

THE NAGALAND BOARD OF SCHOOL EDUCATION (AMENDMENT) ACT, 1990

(THE NAGALAND ACT NO. 5 OF 1990)

(Received the assent of the Governor of Nagaland on 13th April, 1990 and published in the Nagaland Gazette Extraordinary dated 25th April, 1990)

An

Act

to amend the Nagaland Board of School Education Act, 1973 and matters connected therewith

Be it enacted in the forty first year of the Republic of India as follows —

1. Short title, extent and commencement.

- (i) This Act may be called the Nagaland Board of School Education (Amendment) Act, 1990.
- (ii) It extends to the whole of the State of Nagaland.
- (iii) It shall come into force on such date as the Government may by notification in the Gazette so appoint.

2. Amendment of the title of the Nagaland Board of School Education Act, 1973.

The Nagaland Board of School Education Act, 1973, hereinafter called the Principal Act, shall henceforth be called the “Nagaland Board of Secondary and Higher Secondary Education Act,” 1973.

3. Amendment of Section 2

(1) The following terms defined in clauses (a), (e) and (n) of section 2 of the Principal Act shall be substituted by the following.

- (a) “Board” means the Nagaland Board of Secondary Education and Higher Secondary Education established under this Act;
- (e) “Fund” means the Nagaland Board of Secondary and Higher Secondary Education fund constituted under this Act;
- (n) “School Education” means such Education as is designed to meet the needs of the stage starting from the stage of Primary Education and precedes immediately the stage of Degree Education controlled by any University established by Law in India or by a Board constituted by Government for this purpose and it includes vocational instruction upto the Diploma Level;

(2) The following clause shall be inserted after Clause (f) namely

“(ff)” “Higher Secondary School means” a School giving instructions for Higher Secondary School Leaving Certificate Examination;

4. Amendment of Section 3.

Sub-section (ii) of section 3 shall be substituted by the following. “(2) The Board shall, by the name of the Nagaland Board of Secondary and Higher Secondary Education, be a body corporate with perpetual succession and common seal and shall have the power to

acquire and hold any property, to transfer any property held by it, to enter into any contract and to do all other things necessary for the purposes of carrying out its duties and functions and by the said name sue or be sued.”

5. Amendment of Section 4. Constitution of the Board.

For the existing section 4 of the Principal Act, substitute the following;

4.(1)The Board shall consist of the following members, namely;

- (a) Chairman of the Board Chairman.
- (b) Ex-Officio members.
 - (i) The Director of School Education.
 - (ii) The Director of Industries, Nagaland.
 - (iii) The Director of Agriculture, Nagaland.
 - (iv) The Director of Health Services, Nagaland.
 - (v) The Director of Employment and Crafts, Training. Nagaland.
 - (vi) The Director of Higher and Technical Education. Nagaland.
 - (vii) One of the Inspector of Schools, Nagaland to be nominated by the Director of School Education, Nagaland
- (c) Members to be nominated by the Government.
 - (i) Five Teachers of whom at least two are women and at least one shall be Primary School Teacher and one a College Teacher,
 - (ii) Two Teachers from Professional and Vocational Schools.
- (d) Co-opted Members:
 - (i) The Board shall have powers to co-opt not more than two members from amongst the distinguished educationists.
 - (2) The Secretary of the Board shall be the Member, Secretary of the Board.

6. Amendment of Section 11.

Section 11 of the Principal Act shall be substituted by the following;

“(1)The Chairman.

- (a) There shall be a Chairman who shall be appointed by the Government either on contract basis or on deputation to be agreed to between the Government and the appointee.
 - (b) The term of appointment shall initially be for a period of 3 (three) years only provided that the Government may extend his services for 1 (one) year at a time subject to the condition that the period of initial appointment and the subsequent extensions shall in no case exceed 5 (five) years.
- (2) The Secretary:
- (a) There shall be a Secretary who shall be appointed by the Board from the immediate Junior Cadre of the Board possessing a minimum of ten years administrative experience in the cadre of Class I Gazetted;
Provided that in the event of the Board having no eligible candidates for the post of the Secretary the Board may appoint such person either on contract basis or on deputation provided such candidate possesses a minimum of fifteen years of administrative experience in the cadre of Class-I Gazetted besides the qualifications as may be laid down in the regulations.
 - (b) The term of appointment for such candidates shall be initially for a period of 3 (three) years at the first instance provided that the Board may extend his services one year at a time subject to the condition that the period of initial appointment including such extension shall in no case exceed 5 (five) years.”

7 Amendment of Section 12.

For the Clause (I) Clause (IX) Clause (XIV) and Clause (XV) of section 12 of the Principal Act, the following shall be substituted:

- (I) To prescribe courses of instruction for Primary, upto Higher and Vocational Schools,”
- (IX) To recognize High Schools and Higher Secondary Schools and Vocational School and to withdraw such recognition :“
- (XIV) to prescribe sources of studies and to hold examinations on such courses and to award certificates;”

- (XV) to organise seminars and workshops for “in-service teachers,”

8. Amendment of Section 15.

In section 15 of the Principal Act for the expression, “The State Bank of India” substitute “any Scheduled Bank”.