

BYE-LAWS UNDER SECTION 24 OF THE

ORISSA SECONDARY EDUCATION ACT, 1953

(MEETINGS OF THE BOARD AND FOR THE COMMITTEES APPOINTED BY)



BOARD OF SECONDARY EDUCATION, ORISSA

CUTTACK - 753 001

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APPENDIX-II

BYE-LAWS UNDER SECTION 24 OF THE ACT

(Meetings of the Board and for the committees appointed by)



BOARD OF SECONDARY EDUCATION, ORISSA
Cuttack-753 001

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DOC, No

Date 27-6-2001

BYE-LAWS UNDER SECTION 24 OF THE ACT

1. There shall be ordinarily two meetings of the Board in the months of January and July, on dates to be fixed by the President. One of the meetings shall be the Annual Meeting at which the Annual Report, the Budget Estimates and the Audit Report shall be placed before the Board.

2. The President may, whenever he thinks fit, convene a special meeting of the Board. He shall convene a special meeting of the Board on receipt of a written requisition signed by not less than one third of the total number of members stating the particular purpose or special business to be transacted at the meeting. No business other than that for which a special meeting is convened shall be transacted at that meeting.

Provided that an ordinary meeting or at a special meeting of the Board, the President may place before it any urgent or unforeseen matter.

3. The Secretary shall give not less than six weeks notice of the date of an ordinary meeting. The agenda of the meeting shall be sent to the members not less than three weeks before the date of the Meeting. The Annual Report, the Budget Estimates and the Audit Report shall be sent to each member along with the Agenda for the Annual Meeting.

4. Not less than ten clear days notice of Special Meetings should ordinarily be given to the members, but in case of emergency shorter notice may be given.

5. Notice of a resolution to be moved by a member at an ordinary meeting, must reach the Secretary **FOUR CLEAR WEEKS** before the date of the meeting. Note of amendment to resolutions must reach the Secretary **TEN CLEAR DAYS** before the date of the meeting.

(A) That the decisions of the President/Executive Committee shall be final in preparing the Agenda to be considered in an ordinary meeting of the Board.

(B) (I) At any ordinary meeting of the Board a member may ask questions for the purpose of obtaining information from the Board on any matter concerning the Board and its activities.

The duration of question hour shall be restricted strictly to one hour only.

(II) No Question shall be admitted unless it conforms with the following conditions, namely—

(a) It shall not publish any name or statement not strictly necessary to make the question intelligible.

(b) If a question contains a statement, the member asking it shall make himself responsible for the accuracy of the statement.

(c) It shall not contain arguments, interferences, ironical expressions or defamatory statements.

(d) It shall not ask for an expression of opinion of the solution of an abstract legal question or of a hypothetical proposition and it shall be strictly of constructive nature.

(e) It shall not refer to the character or conduct of any person except in his official capacity as connected with the Board.

(f) It shall not refer to a matter which is of a confidential nature as laid down in the regulation.

(III) Any member who intends to ask a question shall forward to the Secretary a notice in writing to that effect, together with a copy of the question to be asked so as to reach him not less than four clear weeks before the date of the ordinary meeting.

(IV) The President shall decide as to the admissibility of a question and shall disallow any question which in his opinion is not in accordance with the provisions of the Act or the Regulation made thereunder.

(V) The President, if considers any question objectionable on any ground mentioned in Clause-II shall return the same stating the objections.

(VI) Answers to the questions admitted by the President shall be placed on the table before Commencement of the Meeting of the Board.

(VII) The President shall make a sufficient pause to give the member or any other member reasonable opportunity of rising in his place and seeking a clarification on the answer relating to the principal question.

(VIII) No Debate or speech shall be allowed on any question.

6. The Secretary shall despatch copies of amendments received by him to all members SEVEN DAYS before the date of the meeting.

7. In all matters relating to the proper issue of notice, of agenda paper or of a resolution, the decision of the President at the meeting shall be final.

8. TWELVE MEMBERS shall form the quorum for a meeting of the Board.

9. If a quorum is not present within thirty minutes of the time appointed for the meeting, the meeting shall not be held.

10. The President, or in his absence the Vice-President or in his absence, one member elected from among those present, shall be the Chairman, at every meeting of the Board, and shall be entitled to vote on any matter and shall have and exercise a second or casting vote in every case of equality or votes.

II. BUSINESS AT MEETING

11. (a) No motion or resolution of which due notice has not been given be moved at a meeting of the Board except—

- (i) to adjourn a debate,
- (ii) to adjourn the meeting,
- (iii) to dissolve the meeting,
- (iv) to change the order of the business;
- (v) to refer any matter to any authority or officer of the Board or of the Education Department of the State;
- (vi) to pass to the next time of business;
- (vii) to appoint a committee;
- (viii) to resolve the meeting into a committee;
- (ix) to propose that the question be now put;
- (x) to move an amendment to any resolution or amendment on the agenda paper, which in the opinion of the Chairman has been rendered necessary by and is consequential

upon any motion passed by the Board at the same meeting.

(b) A resolution under (i), (ii), (vi), or (ix) above shall be put to the vote without discussion.

(c) At any meeting of the Board motions of a complimentary character may, without previous notice, be moved from the chair or by any member with the previous permission of the Chair.

12. The business to be transacted at a meeting of the Board shall be placed on the agenda paper in the following order:

(a) Business brought forward by the Executive Committee or the President.

(b) Business brought forward by other committees appointed by the Board.

(c) Question hour.

(d) Business brought forward by individual members of the Board.

13. At any ordinary meeting of the Board, the order of business may be changed on a motion from any member provided that the Board agrees the such change.

14. Every resolution must be seconded, otherwise it shall drop. The seconder of a motion may reserve his speech with the permission of the Chairman.

15. When a motion that is in order has been seconded it shall be stated from the chair, before it is discussed.

16. If no member rises to speak to the motion after it has been stated from the chair, the chairman shall proceed to put the question to the vote.

17. Not more than one motion and amendment thereto shall be placed before the meeting at the same time.

18. After motion or amendment has been moved, it may be withdrawn by the member concerned with the permission of the house.

19. A motion once disposed of shall not be again brought forward at the same meeting or at any adjourned sitting thereof.

20. No amendment shall be proposed which would in effect constitute a direct negative to the original motion.

21. Every amendment must be relevant to the motion upon which it is moved.

22. No amendment shall be proposed which substantively raises a question already disposed of by the meeting or which is inconsistent with any resolution already passed by it.

23. The order in which amendments that are in order are to be taken up, shall be determined by the Chairman.

24. An amendment must be seconded in the same way as a motion, otherwise it shall drop.

25. When amendment that is in order has been moved and seconded, it shall be stated from the Chair.

26. When the Chairman has ascertained that no other member entitled to address the meeting desires to speak, the mover of the original resolution may reply upon the whole debate.

27. No member shall speak to a question after the mover has entered on his reply.

28. when the debate is concluded, the Chairman, shall, after summing up, if he so desires, put the question to the vote thus :

(i) If there is an amendment, the Chairman shall state the motion and the amendment and take the vote of the meeting on the amendment.

(ii) If the amendment is negative, the original motion shall again be stated from the Chair, and subject to the foregoing Bye-Laws and other amendment which is in order may then be proposed thereto.

(iii) If an amendment is carried, the motion as amended shall be stated from the Chair and may then be debated as a substantive motion to which further amendments if any to the original motion, may be moved and such further amendments shall be disposed of in the same manner as the previous amendment. When all old amendments have been thus dealt with, the Chairman shall take the vote of the meeting on the motion as amended as a substantive resolution.

29. If a motion for dissolution is carried, the business before the meeting shall drop.

30. If a motion for adjournment is carried, the meeting shall be adjourned and the business shall be resumed at the adjourned meeting.

31. A motion for dissolution or adjournment may be moved at any time as a distinct question, but not as an amendment, nor so as to interrupt a speech.

32. A motion for the adjournment of a debate to some specified date and hour may be moved in the like manner, and if it be carried, shall have the effect of postponing the debate on the question under consideration to the date and hour specified. If the motion be negative the debate shall be resumed.

33. No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, provided that the Chairman may bring up urgent business before an adjourned meeting.

34. A meeting or debate renewed or continued after an adjournment, is to be deemed one with that proceeding the adjournment.

35. A motion to pass the next item of business may be made at any time in like manner and subject to the same rules as one for adjournment. If such motion be carried the motion under consideration and the amendments thereon, if any shall drop.

36. At any time after a motion or amendment has been made, a member may request the Chairman to put the question and if it appears to the Chairman that the motion has been sufficiently discussed, he may close the discussion, by calling upon the mover for his reply and may then put to the question to the vote.

37. No member shall speak for more than fifteen minutes when proposing a motion or amendment or for more than five minutes when seconding or speaking to a motion or amendment or when replying.

38. The Chairman, may at any stage in the proceeding, at his own discretion or at the request of a member, explain the scope and effect of the motion or amendment which is before the meeting. He may also at the conclusion of a debate sum up the debate, if he so desires.

39. If the Chairman desires to take part in a debate on a motion he shall vacate the chair until the vote on the motion shall have been taken. During such time the Chair shall be taken by a member present appointed by the Chairman. The acting Chairman shall during the debate and the voting, exercise the rights of the Chairman.

40. Any member may, with the permission of the Chairman rise even while another is speaking, explain any expression used by himself which may have been misunderstood by the speaker, but he shall confine himself strictly to such explanation.

41. Any member may call the Chairman's attention to a point of order even while another member is addressing the meeting but no speech shall be made on such point of order.

42. The Chairman shall be the sole judge on a point of order and may call any member to order.

43. Any motion or amendment standing in the name of a member who is absent from the meeting may with the permission of the Chairman, be brought forward by any other member.

44. On any motion being put to vote the manner in which the vote of the meeting shall be taken shall be left to the discretion of the Chairman.

45. A motion for the appointment of a committee on a subject under debate may be made by any member at any time and without previous notice.

46. A motion for the appointment of a committee must define the purpose for which the committee is to serve and the number may be made without previous notice. If the motion is carried, the member who originally moved the resolution shall propose the names of the persons who will form the committee and the name of the convener. Other names may also be proposed. A ballot shall then be taken, if necessary, and the requisite number appointed from those who obtain the largest number of votes.

47. The convener of a committee shall furnish to the Secretary copy of the report of every meeting of the committee together with a list of the member present.

48. The quorum of a committee shall be as near as may be one third of the members constituting the committee, but it shall not be less than two in any case.

49. No quorum shall be necessary at an adjourned meeting of a committee.

50. In all cases of election other than those specifically provided for, the candidate shall be proposed and seconded. If no more candidates are nominated than there are vacancies to be filled the Chairman shall declare those candidates to be elected. If the number of candidates exceeds the number of vacancies the members shall be entitled to give as many votes as they desire upto the limit of the number of vacancies but shall not give more than one vote for any one candidate. The Chairman shall then appoint tellers to count the votes and declare the result of the voting forthwith.

51. At all meetings of the Board or its committees every question shall be decided by a majority of votes of the members present except when otherwise provided in the Regulations. In the case of the votes being equally divided, the Chairman or the convener, as the case may be, shall have a second or a casting vote.

52. As soon as practicable after a meeting of the Board, a draft of the minutes of such meetings shall be submitted by the Secretary to the Chairman attested by him. The minutes then be circulated to all members, and such of them as were present shall within a fortnight of the issue of the minutes, communicate to the Secretary any exceptions they may take to the correctness thereof. The minutes and the exceptions taken, if any, shall be laid before the next meeting of the Board, and the minutes in their final form shall then be confirmed.

53. In any case not provided for by these Bye-Laws, the Chairman shall be entitled to give his own ruling as to the procedure.

RULES OF BUSINESS FOR THE MEETING OF THE VARIOUS COMMITTEES AND SUB-COMMITTEES OF THE BOARD

1. The Secretary shall ordinarily at least seven days before each meeting of the Committee/Sub-Committee of the Board issue to each member thereof, a notice convening the meeting and a copy of the Agenda thereof.

Provided that in case of urgent/emergency meetings, the President may suspend or modify the operation of this rule.

2. In absence of the President, the Vice-President will preside over the meetings of th Board, its committees and sub-committees and in the absence of both the President and the Vice-President the members of the committees and sub-committees will elect the Chairman from among themselves.

3. In all meetings of the committee and sub-committee of the Board at least one third of the total number of members of a Committee/sub-committee, shall form a quorum.

4. If a quorum is not present within fifteen minutes after the time fixed for the meeting, the Chairman may adjourn the meeting.

5. If a meeting is adjourned for want of quorum no quorum will be necessary in the adjourned meeting.

6. In the course of meeting if any member calls attention to the absence of quorum, the Chairman shall dissolve or adjourn the meeting.

7. No motion which has been negatived by the Committee/Sub-Committee shall be again brought forward, except with the permission of the Chairman, within one year from the date upon which it was negatived.

8. The Chairman shall be the sole judge of any point of order and may at his own instance or at the instance of any member, call to order any member who is speaking. The Chairman may, if necessary dissolve the meeting or adjourn it at his discretion.

9. No resolution, proposal or other matter foreign to, wholly inconsistent with the matter appearing in the agenda paper shall be decided at a meeting except to the extent permitted by the Chairman whose decision on the subject shall be final.

10. It shall be in the discretion of the Chairman to regulate the order and duration of speeches.

11. At all meeting of the Committees/Sub-committees of the Board, every question shall be decided by a majority of the votes of the members present. It shall be at the option of the Chairman to decide the manner in which the votes of the members shall be recorded.

12. In the case of equality of votes, the Chairman or the convener as the case may be shall have the casting vote in addition to his vote as member.

13. A member proposing the adjournment of the meeting shall also mention the date and hour for such adjourned meeting.

14. Any member with the permission of the Chairman rise even while another is speaking to explain any expression by himself which may have been misunderstood by the speakers, but he shall confine himself strictly to such explanation.

15. Any member may at any time in the course of discussion, rise and call the attention of the Chairman to point of order.

16. If a point of order is raised by one member in the course of speech by another, the speaker shall forthwith resume his seat until the Chairman has decided it.

17. If the Chairman be of opinion that the point of order has been raised vexatiously or for the purpose of more obstruction or interruption of the discussion, or of the business of the meeting, he shall so declare and it shall be deemed a breach of order.

18. The proceedings of the Committee/Sub-Committee shall be presented by the Secretary at its next meeting for confirmation with the note of action taken on the resolutions passed in the meeting.

19. The convener of a sub-Committee shall furnish to the Secretary a copy of the resolution of every meeting of Sub-Committee together with a list of the members present for further necessary action.

20. In any case not provided for by these rules the Chairman shall have power to give his own ruling as to the procedure.

21. Discussions on item of the Agenda of a meeting of the Committee or a Sub-Committee on which decision had already been taken in absence of a member cannot be re-opened in the same meeting by the absentee member.



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