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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 211-L.—10th February, 2009.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information:—

West Bengal Act XXXIII of 2008

THE WEST BENGAL MADRASAH SERVICE COMMISSION (AMENDMENT) ACT, 2008

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 10th February, 2009.]

An Act to amend the West Bengal Madrasah Service Commission Act, 2008.

WHEREAS it is expedient to amend the West Bengal Madrasah Service Commission Act, 2008, for the purposes and in the manner hereinafter appearing; West Ben. Act XXV of 2008.

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

1. (1) This Act may be called the West Bengal Madrasah Service Commission (Amendment) Act, 2008.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In section 2 of the West Bengal Madrasah Service Commission Act, 2008 (hereinafter referred to as the principal Act),—

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

‘(mm) “Non-teaching staff” means the Non-teaching staff other than teachers, and includes librarians, clerks and other group D staff;’;

(2) in sub-clause (ii) of clause (t), after the word “teachers”, the words “or the Non-teaching staff” shall be inserted.

3. In section 8 of the principal Act, after the word “teachers”, the words “or the Non-teaching staff” shall be inserted.

4. In sub-section (1) of section 9 of the principal Act, after the word “teachers”, the words “or the Non-teaching staff” shall be inserted.

Short title and commencement.

Amendment of section 2 of West Ben. Act XXV of 2008.

Amendment of section 8.

Amendment of section 9.

The West Bengal Madrasah Service Commission (Amendment) Act, 2008.
(Sections 5-8.)

Amendment of
section 10.

5. In section 10 of the principal Act, after the word “teacher”, the words “or the Non-teaching staff” shall be inserted.

Substitution of new
section for
section 11.

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

“Appointment made
in violation of this
Act shall be invalid.

11. Any appointment of a teacher or the Non-teaching staff made on or after the commencement of this Act in contravention of the provisions of this Act shall be invalid and shall have no effect, and the teacher or the Non-teaching staff, so appointed, shall not be a teacher within the meaning of clause (s), or the Non-teaching staff within the meaning of clause (mm), of section 2 of this Act.”.

Amendment of
section 13.

7. In section 13 of the principal Act,—

(1) for the existing marginal note “Protection of teachers.”, the marginal note “Protection of teachers and the Non-teaching staff.” shall be substituted;

(2) after the word “teachers”, wherever it occurs, the words “or the Non-teaching staff” shall be inserted.

Amendment of
section 18.

8. In clause (d) of sub-section (2) of section 18 of the principal Act, after the word “teachers”, the words “and the Non-teaching staff” shall be inserted.

By order of the Governor,

ANINDYA BHATTACHARYYA,
Secy.-in-charge to the Govt. of West Bengal,
Law Department.