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GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act XXXV of 1994

THE WEST BENGAL COUNCIL OF HIGHER SECONDARY EDUCATION (AMENDMENT) ACT, 1994.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 20th July, 1994.]

[20th July, 1994.]

An Act to amend the West Bengal Council of Higher Secondary Education Act, 1975.

West Ben.
Act VIII of
1975.

WHEREAS it is expedient to amend the West Bengal Council of Higher Secondary Education Act, 1975, for the purposes and in the manner hereinafter appearing;

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

1. This Act may be called the West Bengal Council of Higher Secondary Education (Amendment) Act, 1994. Short title.

2. In sub-section (1) of section 4 of the West Bengal Council of Higher Secondary Education Act, 1975 (hereinafter referred to as the principal Act),—

(1) for clause (g), the following clause shall be substituted:—

“(g) persons not exceeding eight in number to be nominated by the State Government, of whom—

(1) one shall be a woman interested in education,

(2) one shall be a Principal of a college imparting instruction in Higher Secondary Education,

(3) one shall be a Dean of any of the Faculties of the Bidhan Chandra Krishi Viswavidyalaya, and

(4) one shall be the Head of a Higher Secondary School imparting instruction in Higher Secondary Education (hereinafter referred to in this sub-section as Higher Secondary School);”;

Amendment
of section 4
of West Ben.
Act VIII of
1975.

*The West Bengal Council of Higher Secondary Education
(Amendment) Act, 1994.*

[West Ben. Act XXXV of 1994.]

(Sections 3, 4.)

- (2) for clause (h), the following clause shall be substituted:—
“(h) six teachers of Higher Secondary Schools having qualifications for imparting instruction in Higher Secondary Education to be elected by the teachers of such schools in the manner prescribed;”;
- (3) after clause (i), the following clauses shall be inserted:—
 - “(i1) one representative of the Court of the Vidyasagar University of Midnapore to be elected by the members of such Court from amongst themselves in the manner prescribed;
 - “(i2) one representative of the Court of the Jadavpur University to be elected by the members of such Court from amongst themselves in the manner prescribed;
 - “(i3) one representative of the Court of the University known as Rabindra Bharati to be elected by the members of such Court from amongst themselves in the manner prescribed;
 - “(i4) one representative of the Court of the University of Kalyani to be elected by the members of such Court from amongst themselves in the manner prescribed;”;
- (4) in clause (m), for the words “in the manner prescribed.”, the words “in the manner provided by regulations.” shall be substituted.

Amendment
of section 7.

3. In section 7 of the principal Act, after sub-section (1), the following sub-section shall be inserted:—

“(1A) The term of office of nominated or elected members shall be held to include any period which may elapse between the expiry of the said term and the date of nomination or election, as the case may be, of new members to the Council to fill vacancies arising by efflux of time.”.

Substitution
of new
section for
section 11.

4. For section 11 of the principal Act, the following section shall be substituted:—

“Cessation of membership in certain cases. 11. (1) When a person is qualified to be a member of any Board of Studies or Committee of the Council by virtue of his membership of the Council or of any other authority or body of the Council, he shall cease to be a member of such Board of Studies or Committee, as the case may be, of the Council, when he ceases to be a member of the Council or such other authority or body of the Council.

(2) When a person is nominated or elected as a member of the Council or of any Board of Studies or other authority or body of the Council from any constituency, he shall cease to be such member when he ceases to belong to that constituency.”.