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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1047-L.—6th December, 2016.—The Governor having been pleased to order, under rule 66 of the Rules

of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 17 of 2016

**THE WEST BENGAL SCHOOLS (CONTROL OF EXPENDITURE)
(AMENDMENT) BILL, 2016.**

**A
BILL**

to amend the West Bengal Schools (Control of Expenditure) Act, 2005.

WHEREAS it is expedient to amend the West Bengal Schools (Control of Expenditure) Act, 2005, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XIV of 2005.

It is hereby enacted in the Sixty-seventh 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 Schools (Control of Expenditure) (Amendment) Act, 2016.

(2) It shall be deemed to have come into force with effect from the 14th September, 2016.

*The West Bengal Schools (Control of Expenditure)
(Amendment) Bill, 2016.*

(Clauses 2-4.)

Amendment of section 2 in West Ben. Act XIV of 2005.

2. In section 2 of the West Bengal Schools (Control of Expenditure) Act, 2005 (hereinafter referred to as the principal Act),—

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

‘(ia) “pay” means the amount drawn monthly by a Teacher or a non-teaching staff as—

(i) the pay which has been sanctioned for a post held by him either in substantive or in officiating capacity, to which he is entitled by reason of his position in a school; and

(ii) the grade pay according to category as assigned by the State Government from time to time, if any.’;

(2) in clause (m), in sub-clause (ii),—

(a) in *Explanation I*, for the words “basic pay”, the word “pay” shall be substituted;

(b) *Explanation II* shall be omitted.

Amendment of section 14.

3. In section 14 of the principal Act,—

(1) in the marginal note, for the words “scale of pay etc. of teacher”, the words “Pay of teacher” shall be substituted;

(2) in sub-section (1), for the words “shall, if appointed in the post of Undergraduate teacher category, be entitled to draw pay in the scale of pay”, the words “shall be entitled to draw pay” shall be substituted;

(3) in sub-section (2), for the words “Every teacher of a school shall, if appointed in the post of Graduate teacher category, be entitled to draw pay in the scale of pay in which he is appointed”, the words and letters “Every teacher appointed for classes VI to VIII and classes IX and X, shall be entitled to draw pay meant for Graduate teacher” shall be substituted;

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

“(3) Every teacher appointed for classes XI and XII, shall be entitled to draw pay meant for Post-graduate qualification and shall not be entitled to claim any additional increment or higher scale of pay for any qualification other than the minimum qualification specified for such post.”.

Repeal and saving.

4. (1) The West Bengal Schools (Control of Expenditure) (Amendment) Ordinance, 2016, is hereby repealed.

West Ben. Ord. II of 2016.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been validly done or taken under the principal Act as amended by this Act.

*The West Bengal Schools (Control of Expenditure)
(Amendment) Bill, 2016.*

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend section 2 and section 14 of the West Bengal Schools (Control of Expenditure) Act, 2005 (West Ben. Act XIV of 2005) (hereinafter referred to as the said Act), with a view to make the provisions of the said Act in conformity with the minimum education qualification norms laid down by the National Council for Teacher Education (NCTE).

2. As the West Bengal Legislative Assembly was not in session and it was necessary to take immediate action in the matter, an Ordinance, namely, the West Bengal Schools (Control of Expenditure) (Amendment) Ordinance, 2016 (West Ben. Ord. II of 2016) was promulgated.

3. The Bill seeks to replace the said Ordinance by an Act of the State Legislature.

4. The Bill has been framed with the above objects in view.

5. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA,
The 6th December, 2016.

PARTHA CHATTERJEE,
Member-in-Charge.

By order of the Governor,

MADHUMATI MITRA,
*Secy. to the Govt. of West Bengal,
Law Department.*