or degree course instituted by a University or by Government, or by a Statutory Body, and includes, subject to any general or special order of the State Government,—
- (i) technical education,
  - (ii) agricultural education,
  - (iii) commercial education,
  - (iv) education for the physically handicapped,
  - (v) education for the mentally retarded and defectives,
  - (vi) education in Reformatory schools and jails, or
  - (vii) any other type of education which the State Government may, in consultation with the Board, specify.

Vide W.B. Act  
XXXI of 1973



[ West Bengal Act V of 1963 ]

*(Chapter II—The Board—Sections 3, 4.)*

CHAPTER II

The Board

Establishment  
and incorpora-  
tion of the West  
Bengal Board of  
Secondary  
Education.

3. (1) The State Government shall, as soon as may be after this Act comes into force, establish a Board named the West Bengal Board of Secondary Education.
- (2) The Board shall be a body corporate with perpetual succession and a common seal, shall be entitled to acquire, hold and dispose of property, to enter into contracts and to do all other things necessary for the purposes of this Act, and shall by its name sue and be sued.

Composition of  
the Board

4. The Board shall consist of the following members :—
- (1) the President ;
  - (2) the President of the West Bengal Council of Higher Secondary Education, ex officio ;
  - (3) the Director of School Education, Government of West Bengal, ex officio ;
  - (4) Omitted Vide notification No. 752-L dt. 5.4.84 (W. B. Act X of 1984) ;
  - (5) the Director of Technical Education, Government of West Bengal, ex officio ;
  - (6) the Deputy Director of Secondary Education (for women), Government of West Bengal, ex officio ;
  - (7) the Deputy Director of Secondary Education (I), Government of West Bengal, ex officio ;
  - (8) two persons elected in the manner prescribed from amongst the teaching staff of training colleges for teachers of Secondary Schools affiliated to or recognised by any of the Universities in West Bengal ;
  - (9) the Dean of the Faculty of Arts and the Dean of the Faculty of Science of the Calcutta University, ex officio ;

## [ West Bengal Act V of 1963 ]

*(Chapter II—The Board—Section 4)*

- (10) the Dean of the Faculty of Engineering and Technology, Jadavpur University, ex officio ;
- (11) the Adhyaksha, Kala Bhaban, Viswa Bharati, Santiniketan, ex officio ;
- (12) a Dean nominated by each of the Universities of Burdwan, Kalyani and North Bengal and the Bhidhan Chandra Krishi Viswa Vidyalaya ;
- (13) one person nominated by the Madrasha Education Board from amongst the members of the Madrasha Education Board ;
- (14) (a) two heads of recognised Secondary Schools nominated by the State Government ;
- (b) thirty-three wholetime and permanent teachers of recognised Secondary Schools (whose appointment has been approved in accordance with the rules) of whom one shall be from the hill areas, elected in the manner prescribed ;

Vide W.B. Act  
XVI of 1988

Explanation :—“Hill areas” shall have the same meaning as in the Darjeeling Gorkha Hill Council Act, 1988.

- (15) two representatives of the West Bengal Legislative Assembly elected in the manner prescribed ;
- (16) five persons interested in education nominated by the State Government, one of whom shall be a woman and at least one shall be a member of the Managing Committee of a recognised Institution ;
- (17) one person elected by the employees of the Board from amongst themselves in the manner provided by regulations ; and
- (18) (a) one wholetime and permanent member of the teaching staff of primary schools recognised by the District School Board or the Director of Public Instruction or the Director of Primary Education, nominated by the State Government ;
- (b) one wholetime and permanent member of the teaching staff of colleges affiliated to any of the Universities in West Bengal nominated by the State Government.

[Vide West Bengal  
Act XXXII of 1979,  
read with W. B. Act,  
XXVII of 1983 and  
W.B. Act X of 1984]

[ West Bengal Act V of 1963 ]

(Chapter II.—The Board.—Sections 5, 6, 7.)

Appointment in  
default of  
election.

5. (1) If by such date as may be prescribed any of the authorities, other than the State Government, fails to elect or nominate a member or members as provided in section 4, the State Government shall appoint member or members qualified for election or nomination by such authority ;

Provided that in the case of the State Legislative Assembly if the said Assembly has been dissolved, the State Government shall appoint a suitable person to be a member to hold office until the said Assembly is reconstituted and a representative is elected by the members thereof.

- (2) A person appointed under this section shall be deemed to be a member of the Board duly elected or nominated under section 4.

Publication of the  
names of elected,  
nominated or  
appointed  
members of the  
Board.

6. The name of every person elected or nominated under section 4 or appointed under section 5 as a member of the Board shall be published in the *Official Gazette* as soon as may be after his election or nomination or appointment, as the case may be.

7. (1) Subject to the provisions of this Act, an elected, nominated or appointed member of the Board shall hold office for a term of five years from the date on which his name is published under section 6, and may, on expiration of such term, be re-elected, re-nominated or re-appointed.

Term of office of  
elected, nomina-  
ted or appointed  
members of the  
Board.

- (2) Notwithstanding the expiration of the term of five years specified in sub-section (1), an elected, nominated or appointed member of the Board shall continue to hold office until the vacancy caused by the expiration of the said term has been filled in accordance with the provisions of this Act.

## [ West Bengal Act V of 1963 ]

*(Chapter II.—The Board.—Sections 8, 9, 10.)*

8. If any member dies or resigns his office or ceases to be a member for any other reason the vacancy shall be filled up by a fresh nomination or election under section 4 and the member so nominated or elected shall hold office for the unexpired portion of the term of the member whose place he fills. Casual vacancies
- 9 (1) The President shall be appointed by the State Government. Appointment, term of office, salary and allowances of the President
- (2) The appointment of a President under sub-section (1) shall be for such period as may be specified in the notification but the State Government may extend the period from time to time so, however, that the total period of appointment does not exceed five years from the date of first appointment,
- (3) The President shall cease to hold office if at any time he becomes subject to any of the disqualifications referred to in sub-section (1) of section 11.
- (4) The President may resign his office by giving notice in writing to the State Government.
- (5) The President shall receive such salary and allowances, if any, from the West Bengal Board of Secondary Education Fund as the State Government may determine.
10. (1) If the President dies or resigns his office or ceases to hold office or is temporarily absent the State Government shall authorise a member of the Board to exercise the powers and perform the duties of the office of the President until the President resumes office or a new President is appointed, as the case may be. Temporary and acting arrangements for the office of the President.
- (2) A President appointed to fill a casual vacancy, under sub-section (1), shall hold office for the unexpired portion of the term of the President whose place he fills.

[ West Bengal Act V of 1963 ]

(Chapter II.—The Board.—Sections 11.)

Disqualifications  
for membership.

11. (1) A person shall be disqualified for being elected, nominated or appointed a member of the Board if he —

- (a) has been adjudged by a competent Court to be of unsound mind ;
- (b) is an undischarged insolvent ;
- (c) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part ;
- (d) has been convicted by a Court of an offence which is declared by the State Government to be an offence involving moral turpitude, unless—
  - (i) such disqualification is condoned by the State Government, or
  - (ii) the term of his sentence of imprisonment, or a period of five years from the date of his conviction, whichever is longer, has expired ;
- (e) directly, or indirectly, by himself or his partner,—
  - (i) has or had any share or interest in any text-book approved by the Board or published by or under the authority of the Board, or
  - (ii) has any interest in any work done by order of, or in any contract entered into on behalf of, the Board :

Provided that a person who had any share or interest in any text-book referred to in sub-clause (i) shall not be deemed to have incurred the disqualification under the said

## [ West Bengal Act V of 1963 ]

*(Chapter II.—The Board,—Sections 11, 12.)*

sub-clause if five years have elapsed from the date of the publication or republication of such text-book.

- (2) If an elected, nominated or appointed member of the Board becomes after his election, nomination or appointment, as the case may be, subject to any of the disqualifications specified in sub-section (1), his membership shall thereupon cease with effect from such date as the State Government may direct.

Disputes relating to the eligibility or the manner of election of members.

12. (1) If any question arises relating to—

- (i) the eligibility of any person for election as a member of the Board, of any Committee or of a Regional Council under this Act, or
- (ii) the manner in which any such election has been held, or
- (iii) the disqualification of any member of the Board, of any Committee or of a Regional Council continuing as such member,

such question shall be referred for decision to a Tribunal consisting of a Judicial Officer not below the rank of a District Judge or an Additional District Judge, appointed by the State Government.

- (2) The procedure to be followed by the Tribunal shall be such as may be prescribed.
- (3) The decision of the Tribunal under sub-section (1) shall be final and no suit or proceeding shall lie in any Civil or Criminal Court in respect of any matter which has been or may be referred to, or has been decided by, the Tribunal under that sub-section.

[ West Bengal Act V of 1963 ]

(Chapter II.—The Board.—Sections 13, 14, 15, 16.)

13. (1) An elected, nominated or appointed member of the Board may resign his seat by giving notice in writing to the President, and when such resignation is accepted by the Board, such member shall be deemed to have vacated his seat. **Resignation and removal of members.**
- (2) The State Government may, by notification, and after giving the member concerned an opportunity of being heard, remove any elected, nominated or appointed member of the Board if, without obtaining the consent of the President, he is absent from three consecutive meetings of the Board.
14. The President, or in his absence, one of the members of the Board elected from amongst those present, shall preside at meetings of the Board, and the President or such member shall be entitled to vote on any matter and shall have a second or casting vote in every case of equality of votes. **Conduct of meetings.**
15. (1) No member of the Board shall vote on any matter in which he has any personal or pecuniary interest or if it relates to any Institution of which he is either a teacher or a member of the Managing Committee. **Restriction on voting.**
- (2) The President or the member presiding at a meeting of the Board shall decide any question arising under sub-section (1) and his decision thereon shall be final.
16. (1) The Board shall have a Secretary who shall be appointed by the State Government. **Persons in the service of the Board**
- (2) The Board may appoint such other officers and servants as it considers necessary for carrying out the purposes of this Act.

## [ West Bengal Act V of 1963 ]

*(Chapter II—Committees - Sections 16, 17.)**(Chapter III.—Committees and Regional Councils.—Sections 18.)*

(3) The terms and conditions of appointment and the scales of pay and allowances, if any, shall—

(a) as respect the Secretary be such as may be prescribed

and

(b) as respect the other officers and servants be such as may be determined by regulations.

(4) Subject to the general control and supervision of the President the Secretary shall be the principal administrative officer of the Board. He shall be entitled to attend and speak at any meetings of the Board, but shall not be entitled to vote.

Travelling  
allowance.

17. Such members of the Board or of any Committee, Sub-Committee or Council constituted under this Act as are not in the service of the State Government, shall, in respect of expenses incurred by them in attending meetings of the Board, or of any such Committee, Sub-Committee or Council, or in exercising any powers or performing any duties conferred or imposed upon them by or under this Act, be paid by the Board such allowances and at such rates as may be prescribed.

## CHAPTER III

## Committees and Regional Councils.

Committees.

18. As soon as may be after the Board is established the Board shall constitute the following Committees, namely :—

(a) the Recognition Committee ;



[ West Bengal Act V of 1963 ]

*(Chapter III—Committees—Sections 18, 19, 19A.)*

- (aa) the Executive Committee ;
- (b) the Syllabus Committee ;
- (c) the Examinations Committee ;
- (d) the Appeal Committee ;
- (e) the Finance Committee.

19. (1) The Recognition Committee shall consist of the following members :—

Recognition  
Committee

- (a) The President ;
- (b) the Director of School Education, Government of West Bengal, ex officio ;
- (c) four persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14), clause (15) and clause (16) of section 4 ;
- (d) the Deputy Director of Secondary Education (for women), Government of West Bengal, ex-officio ;

[Vide West  
Bengal Act  
XXX II of 1979.

and

- (e) the Deputy Director of Secondary Education (1), Government of West Bengal, ex officio.
- (2) The President shall be the Chairman of the Recognition Committee and the Secretary to the Board shall be the Secretary to the said Committee.
- (3) It shall be the duty of the Recognition Committee to advise the Executive Committee on all matters concerning the recognition of Institutions and the Executive Committee shall not accord recognition to any Institution except on the recommendation of the Recognition Committee.

19A. (1) The Executive Committee shall consist of the following members :—

Executive  
Committee

- (a) the President ;

## [ West Bengal Act V of 1963 ]

*(Chapter III—Committees—Sections 19A.)*

(Wide W.B. Act  
XIII of 1982)  
and  
W. B. Act  
XXXII of 1979  
read with W. B.  
Act XXVII of 1988

- (aa) the President, West Bengal Council of Higher Secondary Education, ex officio
  - (b) the Director of School Education, Government of West Bengal, ex officio ;
  - (c) Omitted Under W. B. Act X of 1984.
  - (d) the Deputy Director of Secondary Education (I), Government of West Bengal, ex officio ;
  - (e) the Deputy Director of Secondary Education (for Women), Government of West Bengal, ex officio ;
  - (f) five persons elected by the Board in the manner provided by regulations from amongst the members referred to in clauses (8), (9), (10), (11), and (12) of section 4 ;
  - (g) five persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14) of section 4 ;
  - (h) one person elected by the Board in the manner provided by regulations from amongst the members referred to in clause (15) of section 4 ;
  - (i) two persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (16) and clause (18) of section 4 ;
  - (j) member referred to in clause (17) of section 4 ;
- (2) The President shall be the Chairman of the Executive Committee and the Secretary to the Board shall be the Secretary to the said Committee.

[ **West Bengal Act V of 1963** ]

*(Chapter III—Committees—Sections 19A)*

- (3) Subject to any general or special orders of the State Government, the provisions of this Act and any rules or regulations made thereunder, the Executive Committee shall have the power to—
- Vide W.B. Act  
XIII of 1982
- (a) advise the Board on all matters relating to development of Secondary Education ;
  - (b) take such steps as may be necessary to carry out, as directed by the Board, the policy in accordance with the provisions of this Act ;
  - (c) subject to any directions of the State Government in regard to the number, location and manner of selection—
    - (i) grant or refuse recognition to Institutions, and
    - (ii) withdraw recognitions granted to Institutions, after considering the recommendation of the Recognition Committee ;
  - (d)
    - (i) amalgamate two or more Institutions into one Institution,
    - (ii) split one Institution into two or more institutions, and
    - (iii) shift an Institution from one site to another,
  - (e)
    - (i) supervise the functions of the managing committees,
    - (ii) approve or withhold approval of the constitution of the managing Committees,
    - (iii) approve special constitution of the managing committees,
    - (iv) supersede a managing committee and appoint Administrator or adhoc Committee to manage the affairs of an Institution,

## [ West Bengal Act V of 1963 ]

*(Chapter III—Committees—Sections 19A)*

- (f) maintain a register of recognised Institutions,
- (g) provide, after considering the recommendations, if any, of the Syllabus Committee, the syllabus, the courses of studies to be followed and the books to be studied in recognised Institutions and for examinations instituted by the Board ;
- (h) undertake, if necessary, with the approval of the State Government, the preparation, publication or sale of text-books and other books for use in recognised Institutions ;
- (i) (a) approve or prescribe books either for being studied in recognized institutions or for examinations instituted by the Board or for both, and
  - (b) publish list of books so approved or prescribed and revise such list from time to time ;
- (j) set down the conditions to be fulfilled by candidates presenting themselves for examinations instituted by the Board ;
- (k) provide, after considering the recommendations, if any, of the Examinations Committee and the Regional Councils, and with the approval of the State Government, the rates of remuneration to be paid to paper-setters, moderators, tabulators, examiners, invigilators, supervisors and other persons employed in connection with the examinations instituted by the Board and the rates of fees to be paid by candidates for such examinations ;
- (l) (i) grant permission to candidates to appear at the examination instituted by the Board, and
  - (ii) refuse or withdraw such permission, if it thinks fit stating the reasons of such refusal or withdrawal,

[ West Bengal Act V of 1963 ]

(Chapter III—Committees—Sections 19A, 20.)

- (4) The Executive Committee shall submit to the Board half-yearly reports on the action taken by it on matters specified in this section and such other reports, returns, statements and information on any matter relating to the duties of the Executive Committee as the Board may require from time to time.
- (5) The Executive Committee may, if it thinks necessary make by-laws, not inconsistent with this Act or the rules or the regulations made thereunder, for discharging its functions under this Act.

Provided that any decision or action taken or any order made by the Executive Committee in the discharge of its functions under this Act, shall not be invalid merely on the ground that no by-law has been made under this sub-section.

Vide W. B. Act  
XXVII of 1983

- (6) No by-law shall be valid unless it is approved by the State Government. The Executive Committee shall submit by-law to the Board and the Board shall examine the same and submit the by-law to the State-Government with its report. The State Government, after considering the report of the Board, may approve the by-law and, if necessary, make such additions, alterations or modifications as it thinks fit.
- (7) All by-laws approved by the State Government shall be published in the Official Gazette.

[Vide W. B.  
Act XXXII of  
1979, read with  
West Bengal Act  
XXVII of 1983]

20. (1) The Syllabus Committee shall consist of the following members :-

Syllabus  
Committee

- (a) the President ;
- (aa) the President, West Bengal Council of Higher Secondary Education, ex officio
- (b) the Dean of the Faculty of Arts of the University of Calcutta, ex officio ;

Vide W.B. Act  
XXXII of 1979

[ **West Bengal Act V of 1963** ]*(Chapter III—Committees—Sections 20.)*

- (c) the Dean of the Faculty of Science of the University of Calcutta, ex officio ;
  - (d) a Dean nominated by each of the Universities of Burdwan, Kalyani and North Bengal ;
  - (e) the Dean of the Faculty of Engineering, Jadavpur University, ex officio ;
  - (f) one person elected by the Board in the manner provided by regulations from amongst the members referred to in clause (8) of section 4 ;
  - (g) five persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14) of section 4 ;
  - (h) three persons having special knowledge of scientific or technical education, who may or may not be members of the Board, elected by the Board in the manner provided by regulations.
- (2) The President shall be the Chairman of the Syllabus Committee and the Secretary to the Board shall be the Secretary to the said Committee.
- (3) It shall be the duty of the Syllabus Committee to—
- (a) advise, by way of recommendation, the Executive Committee about the syllabus and courses of studies to be followed and the books to be studied in recognised Institutions as well as for examinations instituted by the Board ;
  - (b) advise, by way of recommendation, the Executive Committee on any matter relating to the syllabus, courses of study or books to be studied, as may be referred to it by the Executive Committee.

[Vide West Bengal  
Act XXXII of 1979]  
read with W.B.  
Act XIII of 1982

[ West Bengal Act V of 1963 ]

*(Chapter III—Committees—Sections 20, 21.)*

- (4) The Syllabus Committee may appoint such Sub-Committee or Sub-Committees as it may consider necessary to advise it upon any matter referred to in sub-section (3) and it shall not be necessary for any member of such a Sub-Committee to be a member of the said Committee or the Executive Committee.

21. (1) The Examinations Committee shall consist of the following members :- Examinations  
Committee
- (a) the President ;
  - (b) the Director of School Education,  
Government of West Bengal, ex officio
  - (c) one person nominated by the State Government from amongst the members of the Board referred to in clauses (9), (10), (11) and (12; of section 4 ;
  - (d) one person elected by the Board in the manner provided by regulations from amongst the members referred to in clauses (9), (10), (11) and (12) of section 4 ; Vide W. B. Act  
XXXII of 1979
  - (e) the Director of Technical Education, Government of West Bengal, ex officio ; and
  - (f) the Deputy Director of Secondary Education (1), Government of West Bengal, ex officio.
- (2) The President shall be the Chairman of the Examinations Committee and the Secretary to the Board shall be the Secretary to the said Committee.
- (3) It shall be the duty of the Examinations Committee to—
- (a) arrange for the holding of examinations instituted by the Board including the fixing of centres for such examinations ;

**[ West Bengal Act V of 1963 ]***(Chapter III.—Committees—Sections 21.)*

- (b) appoint Papers-setters and Moderators for such examinations ;
  - (c) appoint Examiners, Tabulators, Supervisors and Invigilators for such examinations .
  - (a) consider, approve and publish the results of such examinations ; and
  - (e) disqualify candidates for presenting themselves at examinations for any reason considered to be adequate or for being declared as having passed any such examination on the ground of misconduct.
- (4) The Examinations Committee shall advise—
- (a) the Executive Committee on—
    - (i) the rates of remuneration to be paid to the paper-setters, moderators, tabulators, examiners, invigilators, supervisors and other persons employed in connection with examinations,
    - (ii) the fees to be paid by the candidates for examinations ; and
  - (b) the Board on any matter relating to examinations which may be referred to it for advice by the Board.
- (5) The Examinations Committee may appoint such Sub-Committee or Sub-Committees as it may consider necessary to advise it upon any matter referred to in sub-sections (3) and (4) and it shall not be necessary for any member of such a Sub-Committee to be member of the Examinations Committee or the Executive Committee or the Board.

[Vide West Bengal Act XXXII of 1979]



[ West Bengal Act V of 1963 ]

*(Chapter III—Committees—Sections 22)*

22. (1) The Appeal Committee shall consist of the following members .-

- (a) three persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14) of section 4 : Appeal  
Committee
- (b) a person, who is or has been a member of the Judicial Service of the State Government, nominated by State Government ; (Vide West  
Bengal Act  
XXXII of 1979)
- (c) the Director of School Education, Government of West Bengal, ex officio ; Read with W.B.  
Act XIII of 1982
- (d) a member of a Managing Committee of a recognised Institution nominated by the President.

(2) The person referred to in clause (b) of sub-section (1) shall be the Chairman of the Appeal Committee and the Secretary to the Board shall be the Secretary to the said Committee.

(3) It shall be the duty of the Appeal Committee to hear and decide appeals by teachers and other employees against decisions of Managing Committees of Institutions adversely affecting them, in accordance with regulations made in this behalf.

(4) The decision of the Appeal Committee under sub-section (3) shall be final and no suit or proceeding shall lie in any Civil or Criminal Court in respect of any matter which has been or may be referred to, or has been decided by, the Appeal Committee.

(5) The honorarium or remuneration, if any, of the member nominated under clause (b) of Sub-Section (1) may be fixed by the State Government by an order made in this behalf.

## [ West Bengal Act V of 1963 ]

(Chapter III.—Committees and Regional Examination Councils  
—Sections 23, 24, 25)

Finance  
Committee

23. (1) The Finance Committee shall consist of the following members :—

- (a) the President ;
- (b) the Director of School Education, Government of West Bengal, *ex-officio* ;
- (c) two members of the Board elected by the Board in the manner provided by regulations ; and
- (d) one person having knowledge of, or experience in, financial matters, appointed by the State Government.

Vide W.B. Act  
IX of 1977 read  
with W.B. Act  
X of 1984

- (2) The President shall be the Chairman of the Finance Committee and the Secretary to the Board shall be the Secretary to the said Committee.
- (3) It shall be the duty of the Finance Committee to prepare the budget of the Board and to perform such other functions as the Board may direct.

Other Com-  
mittees.

24. (1) The Board may, with the approval of the State Government, constitute such other Committee or Committees as it may think fit and such Committee may be composed wholly or in part of members of the Board.

- (2) The Board may, with the approval of the State Government, delegate to any such Committee any of its powers *or* functions and may in like manner withdraw from it any such power or function.

Regional Coun-  
cil (Vide W. B.  
Act XIII of 1982)

25. (1) The Board may, with the approval of the State Government, constitute such Regional Council or Councils as it may deem fit. The number, composition and territorial jurisdiction of a Regional Council shall be determined by the Board with the approval of the State Government.

[ West Bengal Act V of 1963 ]

(Chapter III—Committees and Councils—Sections 25, 26)

- (2) The Board may, with the approval of the State Government, delegate to a Regional Council such powers or duties of the Board, the Executive Committee or the Examinations Committee conferred or imposed by or under this Act, except those referred to in clause (b) of sub-section (3), clause (b) of sub-section (4), and sub-section (5) of section 21, as it may deem fit, and may at any time withdraw from such Regional Council the powers or duties so delegated and dissolve the Regional Council.

Term of office of members of the Committees and Councils.

26. (1) An elected, nominated or appointed member of any Committee or Council constituted under this Act, who is also a member of the Board, shall continue to hold office until he ceases to be member of the Board.

- (2) An elected, nominated or appointed member of any Committee or Council constituted under this Act, who is not a member of the Board, shall hold office for such term as may be specified by the Board and may on expiration of such term be re-elected, re-nominated or re-appointed :

Vide W.B. Act  
XIII of 1982

Provided that, notwithstanding the expiration of the said term, an elected, nominated or appointed member of a Committee or Council shall continue to hold office until the vacancy caused by the expiration of the said term has been filled in accordance with the provisions of this Act.

- (3) The Provisions of section 5 and of sections 8, 11 and 13 shall apply *mutatis mutandis* to members of any Committee or of a Regional Council constituted under this Act as if references to the Board or the President were references to such Committee or Regional Council or the Chairman of such Committee or Regional Council.

[ West Bengal Act V of 1963 ]

*(Chapter IV—Powers and Duties of the Board and the President—Sections 27.)*

## CHAPTER IV

**Powers and Duties of the Board and President.**

Power and  
Duties of the  
Board.

27. (1) It shall be the duty of the Board to advise the State Government on all matters relating to Secondary Education referred to it by the State Government.
- (2) Subject to any general or special orders of the State Government, the provisions of this Act and any rules made thereunder, the Board shall have generally the power to direct, supervise and control Secondary Education, and in particular the power—
- (a) to lay down the general policy for development of Secondary Education in West Bengal ;
  - (b) to conduct periodical survey to assess the educational needs of West Bengal with particular reference to such needs of the Scheduled Castes, the scheduled Tribes and other backward communities and of the hill areas in West Bengal ;
  - (c) W. B. Act XIII of 1982—Omitted ;
  - (d) to institute Secondary Examinations and such other examinations as it may think fit and to make regulations in this behalf ;
  - (e) to administer the West Bengal Board of Secondary Education Fund ;
  - (f) to institute and administer such Provident Funds as may be prescribed ;

(Vide West  
Bengal Act XXXII  
of 1979)  
read with W.B.  
Act XIII of 1982

[ West Bengal Act V of 1963 ]

*(Chapter IV—Power and Duties of the Board and the  
President Sections—27)*

- (g) to make regulations relating to the conduct, discipline and appeal in respect of the members of its staff ;
  - (h) to decide any appeal preferred against any decision of the Executive Committee or, subject to the provisions of this Act, any other committee constituted under this Act; and
  - (i) to award diplomas, certificates, prizes and scholarships in respect of any examinations instituted by the Board ;
- (3) Subject to the provisions of sub-section (2), the Board may, if it thinks necessary make regulations in respect of any matter for the proper exercise of its powers under this Act.

Provided that any decision or action taken or any order made by the Board in exercise of its powers under this Act shall not be invalid merely on the ground that no regulation has been made under this Sub-Section.

- (4) No regulation shall be valid unless it is approved by the State Government and the State Government may, in according such approval, make such additions, alterations and modifications therein as it thinks fit and also specify the date or dates from which the regulations shall come into force or shall be deemed to have come into force.

Provided that before making any such addition, alteration or modification the State Government shall give the Board an opportunity to express its views thereon within such period not exceeding one month as may be specified by the State Government.

## [ West Bengal Act V of 1963 ]

*(Chapter IV—Powers and Functions of the Board and the President Sections—27, 28)*

- (5) All regulations approved by the State Government, shall be published in the Official Gazette.
- (Vide W. B. Act XXXII of 1979)
- (6) Subject to the provisions of sub-sections (2) and (3), the Board shall have the power to require the Executive Committee, from time to time, to submit reports, returns, statements and other information on any matter relating to the duties of the Executive Committee referred to in sub-sections (3) and (4) of Section 19A.
- Powers and duties of President.** 28 (1) The President shall be responsible for carrying out and giving effect to the decisions of the Board and of any Committee or council constituted under this Act.
- (Vide West Bengal Act XXXII of 1979)
- (2) The President may, in any emergency, exercise any of the powers of the Board or the Executive Committee provided however that he shall not act contrary to any decision of the Board or the Executive Committee and shall, as soon thereafter as may be, place a full report before the Board or the Executive Committee as the case may be, of the action taken by him stating reasons therefor ; and
- (3) The President shall—
- (a) exercise general supervision over the Secretary and the staff appointed by the Board and post and transfer the members of the staff ;
- (b) sanction all claims of travelling allowance ; and
- (c) take such other action not inconsistent with any decisions of the Board or the Executive Committee as he considers necessary for the proper functioning of the Board or the Executive Committee under this Act.

[ West Bengal Act V of 1963 ]

(Chapter V—Meetings—Sections 29)

CHAPTER V

Meetings

Meetings of the Board and the Executive Committee  
(Vide W.B. Act XXIX of 1979)

29. (1) The annual meeting of the Board shall be held in the month of July in each year
- (2) The Board shall meet at such other times, not less than twice a year, as may be appointed by the President on the advice of the Executive Committee.
- (3) The President shall, except in the case of an emergency meeting referred to in sub-section (6), give to each member not less than seven days' notice of each meeting including the annual or a special meeting :

Provided that the President shall, on receipt of a requisition signed by not less than twenty members of the Board, call a meeting within fifteen days from the date of receipt of such requisition and no business other than that on account of which the requisition has been received shall be transacted at such a meeting.

- (4) On receipt of a requisition signed by not less than fifteen members of the Board, the President shall place before a meeting of the Board for discussion any decision of any Committee other than the Executive Committee constituted under this Act to which such requisition relates, and the Board may revise any such decision if not less than two-thirds of the total number of members of the Board are in favour of such revision.
- (5) No matter which has been decided by the Board shall within the period of six months from the date of such decision, be reconsidered except at a special meeting of the Board convened for the purpose

## [ West Bengal Act V of 1963 ]

*(Chapter V—Meetings.—Sections 29, 30)*

upon the requisition of twenty members and unless not less than two-thirds of the total number of members of the Board vote in favour of such reconsideration.

- (6) In case of an emergency, the President may call a meeting, after giving not less than clear two days' notice thereof.
- (7) No business shall be transacted at any meeting of the Board unless a quorum of twenty members is present.
- (8) (a) The Executive Committee shall meet at least once in every two months and at least six times a year.
- (b) The President shall give to each member not less than seven days' notice of each meeting :  
Provided that the President may call an emergency meeting after giving not less than two days' notice to each member.
- (c) No business shall be transacted at any meeting of the Executive Committee unless there is a quorum of fifty per cent of the existing members of the Executive Committee, fraction, if any, being computed as one.

(Vide W.B Act  
XXXII of 1979

(Vide W.B. Act  
XXXVII of 1983

Meetings of Com-  
mittees and  
Regional Councils

30. The Board shall make regulations relating to meetings of any Committee other than the Executive Committee or of any Regional Council constituted by it and the procedure to be followed at such meetings.



[ West Bengal Act V of 1963 ]

(Chapter VI—Finance and Audit—Sections 31)

CHAPTER VI

Finance and Audit

31. (1) The President shall place before the annual meeting of the Board held in the year following the year in which it is constituted and before every annual meeting thereafter a report on the working of the Board during the last preceding financial year.
- (2) The report shall be forwarded to the State Government within one month of the presentation thereof before the annual meeting of the Board together with such comments thereon as the Board may think fit to make.
- (3) (a) The Board shall hold a special meeting by the 31st October, of every financial year and shall place before the said meeting a budget estimate showing, in such form as may be prescribed, the anticipated income and expenditure of the Board for the next financial year.
- (b) The budget estimate as aforesaid shall, after confirmation by the Board, be forwarded to the State Government by the 30th November of the financial year in which special meeting referred to in clause (a) is held.
- (4) (a) The State Government shall within two months of the receipt of the budget estimate either accord its approval to the same or return it to the Board with such comments and suggestions as it deems necessary if in its opinion such estimate—
- (i) is not reasonably accurate with reference to ascertainable facts or shows a deficit in the closing balance ;
- Annual report and budget estimate.  
W. B. Act XV of 1986.

## [ West Bengal Act V of 1963 ]

*(Chapter VI—Finance and Audit.—Sections 31.)*

- (ii) includes new items of recurring expenditure which are likely to impose upon the Board in the future financial liabilities which the Board is not likely to be able to meet from its income ; or
  - (iii) includes provisions for expenditure which are not in accordance with the provisions of this Act.
- (b) If the budget estimate is returned under clause (a), the Board shall consider the comments and suggestions made by the State Government and may, if it thinks fit, revise the said estimate. The Board shall then resubmit the budget estimate as so revised the State Government, or, the Board shall, if it does not think fit to revise the estimate, resubmit it in its original form to the State Government within one month of receiving it together with its replies on the comments and suggestions made by the State Government.
- (c) If the State Government does not approve of the budget estimate as revised by the Board or if the budget estimate is returned by the Board without revision, the State Government may amend the budget estimate by making—
- (i) such modifications as are in its opinion necessary to render the estimate reasonably accurate with reference to ascertainable facts or to balance the income and the expenditure ;
  - (ii) additions, alterations or modifications in any provisions relating to new expenditure of a recurring nature ;

[ West Bengal Act V of 1963 ]

*(Chapter VI.—Finance and Audit.—Sections 31, 32)*

(iii) any alteration or modification in any provision for expenditure which, in its opinion, is not in accordance with the provisions of this Act ;

and shall forward the budget estimate as so amended to the Board.

(5) If the State Government does not accord its approval to the budget estimate under clause (b) of sub-section (3) within two months of the receipt thereof, or if the State Government does not communicate its approval of the budget estimate to the Board under clause (c) of sub-section (4) within the 31st March of the financial year immediately preceding the financial year to which the budget estimate relates, the budget estimate as forwarded to the State Government by the Board under clause (b) of sub-section (3) or as resubmitted to the State Government by the Board under clause (b) of sub-section (4), as the case may be, shall be deemed to have been approved by the State Government and shall be the budget estimate of the Board for the financial year to which it relates.

(6) Notwithstanding anything contained in the foregoing provisions of this section, the budget estimate of the Board for the financial year 1986-87 shall be submitted to the State Government and the approval or otherwise of the said estimate shall be accorded by the State Government in accordance with the provisions of this Act as in force immediately before the coming into force the West Bengal Board of Secondary Education (Amendment) Act, 1986.

32. The State Government may, after considering the budget estimates, the accounts of the Board and such other reports as it may call for, make such annual or periodical grants to it as it may think fit.

Payment to the Board by the State Government.

## [ West Bengal Act V of 1963 ]

*(Chapter VI—Finance and Audit—Section 33, 34, 35, 36.)*

33. (1) The Board shall have a fund to be called the West Bengal Board of Secondary Education Fund to which shall be credited—

West Bengal  
Board of  
Secondary  
Education  
Fund.

(a) all sums which may be paid by the State Government under section 32 :

(b) all fees realised under any of the provisions of this Act ;

(c) all sums representing income from endowments or from property owned or managed by the Board ; and

(d) all other sums received by or on behalf of the Board from any other source whatsoever.

(2) The Fund shall vest in the Board and shall be under its control and shall be held by it in trust for the purposes of this Act.

(3) All monies payable to the credit of the Fund shall forthwith be paid into the Reserve Bank of India or into the State Bank of India or any branch thereof, to the credit of the Fund, and all cheques drawn on the Fund shall be signed by the President or by such other person as he may authorise in writing in this behalf.

Application of the  
West Bengal  
Board of  
Secondary  
Education Fund.

34. No expenditure shall be incurred from the Fund except for the purposes of this Act, and unless such expenditure is provided for in the budget as approved under this Act or can be met by reappropriation sanctioned in the prescribed manner.

Accounts.

35. The Board shall keep an account of all its receipts and expenditure in the manner prescribed.

Audit.

36. (1) The accounts of the Board shall be examined and audited annually in such manner as may be prescribed by an auditor or auditors appointed by the State Government.

[ West Bengal Act V of 1963 ]

*Chapter VI—Finance and Audit—Chapter VII.—Supplemental Provisions.—Sections 36)*

- (2) For the purpose of examination and audit under sub-section (1) an auditor appointed under that sub-section may—
  - (a) require in writing the production before him of any document relating to the Board or the assets thereof which he considers to be necessary for the proper conduct of the audit ;
  - (b) require in writing the personal appearance before him of any person accountable for, or having the custody or control of, any such document to answer any question relating thereto ; and
  - (c) require any person so appearing before him to submit a statement in writing in respect of any such document.
- (3) It shall be the duty of the Board, and of every member thereof, and of the Secretary and the members of the staff in the service of the Board to afford to the auditor every facility for the examination and audit of the accounts of the Board and to comply with any requisition made by the auditor under sub-section (2) and with the requirement of any rule made in this behalf.
- (4) Any person who wilfully neglects or refuses to comply with a requisition made under sub-section(2) or with the requirement of any rule made in this behalf shall, on conviction, be punishable with fine which may extend to one hundred rupees.
- (5) No complaint in respect of any offence punishable under sub-section (4) shall be made except with the previous sanction of the State Government.
- (6) No Magistrate other than a Presidency Magistrate or a Magistrate of the first or second class shall try an offence punishable under sub-section (4).

## [ West Bengal Act V of 1963 ]

*(Chapter VII Supplemental Provisions.—Sections 37, 38, 39, 40.)*

37. (1) Not more than fourteen days after completion of the audit the auditor shall submit to the State Government a report on the accounts audited, and shall send a copy thereof to the Board which shall forward it to the State Government together with its observations thereon. Audit report.
- (2) The State Government shall take such action on the audit report as it thinks fit.

## CHAPTER VII

## Supplemental Provisions

38. The Board shall furnish to the State Government such reports, returns and statements as may be prescribed and such further information on any matter relating to the Board, as the State Government may require. Board to furnish information.
39. The State Government may, by order in writing specifying the reasons thereof, suspend the execution of any resolution or order of the Board or of any Committee or any Regional Council constituted under this Act and prohibit the doing of any act which purports to be done or intended to be done under this Act, if the State Government is of opinion that such resolution, order or act is in excess of the powers conferred by or under this Act upon the Board or the Committee or the Council, as the case may be. Power of State Government to suspend proceedings.
40. The members of the Board and of every Committee or Council constituted under this Act, persons in the service of the Board and any person appointed under this Act to audit the accounts of the Board shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. Act XLV of 1860.

Certain persons  
to be deemed to  
be public  
servants.

[ West Bengal Act V of 1963 ]

(Chapter VII Supplemental Provisions.—Sections 41, 42, 43, 44, 45.)

41. No suit, prosecution or other legal proceeding what- Indemnity.  
ever shall lie against any person for anything in good  
faith done or intended to be done under this Act.
42. A Tribunal appointed under this Act shall have all Power of  
the powers of a Civil Court for the purposes of receiving Tribunals.  
evidence, administering oaths, and enforcing the atten-  
dance of witnesses and compelling the discovery and  
production of documents and shall be deemed to be a  
Civil Court within the meaning of sections 480 and 482  
of the Code of Criminal Procedure.
43. No act or proceeding taken under this Act shall be Savings.  
invalid on the ground merely of—
- (a) the existence of any vacancy in, or defect in the  
initial or subsequent constitution of, the Board or  
any Committee or any Regional Council consti-  
tuted under this Act,
- (b) any member of the Board having voted on any matter  
in contravention of the provisions of section 15, or
- (c) any defect or irregularity not affecting the merits  
of the case.
44. Every matter or thing required to be provided by Transitory  
regulations under this Act shall, until such regulations provisions.  
are made, be provided by rules made under this Act.
45. (1) The State Government may after previous Power of State  
publication, make rules for carrying out the purposes Government to  
of this Act. make rules.
- (2) In particular, and without prejudice to the generality  
of the foregoing power, such rules may provide for  
all or any of the following matters, namely :—
- (a) the acquisition, possession and disposal of  
property by the Board, the conditions of  
such acquisition, possession and disposal, and  
the performance by the Board of any function  
referred to in sub-section (2) of section 3 ;

## [ West Bengal Act V of 1963 ]

*(Chapter VII—Supplemental Provisions—Section 45)*

- (b) the manner of election of the members of the Board specified in clause (8) and sub-clause (b) of clause (14) of section 4, the constitution of electorates for such elections and the dates by which such elections shall be held ;
- (c) the manner of election of the members of the Board specified in clause (15) of section 4 and the dates by which such election shall be held ;
- (d) the composition, powers and functions of Managing Committees of Institutions ;
- (e) the procedure to be followed by a Tribunal in determining disputes referred to in sub-section (1) of section 12 ;
- (f) the terms and conditions of appointment, the scale of pay and the rules of discipline relating to the Secretary of the Board ;
- (g) the rates at which the Board shall pay travelling allowance to persons referred to in section 17 ;
- (h) the Provident Funds referred to in clause (l) of sub-section (2) of section 27 as may be instituted and administered by the Board ;
- (i) the form in which the budget estimate of the Board shall be prepared ;
- (j) the manner in which all payments to and from the West Bengal Board of Secondary Education Fund shall be made ;
- (k) the manner of reappropriation under section 34 ;
- (l) the manner and form in which accounts of receipts and expenditure shall be kept under section 35 ;

Vide W. B. Act  
XIV of 1969



[ West Bengal Act V of 1963 ]

(Chapter VII—Supplemental Provisions.—Section 46.)

- (m) the manner in which examination and audit of the accounts of the Board shall be made ;
- (n) the reports, returns and statements to be furnished by the Board under section 38 and the forms of such reports, returns and statements ;
- (o) any other matter required to be prescribed or provided or made by rules.

Repeal and  
continuance.

46. (1) The West Bengal Secondary Education Act, 1950 (hereinafter referred to as the said Act), and the West Bengal Secondary Education (Temporary Provisions) Act, 1954, are hereby repealed.

West Ben. Act  
XXXVII of 1950.

West Ben. Act  
XXII of 1954.

- (2) Upon such repeal—

- (a) all property and assets vested in the Board of Secondary Education and all rights, liabilities and obligations acquired or incurred by such Board before the commencement of this Act shall stand transferred to the State Government :

Provided that the State Government may by order made in this behalf retransfer all or any of such property or assets to the Board and thereupon such property or assets shall vest in the Board,

- (b) all legal proceedings or remedies instituted or enforceable by or against the Board of Secondary Education before the commencement of this Act may be continued or enforced, as the case may be, by or against the Board, or until the Board is established by or against such officer or authority as the State Government may by order specify,
- (c) all officers and other persons in the employment of the Board of Secondary Education imme-

## [ West Bengal Act V of 1963 ]

*(Chapter VII—Supplemental Provisions—Section 47, 48.)*

diately before the commencement of this Act, shall, until other provision is made, continue in the service of the Board,

(d) all recognised schools shall be deemed to have been recognised under this Act until the expiration of the period of recognition subject, however, to the power of the Board to withdraw recognition in accordance with the provisions of this Act,

(e) all syllabuses, courses of studies and text-books in force shall, until other provision is made under this Act, continue to be followed, and

(f) all appeals, referred to in sub-section (3) of section 30 of the said Act and pending immediately before the commencement of this Act, shall be continued and be heard and determined by the Appeal Committee constituted under section 18 of this Act, and, until such Appeal Committee is constituted, by the Director of Public Instruction, Government of West Bengal and for the purpose of disposal of such appeals the regulations made under the said sub-section (3) of section 30 of the said Act shall be deemed to continue in force.

Board to be guided by directions of the State Government

47. The Board shall, in exercising its powers and performing its duties under this Act, be guided by such directions, as the State Government may by notification in the *Official Gazette* give from time to time, regarding the scope and content of Secondary Education.

Power to remove difficulties

48. If any difficulty arises in giving effect to the provisions of this Act, the State Government may make such order or do such thing, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty.

[ *West Bengal Act V of 1963* ]

*(Chapter VII—Supplemental Provisions—Section 49, 50.)*

Supersession of  
the Board

49. (1) If in the opinion of the State Government the Board—

- (a) has persistently made default in the performance of the duties imposed upon it, or
- (b) has exceeded or abused its powers, the State Government may, by an order published in the Official Gazette and stating the reasons therefor, supersede the Board, for such period not exceeding two years, as may be specified in the order and take such steps as may be necessary to re-establish the Board immediately on the expiry of the period of supersession.

Vide West Bengal  
Act IX of 1977

(2) The State Government may, if it considers necessary so to do, by order, extend or modify from time to time the period of supersession of the Board subject to the condition that the aggregate period of such supersession shall in no case exceed three years.

Consequence of  
Supersession

50. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, with effect from the date of an order of supersession made under Section 49,—

- (a) all the members of the Board, the Committees and the Sub-Committees constituted under this Act, and the President shall vacate their offices,
- (b) all the powers, duties and functions which, under the provisions of this Act or any rule or regulation made thereunder or of any law for the time being in force, may be exercised or performed by the Board or any of the Committees or Sub-Committees or the President, shall be exercised or performed by an Administrator to be appointed by the State Government in this behalf ;

(Vide W.B. Act  
IX of 1977 read  
with W.B. Act II  
of 1978)

## [ West Bengal Act V of 1963 ]

*(Chapter VII—Supplemental Provisions—Sections 51, 52)*

Provided that an Administrator appointed under this clause may delegate any of his powers, duties or functions to such person as he may think fit or to such body as may be constituted by him.

(c) the representatives of the Board on every body, Statutory or otherwise, shall vacate their offices as such representatives and the Administrator may nominate such person or persons, as he may think fit, to represent the Board on that body ;

(2) omitted (vide W.B. Act, II of 1978)

(3) The State Government may, by an order published in the Official Gazette, cancel an order made under section 49 and re-establish the Board.

(4) On the re-establishment of the Board under Sub-section (3) the Administrator shall cease to exercise his powers and perform his duties.

(5) The terms and conditions of service of the Administrator shall be such as may be fixed by the State Government by order made in this behalf.

**Board to Continue as a body corporate.**

51. For the avoidance of doubts it is hereby declared that an order of supersession made under section 49 shall not effect or imply in any way the dissolution of the Board as a body corporate.

**Re-establishment of the Board**

52. (1) The State Government shall, by an order published in the official Gazette, specify the date on which the Board is re-established in accordance with the provisions of section 4.

**Vide West Bengal Act XXXII of 1979**

(2) The State Government shall, by an order published in the Official Gazette, specify the dates by which the authorities (other than the State Government) shall elect or nominate members referred to in

[ West Bengal Act V of 1963.]

*(Chapter VII—Supplemental Provisions—Sections 52)*

section 4. If such member or members are not elected or nominated, as the case may be, by the specified dates the State Government shall appoint such member or members from amongst persons qualified for such election or nomination, as the case may be.

- (3) Until rules are made by the State Government for election of members referred to in section 4, the State Government shall appoint such member or members from amongst persons qualified for election under Clause (8) and Sub-Clause (b) of Clause (14) of Section 4.
- (4) Members appointed under sub-sections (2) and (3) shall hold office for such period not exceeding two years as the State Government may specify from time to time.

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

West Bengal Act XIV of 1969

THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1969.

*[Passed by the West Bengal Legislature]*

*[Assent of the Governor was first published in the Calcutta  
Gazette, Extraordinary, of the 11th August, 1969.]*

*[11th August, 1969.]*

*An Act to amend the West Bengal Board of Secondary  
Education Act, 1963.*

West Ben. Act V  
of 1969

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purpose and in the manner hereinafter appearing ;

It is hereby enacted in the Twentieth Year of the Republic of India, by the Legislature of West Bengal, as follows ;—

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1969. Short title.

2. In clause (d) of sub-section (2) of section 45 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the said Act), for the words "the composition of", the words "the composition, powers and functions of" shall be substituted. Amendment of section 45 of West Ben. Act of 1963.

West Beng.  
Ord. V of 1969.

3. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1969, is hereby repealed. Repeal and savings.

(2) Anything done or any action taken under the said Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1969, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act had commenced on the 9th day of May, 1969.

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

West Bengal Act XXXI of 1973

THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1973.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette Extraordinary*, of the 7th June, 1973.]

[7th June, 1973.]

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing,

It is hereby enacted in the Twenty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows ;—

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1973. Short title

2. In clause (1) of section 2 of the West Bengal Board of Secondary Education Act, 1963, after the words "by Government", the words "or by a Statutory Body" shall be inserted. Amendment of Section 2 of West Ben. Act V of 1963

West Beng.  
Act V of 1963



# THE CALCUTTA GAZETTE

*Extraordinary*

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VAISAKHA 9 ]

FRIDAY, APRIL 29, 1977

[ SAKA 1899

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

## NOTIFICATION

No. 853-L.—29th April, 1977.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information ;—

West Bengal Act IX of 1977

THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT 1977.

[ *Passed by the West Bengal Legislature.* ]

[ Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 29th April, 1977. ]

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ;

West Ben.  
Act V of  
1963.

It is hereby enacted in the Twenty-eighth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title.

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1977.



(Sections 2, 3, 4, 5)

Amendment  
of section 1 of  
West Ben. Act  
V of 1963.

2. To sub-section (2) of section 1 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the said Act), the following proviso shall be added, namely :—

“Provided that any institution situated in any other State or in any Union Territory may also with the sanction of the Government of such State or Union Territory, as the case may be, apply to the Board for recognition and the Board may, subject to such conditions or restrictions as it may, with the approval of the State Government, think fit to impose, grant recognition to such institution.”

Amendment of  
section 4.

3. In section 4 of the said Act,—

(1) after clause (1), the following clause shall be inserted, namely :—

“(1A) the President of the West Bengal Council of Higher Secondary Education, *ex-officio* ;”.

(2) for clause (2), the following clause shall be substituted, namely :—

“(2) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

Amendment of  
section 19.

4. In sub-section (1) of section 19 of the said Act, for clause (b), the following clause shall be substituted, namely :—

“(b) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

Amendment of  
section 21.

5. In sub-section (1) of section 21 of the said Act, for clause (b), the following clause shall be substituted, namely :—

“(b) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

West Bengal Act XIV of 1969

THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1969.

*[Passed by the West Bengal Legislature]*

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 11th August, 1969.]  
[11th August, 1969.]

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

West Ben. Act V  
of 1969

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purpose and in the manner hereinafter appearing ;

It is hereby enacted in the Twentieth Year of the Republic of India, by the Legislature of West Bengal, as follows ;—

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1969. Short title.

2. In clause (d) of sub-section (2) of section 45 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the said Act), for the words ‘the composition of’, the words ‘the composition, powers and functions of’ shall be substituted. Amendment of section 45 of West Ben. Act V of 1963.

West Beng.  
Ord. V of 1969.

3. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1969, is hereby repealed. Repeal and savings.

(2) Anything done or any action taken under the said Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1969, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act had commenced on the 9th day of May, 1969.

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

West Bengal Act XXXI of 1973

THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1973.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette Extraordinary*, of the 7th June, 1973.]

[7th June, 1973.]

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ,

It is hereby enacted in the Twenty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows ;—

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1973. Short title

2. In clause (1) of section 2 of the West Bengal Board of Secondary Education Act, 1963, after the words “by Government”, the words “or by a Statutory Body” shall be inserted. Amendment of Section 2 of West Ben. Act V of 1963

West Beng.  
Act V of 1963



# THE CALCUTTA GAZETTE

*Extraordinary*

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VAISAKHA 9 ]

FRIDAY, APRIL 29, 1977

[ SAKA 1899

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

## NOTIFICATION

No. 853-L.—29th April, 1977.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information ;—

West Bengal Act IX of 1977

THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT 1977.

[ *Passed by the West Bengal Legislature.* ]

[ Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 29th April, 1977. ]

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ;

West Ben.  
Act V of  
1963.

It is hereby enacted in the Twenty-eighth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title.

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1977.

(Sections 2, 3, 4, 5)

Amendment  
of section 1 of  
West Ben. Act  
V of 1963.

2. To sub-section (2) of section 1 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the said Act), the following proviso shall be added, namely :—

“Provided that any institution situated in any other State or in any Union Territory may also with the sanction of the Government of such State or Union Territory, as the case may be, apply to the Board for recognition and the Board may, subject to such conditions or restrictions as it may, with the approval of the State Government, think fit to impose, grant recognition to such institution.”

Amendment of  
section 4.

3. In section 4 of the said Act,—

(1) after clause (1), the following clause shall be inserted, namely :—

“(1A) the President of the West Bengal Council of Higher Secondary Education, *ex-officio* ;”.

(2) for clause (2), the following clause shall be substituted, namely :—

“(2) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

Amendment of  
section 19.

4. In sub-section (1) of section 19 of the said Act, for clause (b), the following clause shall be substituted, namely :—

“(b) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

Amendment of  
section 21.

5. In sub-section (1) of section 21 of the said Act, for clause (b), the following clause shall be substituted, namely :—

“(b) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

## (Sections 6, 7, 8)

Amendment of section 23.

6. In sub-section (1) of section 23 of the said Act, for clause (b), the following clause shall be substituted, namely :—

“(b) the Director of Secondary Education, Government of West Bengal, *ex-officio* ;”.

Amendment of section 33.

7. In sub-section (3) of section 33 of the said Act, after the words “Reserve Bank of India”, the words “or into the State Bank of India or any branch thereof” shall be inserted.

Addition of new sections 49 and 50.

8. After section 48 of the said Act, the following sections shall be added, namely :—

Supersession of the Board.

49. (1) If in the opinion of the State Government the Board—

(a) has persistently made default in the performance of the duties imposed upon it, or

(b) has exceeded or abused its powers,  
the State Government may, by an order published in the *Official Gazette* and stating the reasons therefor, supersede the Board, for such period not exceeding two years, as may be specified in the order and take such steps as may be necessary to re-establish the Board immediately on the expiry of the period of supersession.

(2) The State Government may, if it considers necessary so to do, by order, extend or modify from time to time the period of supersession of the Board subject to the condition that the aggregate period of such supersession shall in no case exceed three years.

Consequences of supersession.

50 (1) When an order of supersession has been made under section 49—

(a) all the members of the Board shall vacate their offices,

(Sections 8, 9)

- (b) all the powers and duties of the Board shall be exercised or performed by an Administrator to be appointed by the State Government in this behalf,

with effect from the date of the order :

Provided that an Administrator appointed under this sub-section may delegate any of his powers or duties to any officer or other employee of the Board.

- (2) All property vested in the Board shall vest in the State Government during the period of supersession.
- (3) The State Government may, by an order published in *Official Gazette*, cancel an order made under section 49 and re-establish the Board.
- (4) On the re-establishment of the Board under sub-section (3) the Administrator shall cease to exercise his powers and perform his duties.
- (5) The terms and conditions of service of the Administrator shall be such as may be fixed by the State Government by order made in this behalf."

Repeal and savings,

9. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1977, is hereby repealed.

West Ben. Ord.  
V of 1977.

(2) Anything done or any action taken under the said Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1977, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act had commenced on the 19th day of February, 1977.

By order of the Governor,  
K. K. MOITRA,  
Secy. to the Govt. of West Bengal.

**GOVERNMENT OF WEST BENGAL**

**Legislative Department**

**West Bengal Act II of 1978**

**THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT, 1978.**

*[Passed by the West Bengal Legislature.]*

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 20th March, 1978.]

[20th March, 1978.]

*An Act to amend the West Bengal Board of Secondary  
Education Act, 1963.*

West Ben.  
Act V  
of 1968.

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing :

It is hereby enacted in the Twenty-ninth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1978. Short title
2. In sub-section (3) of section 22 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the said Act), after the word "teachers", the words "and other employees" shall be inserted. Amendment of section 22 of West Ben. Act V of 1963.
3. In sub-section (4) of section 27 of the said Act, after the words "as it thinks fit", the words 'and also specify the date or dates from which the regulations shall come into force or shall be deemed to have come into force' shall be added. Amendment of section 27



(Section 4)

4. In section 50 of the said Act,—

(I) for sub-section (I), the following sub-section shall be substituted ;—

Amendment of section 50.

“(I) Notwithstanding anything contained in this Act or any other law for the time being in force, with effect from the date of an order of supersession made under section 49,—

(a) all the members of the Board, the Committees and the Sub-Committees constituted under this Act, and the President shall vacate their offices,

(b) all the powers, duties and functions which, under the provisions of this Act or any rule or regulation made thereunder or of any law for the time being in force, may be exercised or performed by the Board or any of the Committees or Sub-Committees or the President, shall be exercised or performed by an Administrator to be appointed by the State Government in this behalf .

Provided that an Administrator appointed under this clause may delegate any of his powers, duties or functions to such person as he may think fit or to such body as may be constituted by him,

(c) the representatives of the Board on every body, statutory or otherwise, shall vacate their offices as such representatives and the Administrator may nominate such person, or persons as he may think fit, to represent the Board on that body.” ;

(2) sub-section (2) shall be, and shall be deemed always to have been, omitted.

*(Section 5, 6)*

Insertion of new section 51.

5. After section 50 of the said Act, the following section shall be inserted :—

“Board to continue as a body corporate

51. For the avoidance of doubts it is hereby declared that an order of supersession made under section 49 shall not effect or imply in any way the dissolution of the Board as a body corporate.”

Repeal and savings

6. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1978, is hereby repealed.

West Ben. Ord.  
VII of 1978.

(2) Anything done or any action taken under the said Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1978, shall be deemed to have been validly done or taken under the said Act as amended by this Act as if this Act had commenced on the 19th day of January, 1978.



# THE CALCUTTA GAZETTE

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[ KARTIKA 11 ]

FRIDAY, NOVEMBER 2, 1979

[ SAKA 1901 ]

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

## NOTIFICATION

No. 2350-L. —2nd November, 1979. —The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

### West Bengal Act XXXII of 1979

#### THE WEST BENGAL BOARD OF SECONDARY EDUCATION (AMENDMENT) ACT 1979

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 2nd November, 1979.]*

*An Act to amend the West Bengal Board of Secondary Education Act. 1963*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes in the manner hereinafter appearing ;

West Ben. Act. V  
of 1963

It is hereby enacted in the Thirtieth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1979.

(Sections 2, 3, 4)

Amendment of section 2 of West Ben. Act V of 1963.

2. In section 2 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the principal Act),—

(i) after clause (a), the following clause shall be inserted :—

‘(aa) “by-law” means a by-law made by the Executive Committee under this Act ;’;

(ii) for clause (c), the following clause shall be substituted :—

‘(c) “Institution” means a Secondary School or an educational Institution or part or department of such school or Institution imparting instruction in Secondary Education ;’.

Substitution of new section for section 4.

3. For section 4 of the principal Act, the following section shall be substituted :—

“Composition of the Board.

4. The Board shall consist of the following members :—

- (1) the President ;
- (2) the President of the West Bengal Council of Higher Secondary Education, *ex officio* ;
- (3) the Director of Secondary Education, Government of West Bengal, *ex officio* ;
- (4) the Director of Primary Education, Government of West Bengal, *ex officio* ;
- (5) the Director of Technical Education, Government of West Bengal, *ex officio* ;
- (6) the Deputy Director of Secondary Education (for women), Government of West Bengal, *ex officio* ;

(Section 4)

- (7) the Deputy Director of Secondary Education (I), Government of West Bengal, *ex officio* ;
- (8) two persons elected in the manner prescribed from amongst the teaching staff of training colleges for teachers of Secondary Schools affiliated to or recognised by any of the Universities in West Bengal ;
- (9) the Dean of the Faculty of Arts and the Dean of the Faculty of Science of the Calcutta University, *ex officio* ;
- (10) the Dean of the Faculty of Engineering and Technology, Jadavpur University, *ex officio* ;
- (11) the Adhyaksha, Kala Bhaban, Viswa Bharati, Santiniketan, *ex officio* ;
- (12) a Dean nominated by each of the Universities of Burdwan, Kalyani and North Bengal and the Bidhan Chandra Krishi Vidyalaya ;
- (13) one person nominated by the Madrasha Education Board from amongst the members of the Madrasha Education Board ;
- (14) (a) two heads of recognised Secondary Schools nominated by the State Government ;  
(b) thirty-two wholtime and permanent teachers of recognised Secondary Schools of the teaching staff elected in the manner prescribed ;
- (15) two representatives of the West Bengal Legislative Assembly elected in the manner prescribed ;
- (16) five persons interested in education nominated by the State Government, one of whom shall be a woman and at least one shall be a member of the Managing Committee of a recognised Institution ;

*(Sections 4, 5, 6, 7)*

(17) one person elected by the employees of the Board from amongst themselves in the manner provided by regulations ; and

(18) (a) one wholetime and permanent member of the teaching staff of primary schools recognised by the District School Board or the Director of Public Instruction or the Director of Primary Education, nominated by the State Government ;

(b) one wholetime and permanent member of the teaching staff of colleges affiliated to any of the Universities in West Bengal nominated by the State Government."

Amendment of section 12.

4. In sub-section (I) of section 12 of the principal Act, for the words "Regional Examination Council", wherever they occur, the words "Regional Council" shall be substituted.

Amendment of the heading under Chapter III

5. In the heading under Chapter III of the principal Act, for the words "Regional Examination Councils", the words "Regional Councils" shall be substituted.

Amendment of section 18.

6. After clause (a) of section 18 of the principal Act, the following clause shall be inserted ;—

“(aa) the Executive Committee ;”.

Amendment of section 19.

7. In section 19 of the principal Act,—

(a) for *sub-section (1)*, the following sub-section shall be substituted ; —

“(1) The Recognition Committee shall consist of the following members :—

(a) the President ;

(b) the Director of Secondary Education, Government of West Bengal, *ex officio* ;

(Sections 8)

- (c) four persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14), clause (15) and clause (16) of section 4 ;
- (d) the Deputy Director of Secondary Education (for women), Government of West Bengal, *ex officio* ; and
- (e) the Deputy Director of Secondary Education (I), Government of West Bengal, *ex officio*” ; and
- (b) in sub-section (3), for the words “the Board”, in the two places where they occur, the words “the Executive Committee” shall be substituted.

Insertion of new section 19A.

8. After section 19 of the principal Act, the following section shall be inserted :—

“Executive Committee

19A. (I) The Executive Committee shall consist of the following members :—

- (a) the President ;
- (b) the Director of Secondary Education, Government of West Bengal, *ex officio* ;
- (c) the Director of *Primary Education*, Government of West Bengal, *ex officio* ;
- (d) the Deputy Director of Secondary Education (I), Government of West Bengal, *ex officio* ;
- (e) the Deputy Director of Secondary Education (for Women), Government of West Bengal, *ex officio* ;
- (f) five persons elected by the Board *in the manner provided by regulations* from amongst the members referred to in clauses (8), (9), (10), (11) and (12) of section 4 ;
- (g) five persons elected by the Board *in the manner provided by regulations* from amongst the members referred to in clause (14) of section 4 ;

## (Sections 8.)

- (h) one person elected by the Board *in the manner provided by regulations* from amongst the members referred to in clause (15) of section 4 ;
  - (i) two persons elected by the Board *in the manner provided by regulations* from amongst the members referred to in clause (16) and clause (18) of section 4 ;
  - (j) member referred to in clause (17) of section 4 ;
- (2) The President shall be the Chairman of the Executive Committee and the Secretary to the Board shall be the Secretary to the said Committee.
- (3) It shall be the duty of the Executive Committee to—
- (a) advise the Board on all matters relating to development of Secondary Education ;
  - (b) take such steps as may be necessary to carry out, as directed by the Board, the policy in accordance with the provisions of this Act ;
  - (c) Subject to any orders of the State Government in regard to the number, location and manner of selection—
    - (i) *grant or refuse* recognition to Institutions, and
    - (ii) *withdraw* recognitions granted to Institutions, after considering the recommendation of the Recognition Committee and in accordance with such regulations as may be made by the Board in this behalf ;
  - (d) (i) amalgamate two or more Institutions into one Institution.
  - (ii) split one Institution into two or more Institutions, and



(Sections 8.)

- (iii) shift an Institution from one site to another, in accordance with such regulations as may be made by the Board in this behalf ;
- (e) (i) supervise the functions of the Managing Committees,
- (ii) approve or withhold approval of the constitution of the managing committees-
- (iii) approve special constitution of the managing committees in accordance with such regulations as may be made by the Board,
- (iv) supersede a managing committee and appoint Administrator to manage the affairs of an Institution ;
- (f) maintain a register of recognised Institutions ;
- (g) provide by by-laws after considering the recommendations, if any, of the Syllabus Committee, the syllabus, the courses of studies to be followed and books to be studied in recognised Institutions and for examinations instituted by the Board in accordance with such regulations as may be made by the Board ;
- (h) undertake, if necessary, with the approval of the State Government, the preparation, publication or sale of text-books and other books for use in recognised Institutions ;
- (i) (a) maintain and publish lists of books approved for use in recognised Institutions and for examinations instituted by the Board, and
- (b) revise such lists from time to time ;
- (j) make by-laws regarding the conditions to be fulfilled by candidates presenting themselves for examinations instituted by the Board ;

*(Section 8.)*

- (k) provide by by-laws, after considering the recommendations, if any, of the Examinations Committee and the Regional Councils, the rates of remuneration to be paid to paper-setters, moderators, tabulators, examiners, invigilators, supervisors and other persons employed in connection with the examinations instituted by the Board and fees to be paid by candidates for such examinations ;
- (l) (i) grant permission to candidates to appear at the examinations instituted by the Board, and
  - (ii) refuse or withdraw such permission, if it thinks fit, in accordance with such by-laws as may be made by it in this behalf.
- (4) The Executive Committee shall submit to the Board quarterly reports on the action taken by it on matters specified {in this section and such other reports, returns, statements and information on any matter relating to the duties of the Executive Committee as the Board may require from time to time.
- (5) Subject to the provisions of sub-sections (3) and (4), the Executive Committee shall have the power to make by-laws, in respect of matters referred to in clause (g), (l), (k) and (l) of sub section (3).
- (6) No by-law shall be valid unless it is approved by the State Government. The Executive Committee shall submit by-law to the Board and the Board shall examine the same and submit the by-law to the State Government with its report. The State Government, after considering the report of the Board, may approve the by-law and if necessary, make such additions, alterations or modifications as it thinks fit.
- (7) All by-laws approved by the State Government shall be published in the *Official Gazette*.”

(Sections 9)

Amendment of  
section 20.

9. In section 20 of the Principal Act—

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

(1) “The Syllabus Committee shall consist of the following members :—

(a) the President ;

(b) the Dean of the Faculty of Arts of the University of Calcutta, *ex officio* ;

(c) the Dean of the Faculty of Science of the University of Calcutta, *ex officio* ;

(d) a Dean nominated by each of the Universities of Burdwan, Kalyani and North Bengal ;

(e) the Dean of the Faculty of Engineering, Jadavpur University, *ex officio* ;

(f) one person elected by the Board in the manner provided by regulations from amongst the members referred to in clause (8) of section 4 ;

(g) five persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14) of section 4 ;

(h) three persons having special knowledge of scientific or technical education, who may or may not be members of the Board, elected by the Board in the manner provided by regulations.” ;

(2) in sub-section (3),—

(a) in clause (a), for the words “the Board”, the words “the Executive Committee” shall be substituted ; and

*(Sections 10.)*

(b) in clause (b), for the words "the Board", wherever they occur, the words "the Executive Committee" shall be substituted ; and

(3) in sub-section (4), for the words "the Board", the words "the Executive Committee" shall be substituted.

Amendment of section 21.

10. In section 21 of the principal Act,—

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

(1) The Examinations Committee shall consist of the following members :—

(a) the President ;

(b) the Director of Secondary Education, Government of West Bengal, *ex officio* ;

(c) one person nominated by the State Government from amongst the members of the Board referred to in clauses (9), (10), (11), and (12) of section 4 ;

(d) one person elected by the Board in the manner provided by regulations from amongst the members referred to in clauses (9), (10), (11) and (12) of section 4 ;

(e) the Director of Technical Education, Government of West Bengal, *ex officio* ; and

(f) the Deputy Director of Secondary Education (I), Government of West Bengal, *ex officio* ;

(2) for sub-section (4), the following sub-section shall be substituted :—

(4) "The Examinations Committee shall advise —

(a) the Executive Committee on —

(i) the rates of remuneration to be paid to the paper-setters, moderators, tabulators,

**(Sections 11.)**

examiners, invigilators, supervisors and other persons employed in connection with examinations,

(ii) the fees to be paid by the candidates for examinations ; and

(b) the Board on any matter relating to examinations which may be referred to it for advice by the Board.” and

(3) in sub-section (5), for the words “of the Examinations Committee or of the Board”, the words “of the Examinations Committee or the Executive Committee or the Board” shall be substituted.

**Amendment of section 22.**

**11.** In section 22 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted :—

(1) “The Appeal Committee shall consist of the following members :—

(a) three persons elected by the Board in the manner provided by regulations from amongst the members referred to in clause (14) of section 4 ;

(b) a person nominated by the State Government from amongst the members of judicial service of the State Government ;

(c) the Director of Secondary Education, Government of West Bengal, *ex officio* ;

(d) a member of a managing committee of a recognised Institution nominated by the President.” and

(b) in sub-section (2), for the words “The President”, the words “The person referred to in clause (b) of sub-section (1) shall be substituted.

*(Sections 12, 13, 14, 15.)*

- Amendment of section 25.      **12.** In section 25 of the principal Act and in the marginal note to that section, for the words "Regional Examination Councils", wherever they occur, the words "Regional Councils" shall be substituted.
- Amendment of section 26.      **13.** In section 26 of the principal Act, in sub-section (3), for the words "Regional Examination Council" wherever they occur, the words "Regional Council" shall be substituted.
- Amendment of the heading under Chapter IV.      **14.** In the heading under Chapter IV of the principal Act, for the words "functions", the word "duties" shall be substituted.
- Amendment of section 27.      **15.** In section 27 of principal Act,—
- (i) in the marginal note, for the word "Functions" the words "powers and duties" shall be substituted ; and
  - (ii) in sub section (2), for clauses (a) to (m), the following clauses shall be substituted :—
    - (a) "to lay down the general policy for development of Secondary Education in West Bengal ;
    - (b) to conduct periodical survey to assess the educational needs of West Bengal with particular reference to such needs of the Scheduled Castes, the Scheduled Tribes and other backward communities and of the hill areas in West Bengal ;
    - (c) to make regulations in respect of matters referred to in clauses (c), (d), (e) and (g) of sub-section (3) of section 19A ;
    - (d) to institute Secondary Examinations and such other examinations as it may think fit and to make regulations in this behalf excepting in

(Sections 16)

respect of matters specified in clauses (j), (k) and (l) of sub-section (3) of section 19A ;

- (e) to administer the West Bengal Board of Secondary Education Fund ;
- (f) to institute and administer such Provident Funds as may be prescribed ;
- (g) to make regulations relating to the conduct, discipline and appeal in respect of the members of its staff ;
- (h) to decide any appeal preferred against any decision of the Executive Committee or, subject to the provisions of this Act, any other Committee constituted under this Act ; and
- (i) to award diplomas, certificates, prizes and scholarships in respect of any examinations instituted by the Board ;
- (iii) after sub-section (5), the following sub-section shall be added

6) Subject to the provisions of sub-sections (2) and (3), the Board shall have the power to require the Executive Committee, from time to time, to submit reports, returns, statements and other information on any matter relating to the duties of the Executive Committee referred to in sub-sections (3) and (4) of section 19A .”

Amendment of  
section 28.

16. In section 28 of the principal Act,—

- (a) for sub-section (2), the following sub-section shall be substituted :—

“(2) The President may, in any emergency, exercise any of the powers of the Board or the Executive Committee provided however that he shall not

*(Sections 17)*

a ct contrary to any decision of the Board or the Executive Committee and shall, as soon thereafter as may be, place a full report before the Board or the Executive Committee as the case may be, of the action taken by him stating reasons therefor” : and

- (b) in clause (c) of sub-section (3) after the word “Board” wherever it occurs, the words “or the Executive Committee” shall be inserted,

Amendment of section 29.

17. In *section 29* of the principal Act,—

- (a) in the marginal note, after the word “Board” the words “and the Executive Committee” shall be inserted ;

- (b) for *sub-section (2)*, the following sub-section shall be substituted :—

“(2) The Board shall meet at such other times, not less than twice a year, as may be appointed by the President on the advice of the Executive Committee” ;

- (c) in the proviso to sub-section (3), for the word “ten”, the word “twenty” shall be substituted :

- (d) in sub-section (4),—

(i) for the word “six”, the word “fifteen” shall be substituted, and

(ii) for the words “any committee”, the words “any committee other than the Executive Committee” shall be substituted ;

- (c) in sub-section (5), for the word “ten”, the word “twenty” shall be substituted ;

- (f) in sub-section (7) for the word “ten”, the word “twenty” shall be substituted ;

- (g) after sub-section (7), the following sub-section shall be added :—

(8) (a) The Executive Committee shall meet atleast once in every two months and at least six times a year



(Sections 18, 19, 20, 21.)

(b) The President shall give to each member not less than seven days' notice of each meeting ;

Provided that the President may call an emergency meeting after giving not less than two days' notice to each member.

(c) No business shall be transacted at any meeting of the Executive Committee unless a quorum of nine members is present."

Amendment of section 30.

18. In section 30 of the principal Act,—

(a) in the marginal note, for the words "Regional Examination Councils", the words "Regional Councils" shall be substituted ;

(b) for the words "Regional Examination Council", the words "Regional Council" shall be substituted, and

(c) for the words "any Committee", the words "any Committee other than the Executive Committee" shall be substituted.

Amendment of section 39

19. In section 39 of the principal Act, for the words "Regional Examination Council" the words "Regional Council" shall be substituted.

Amendment of section 43.

20. In section 43 of the principal Act, in clause (a),—

(a) for the words "defect in the Constitution of," the words "defects in the initial or subsequent constitution of," shall be substituted ; and

(b) for the words "Regional Examination Council" the words "Regional Council" shall be substituted.

Amendment of section 45

21. In sub-section (2) of section 45 of the principal Act, —

(i) in clause (b), for the words, brackets, letter and figures "sub-clause (b) of clause (15) and clause (16)", the words, brackets, letter and figures "clause (8) and sub-clause (b) of clause (14)" shall be substituted ;

*(Sections 22.)*

- (ii) in clause (c), for the word, brackets and figures "clause (17)", the word, brackets and figures "clause (15)" shall be substituted ;
- (iii) in clause (h), for the word, brackets and letter "clause (I)", the word, brackets and letter "clause (e)" shall be substituted.

Addition of new section 52.

22. *After section 51 of the principal Act, the following section shall be added :—*

"Re-establishment of Board.

- 52. (1) The State Government shall, by an order published in the *Official Gazette*, specify the date on which the Board is re-established in accordance with the provisions of section 4.
- (2) The State Government shall, by an order published in the *Official Gazette*, specify the dates by which the authorities (other than the State Government) shall elect or nominate members referred to in section 4. If such member or members are not elected or nominated, as the case may be, by the specified dates the State Government shall appoint such member or members from amongst persons qualified for such election or nomination, as the case may be.
- (3) Until rules are made by the State Government for election of members referred to in section 4, the State Government shall appoint such member or members from amongst persons qualified for election under clause (8) and sub clause (b) of clause (14) of section 4.
- (4) Members appointed under sub-sections (2) and (3) shall hold office for such period not exceeding two years as the State Government may specify from time to time".

By order of the Governor  
S. N. SANYAL  
*Secy. to the Govt. of West Bengal.*



# THE CALCUTTA GAZETTE

*Extraordinary*

Published by Authority

ASWINA 20 ]

TUESDAY, OCTOBER 12, 1982

[ SAKA 1904

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2937-L.—12th October, 1982.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

West Bengal Act XIII of 1982

THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1982

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 12th October, 1982.]*

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ;

West Ben. Act V  
of 1963.

It is hereby enacted in the Thirty-third Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1982.

(2) This section and clause (1), item (i) of sub-clause (b) and item (ii) of sub-clause (d) of clause (2), of section 2, clause (1) of section 3 and sections 4 and 5 shall be deemed to have come into force on the 5th day of August, 1982 ; and the remaining provisions of this Act shall be deemed to have come into force on the 2nd day of November, 1979.

THE CALCUTTA GAZETTE, EXTRA ORDINARY, OCTOBER 12, 1982

## (Section 2)

Amendment of  
section 19A of  
West Ben. Act V  
of 1963.

2. In section 19A of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the principal Act),—

(1) in sub-section (1), after clause (a), the following clause shall be inserted :—

“(aa) the President, West Bengal Council of Higher Secondary Education, *ex officio*” ;

(2) in sub-section (3),—

(a) for the words “It shall be the duty of the Executive Committee”, the words “Subject to any general or special orders of the State Government, the provisions of this Act and any rules or regulations made thereunder, the Executive Committee shall have the power” shall be substituted ;

(b) in clause (c),—

(i) for the words “subject to any orders”, the words “subject to any directions” shall be substituted ;

(ii) in sub-clause (ii), the words “and in accordance with such regulations as may be made by the Board in this behalf” shall be omitted ;

(c) sub-clause (iii) of clause (d), the words, “in accordance with such regulations as may be made by the Board in this behalf” shall be omitted ;

(d) in clause (e),—

(i) in sub-clause (iii), the words “in accordance with such regulations as may be made by the Board” shall be omitted ;

(ii) in sub-clause (iv), after the word “Administrator”, the words “or *ad hoc* committee” shall be inserted ;

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 12, 1982

- (e) for clause (g), the following clause shall be substituted :—
- (g) “provide, after considering the recommendations, if any, of the Syllabus Committee, the syllabus, the courses of studies to be followed and the books to be studied in recognised institutions and for examinations instituted by the Board” ;
- (f) in clause (j), for the words “make by-laws regarding”, the words “set down” shall be substituted ;
- (g) for clause (k), the following clause shall be substituted :—
- (k) “provide, after considering the recommendations, if any, of the Examinations Committee and the Regional Councils and with the approval of the State Government, the rates of remuneration to be paid to paper-setters, moderators, tabulators, examiners, invigilators, supervisors and other persons employed in connection with the examinations instituted by the Board and the rates of fees to be paid by candidates for such examinations” ;
- (h) in sub-clause (ii) of clause (l), for the words “in accordance with such by-laws as may be made by it in this behalf”, the words “stating the reasons of such refusal or withdrawal”, shall be substituted ;
- (3) in sub-section (4), for the words “quarterly reports”, the words “half-yearly reports” shall be substituted ;
- (4) for sub-section (5), the following sub-section shall be substituted :—

## THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 12, 1982

(Sections—3-5)

“(5) The Executive Committee shall have the power to make by-laws, not inconsistent with this Act or the rules or the regulations made thereunder, for discharging its functions under this Act”.

Amendment of  
section 20.

3. In section 20 of the principal Act,—

(1) in sub-section (1), after clause (a), the following clause shall be inserted :—

“(aa) the President, West Bengal Council of Higher Secondary Education, *ex officio*” ;

(2) in sub-section (3),—

(a) in clause (a), after the word “advise”, the words “by way of recommendation”, shall be inserted ;

(b) in clause (b), after the words “advise”, the words “by way of recommendation,” shall be inserted.

Amendment of  
section 22.

4. In section 22 of the principal Act,—

(1) for clause (b) of sub-section (1), the following clause shall be substituted :—

“(b) a person, who is or has been a member of the judicial service of the State Government, nominated by the State Government” ;

(2) after sub-section (4), the following sub section shall be inserted :—

“(5) The honorarium or remuneration, if any, of the member nominated under clause (b) of sub-section (1) may be fixed by the State Government by an order made in this behalf”.

Amendment of  
section 25.

5. For section 25 of the principal Act, the following section shall be substituted :—

THE CALCUTTA GAZETTE, EXTRA ORDINARY, OCTOBER 12, 1982

Sections 6-8)

- "Regional Council. 25. (1) The Board may, with the approval of the State Government, constitute such Regional Council or Councils as it may deem fit. The number, composition and territorial jurisdiction of a Regional Council shall be determined by the Board with the approval of the State Government.
- (2) The Board may, with the approval of the State Government, delegate to a Regional Council such powers or duties of the Board, the Executive Committee or the Examinations Committee, conferred or imposed by or under this Act, except those referred to in clause (b) of sub-section (3), clause (b) of sub-section (4), and sub-section (5), of section 21, as it may deem fit, and may at any time withdraw from such Regional Council the powers or duties so delegated and dissolve the Regional Council".
- Amendment of section 26. 6. In section 26 of the principal Act, in sub-section (2), for the words "provided by regulations made in this behalf," the words "specified by the Board," shall be substituted.
- Amendment of section 27. 7. In section 27 of the principal Act, in sub-section (4),—
- (1) clause (c) shall be omitted ;
- (2) in clause (a), the words, letters, figures and brackets "excepting in respect of matters specified in clauses (j), (k) and (l) of sub-section (3) of section 19A" shall be omitted.
- Amendment of section 52. 8. In section 52 of the principal Act,—
- (1) in sub-section (3),—
- (a) the words "rules are made by the State Government for" shall be omitted ;
- (b) after the words and figures "referred to in section 4", the words "is held" shall be inserted ;

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 12, 1982

(Sections - 9)

(2) for sub-section (4), the following sub-section shall be substituted :—

“(4) (i) Members appointed under sub-section (2) shall hold office until nomination of members under section 4 is made ;

(ii) members appointed under sub-section (3) shall hold office until election of members referred to in section 4 is held and the result of such election is published in the *Official Gazette* in this behalf.”

Repeal and saving.

9. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1982 is hereby repealed.

West Ben. Ord.  
XIX of 1982.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1982 shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,  
H. CHAKRABARTY  
Secy. to the Govt. of West Bengal.





Registered No. WB/SC-132

No. 682(III)

# THE CALCUTTA GAZETTE

*Extraordinary*

Published by Authority

ASVINA 19 ]

TUESDAY, OCTOBER 11, 1983

[ SAKA 1905

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 2668-L. —11th October, 1983. —The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

**West Bengal Act XXVII of 1983**

**THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1983.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 11th October, 1983.]*

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ;

West Ben. Act  
V of 1963.

It is hereby enacted in the Thirty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1983.
- (2) It shall be deemed to have come into force on the 2nd day of November, 1979.

## THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 11, 1963

## (Sections 2—3.)

Amendment of  
section 4 of West  
Ben. Act V of  
1963.

2. In clause (14) of section 4 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the principal Act), for sub-clause (b), the following sub-clause shall be substituted :—

(b) “thirty-two whole-time and permanent teachers of recognised secondary schools (whose appointment has been approved in accordance with the rules), elected in the manner prescribed ;”.

Amendment of  
section 19A.

3. In section 19A of the principal Act, —

(1) in clause (h) of sub-section (3), for sub-clause (i) the following sub-clause shall be substituted :—

“(i) (a) approve or prescribe books either for being studied in recognised institutions or for examinations instituted by the Board or for both, and

(b) publish list of books so approved or prescribed and revise such list from time to time ;”

(2) for sub-section (5), the following sub-section shall be substituted :—

“(5) The Executive Committee may, if it thinks necessary, make by-laws, not inconsistent with this Act or the rules or the regulations made thereunder, for discharging its functions under this Act :

Provided that any decision or action taken or any order made by the Executive Committee in the discharge of its functions under this Act shall not be invalid merely on the ground that no by-law has been made under this sub-section.”

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 11, 1983

(Section 4—5)

Amendment of section 27. 4. For sub-section (3) of section 27 of the principal Act, the following sub-section shall be substituted :—

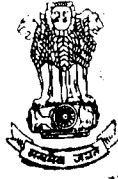
“(3) Subject to the provisions of sub-section (2), the Board may, if it thinks necessary, make regulations in respect of any matter for the proper exercise of its powers under this Act :

Provided that any decision or action taken or any order made by the Board in exercise of its powers under this Act shall not be invalid merely on the ground that no regulation has been made under this sub-section.”

Amendment of section 29. 5. In sub-section (8) of section 29 of the principal Act, for clause (c), the following clause shall be substituted :—

“(c) No business shall be transacted at any meeting of the Executive Committee unless there is a quorum of fifty *per cent.* of the existing members of the Executive Committee, fraction, if any, being computed as one”.

By order of the Governor,  
G. C. CHATTERJEE,  
*Secy. to the Govt. of West Bengal.*



Registered No. WB/SC-132

No. 250(III)

# THE CALUTTA GAZETTE

*Extraordinary*

Published by Authority

CAITRA 16

THURSDAY, APRIL 5, 1984

[ SAKA 1906

Part III -- Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 752-L.—5th April, 1984.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

**West Bengal Act X of 1984**

**THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT, 1984**

[ *Passed by the West Bengal Legislature* ]

[ Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 5th April, 1984.]

*An Act to amend the West Bengal Board of Secondary  
Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes and in the manner hereinafter appearing ;

West Ben. Act V  
of 1963

It is hereby enacted in the Thirty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1984.

(2) It shall be deemed to have come into force on the 9th day of February, 1984.

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, APRIL 5, 1984

(Section 2—7.)

Amendment of section 4 of West Beng. Act V of 1963

2. In section 4 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the principal Act),—

(a) for clause (3), the following clause shall be substituted :—

“(3) the Director of School Education, Government of West Bengal. *ex officio*.” ;

(b) clause (4) shall be omitted.

Amendment of section 19.

3. In sub-section (1) of section 19 of the principal Act, for clause (b), the following clause shall be substituted :—

“(b) the Director of School Education, Government of West Bengal, *ex officio*,” .

Amendment of section 19A.

4. In sub-section (1) of section 19A of the principal Act,—

(a) for clause (b), the following clause shall be substituted :—

“(b) the Director of School Education, Government of West Bengal, *ex officio*,” ;

(b) clause (c) shall be omitted.

Amendment of section 21

5. In sub-section (1) of section 21 of the principal Act, for clause (b), the following clause shall be substituted :—

“(b) the Director of School Education, Government of West Bengal, *ex officio*,”.

Amendment of section 22:

6. In sub-section (1) of section 22 of the principal Act, for clause (c), the following clause shall be substituted ;—

“(c) the Director of School Education, Government of West Bengal, *ex officio*,”.

Amendment of section 23.

7. In sub-section (1) of section 23 of the principal Act, for clause (b), the following clause shall be substituted .—

## THE CALCUTTA GAZETTE, EXTRA-ORDINARY, APRIL 5, 1984

(Sections—8)

“(b) the Director of School Education, Government of West Bengal, *ex officio*.”

Repeal and  
saving.

8. (1) The West Bengal Board of Secondary Education (Amendment) Ordinance, 1984 is hereby repealed.

West Ben. Ord.  
V of 1984

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the West Bengal Board of Secondary Education (Amendment) Ordinance, 1984 shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

By order of the Governor,

A. M. SINHA,

*Jt. Secy. to the Govt. of West Bengal.*



Registered No. WB/SC-247

No. 234A (III)

# THE CALCUTTA GAZETTE

*Extraordinary*

Published by Authority

JYAISTHA 17 ]

SATURDAY, JUNE 7, 1986

[ SAKA 1908 ]

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1347-L.—7th June, 1986.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

**West Bengal Act XV of 1986**

**THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT, 1986.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta  
Gazette, Extraordinary, of the 7th June, 1986.]*

*An Act to amend the West Bengal Board of Secondary  
Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purpose and in the manner hereinafter appearing ;

West Ben. Act V  
of 1963.

It is hereby enacted in the Thirty-seventh Year of the Republic of India, by the Legislature of West Bengal as follows :—

Short title.

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1986.

## THE CALCUTTA GAZETTE, EXTRA-ORDINARY, JUNE 7, 1986

## (Section 2.)

Amendment of  
section 31 of  
West Bengal  
Act V of 1963.

2. In section 31 of the West Bengal Board of Secondary Education Act, 1963,—

(a) in sub-section (1), the words “together with a budget estimate showing in such form as may be prescribed, the anticipated income and expenditure of the Board during the financial year in which such annual meeting is held” shall be omitted ;

(b) for sub-section (3), the following sub-section shall be substituted :—

“(3) (a) The Board shall hold a special meeting by the 31st October of every financial year and shall place before the said meeting a budget estimate showing, in such form as may be prescribed, the anticipated income and expenditure of the Board for the next financial year.

(b) The budget estimate as aforesaid shall, after confirmation by the Board, be forwarded to the State Government by the 30th November of the financial year in which the special meeting referred to in clause (a) is held” ;

(c) in sub-section (4), in clause (a), for the words “within three months”, the words “within two months” shall be substituted ;

(d) for sub-section (5), the following sub-section shall be substituted :—

“(5) If the State Government does not accord its approval to the budget estimate under clause (b) of sub-section (3) within two months of the receipt thereof, or if the State Government does not communicate its approval of the budget estimate to the Board under clause (c) of sub-section (4) within the 31st March of the financial



THE CALCUTTA GAZETTE, EXTRA-ORDINARY, JUNE 7, 1986

(Sections—2)

year immediately preceding the financial year to which the budget estimate relates, the budget estimate as forwarded to the State Government by the Board under clause (b) of sub-section (3) or as resubmitted to the State Government by the Board under clause (b) of sub-section (4), as the case may be, shall be deemed to have been approved by the State Government and shall be the budget estimate of the Board for the financial year to which it relates” ;

(e) after sub-section (5), the following sub-section shall be inserted :—

“(6) Notwithstanding anything contained in the foregoing provisions of this section, the budget estimate of the Board for the financial year 1986-87 shall be submitted to the State Government and the approval or otherwise of the said estimate shall be accorded by the State Government in accordance with the provisions of this Act as in force immediately before the coming into force of the West Bengal Board of Secondary Education (Amendment) Act, 1986”.

By order of the Governor,  
P. K. BANERJEE,  
*Secy. to the Govt. of West Bengal*



Registered No. WB/SC-247

No. 526(III)

# THE CALCUTTA GAZETTE

*Extraordinary*

Published by Authority

[ KARTIKA 14 ]

SATURDAY, NOVEMBER 5, 1988

[ SAKA 1910 ]

PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

LEGISLATIVE

NOTIFICATION

No. 2040-L.—5th November, 1988. —The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

**West Bengal Act XVI of 1988**

**THE WEST BENGAL BOARD OF SECONDARY EDUCATION  
(AMENDMENT) ACT, 1988.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 5th November, 1988.]*

*An Act to amend the West Bengal Board of Secondary Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purpose and in the manner hereinafter appearing ;

West Ben. Act  
V of 1963.

It is hereby enacted in the Thirty-ninth Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1988.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, NOVEMBER 5, 1988

(Section 2.)

Amendment of  
section 4 of West  
Ben. Act V of  
1963.

2 In section 4 of the West Bengal Board of Secondary Education Act, 1963, in clause (14), for sub-clause (b), the following sub-clause shall be substituted :—

“(b) thirty-three whole-time and permanent teachers of recognised Secondary Schools (whose appointment has been approved in accordance with the rules) of whom one shall be from the hill areas, elected in the manner prescribed.

*Explanation.*—“Hill areas” shall have the same meaning as in the Darjeeling Gorkha Hill Council Act, 1988’.

By order of the Government,  
S. MAITRA,  
*Jt. Secy. to the Govt. of West Bengal.*

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Registered No. WB/SC-247



No. 605A(III)

# THE CALCUTTA GAZETTE

*Extraordinary*

Published by Authority

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FRIDAY, OCTOBER 12, 1990

[ SAKA 1912

PART III—Act of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL  
LAW DEPARTMENT LEGISLATIVE

NOTIFICATION

No. 1531-L.—12th October, 1990.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

**West Bengal Act XX of 1990**

**THE WEST BENGAL BOARD OF SECONDARY  
EDUCATION (AMENDMENT) ACT, 1990.**

[ *Passed by the West Bengal Legislature.* ]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 12th October, 1990.]

*An Act to amend the West Bengal Board of Secondary  
Education Act, 1963.*

WHEREAS it is expedient to amend the West Bengal Board of Secondary Education Act, 1963, for the purposes in the manner hereinafter appearing ;

West Ben. Act. V  
of 1963.

It is hereby enacted in the Forty-first Year of the Republic of India, by the Legislature of West Bengal, as follows :—

Short title

1. This Act may be called the West Bengal Board of Secondary Education (Amendment) Act, 1990.

THE CALCUTTA GAZETTE, EXTRA-ORDINARY, OCTOBER 12, 1990

(Sections 2—4.)

Amendment of  
section 4 of  
West Bengal  
Act V of 1963

2. In section 4 of the West Bengal Board of Secondary Education Act, 1963 (hereinafter referred to as the principal Act), in clause (14), after sub-clause (b), the following sub-clause shall be inserted :—

“(c) three whole-time and permanent members of the non-teaching staff of recognised Secondary Schools, elected in the manner prescribed, of whom ;

(a) one shall be from the Presidency Division,

(b) one shall be from the Burdwan Division, and

(c) one shall be from the Jalpaiguri Division ;”

Amendment of  
section 16.

3. In section 16 of the principal Act,—

(a) for sub-section (3), the following sub-section shall be substituted and shall be deemed always to have been substituted :—

“(3) The method of recruitment and the conditions of service (including the scales of pay and allowances, if any) shall,—

(a) as respects the Secretary, be such as may be prescribed, and

(b) as respects the other officers and servants, be such as may, subject to the approval of the State Government, be determined by regulations published in the *Official Gazette*.” ;

(b) after sub-section (3), the following sub-section shall be inserted :—

“(3A) Anything done or any action taken under sub-section (3) before the publication of the West Bengal Board of Secondary Education (Amendment) Act, 1990, in the *Official Gazette*, shall be deemed to have been validly done or taken under sub-section (3), as amended by the West Bengal Board of Secondary Education (Amendment) Act, 1990, as if the West Bengal Board of Secondary Education (Amendment) Act, 1990, were in force when such thing was done or such action was taken”.

Amendment of  
section 33.

4. In section 33 of the principal Act, in sub-section (3), after the words “or into the State Bank of India or any branch thereof”, the words “or into the United Bank of India or any branch thereof” shall be inserted.

By order of the Governor,  
S. N. MUKHERJEE,  
*Secy. to the Govt. of West Bengal.*

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