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GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

West Bengal Act XII of 1969

THE WEST BENGAL (RURAL) PRIMARY EDUCATION
(TEMPORARY PROVISIONS) ACT, 1969.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 11th August, 1969.]

[11th August, 1969.]

An Act to reorganise the administration of primary education in rural areas in West Bengal and pending such reorganisation to supersede the District School Boards and to provide for certain connected matters.

WHEREAS it is expedient to reorganise the administration of primary education in rural areas in West Bengal with a view to making it free, universal and compulsory throughout the State and pending such reorganisation to supersede the District School Boards and to provide for certain connected matters;

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

1. This Act may be called the West Bengal (Rural) Primary Education (Temporary Provisions) Act, 1969. Short title.

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(a) “the Act” means the Bengal (Rural) Primary Education Act, 1930;

(b) “District School Board” means a District School Board constituted under the Act;

(c) “District Inspector of Schools” means a District Inspector of Schools as defined in the Act.

3. The State Government may, by an order published in the *Official Gazette*, supersede all District School Boards for such period as may be specified in the order and may, from time to time, by like order, extend the period of supersession. Super-session of District School Boards.

2 *The West Bengal (Rural) Primary Education (Temporary Provisions) Act, 1969.*

[West Ben. Act

(Sections 4—6.)

Conse-
quences of
super-
session.

4. When an order of supersession has been made under section 3, then, notwithstanding anything contained in the Act or in any other law for the time being in force, the following consequences shall ensue, namely:—

- (a) all the members of every District School Board shall vacate their offices as such members:

Provided that in the case of a District School Board in respect of which an order has been made under sub-section (1) of section 22 of the Act removing all appointed and elected members thereof, all the other members of the District School Board as also the person directed by the State Government under sub-section (2) of that section to exercise and perform the powers and duties of the District School Board, shall vacate their offices;

- (b) all the powers, duties and functions which may, under the provisions of the Act or any rule or regulation made thereunder or of any other law for the time being in force, be exercised, discharged and performed by a District School Board or the President or Vice-President thereof shall, during the period of supersession, be exercised, discharged and performed by the District Inspector of Schools of the district for which the District School Board is established:

Provided that at any time during the period of supersession the State Government may, if it thinks fit so to do, appoint, by notification in the *Official Gazette*, any of its officers not below the rank of a District Inspector of Schools to exercise, discharge and perform, in relation to any District School Board, the powers, duties and functions, referred to in this clause, of such District School Board and the President and Vice-President thereof and thereupon, with effect from such date as may be specified in the notification, such officer shall, and the District Inspector of Schools shall not, exercise, discharge and perform such powers, duties and functions in relation to such District School Board.

Provision
for
removing
difficulty.

5. If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing such difficulty.

Indemnity.

6. No suit, prosecution or other legal proceeding shall lie against a District Inspector of Schools or an officer appointed under the proviso to clause (b) of section 4 in respect of anything which is in good faith done or intended to be done under this Act.

The West Bengal (Rural) Primary Education (Temporary Provisions Act, 1969.) 3

XII of 1969.]

(Sections 7, 8.)

7. Nothing in this Act shall be construed as effecting or implying in any way the dissolution of any District School Board as a body corporate.

District
School
Board to
continue
as a body
corporate.

West Ben.
Ord. VI
of 1969.

8. (1) The West Bengal (Rural) Primary Education (Temporary Provisions) Ordinance, 1969, is hereby repealed.

Repeal
and
savings.

(2) Anything done or any action taken under the West Bengal (Rural) Primary Education (Temporary Provisions) Ordinance, 1969, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 9th day of May, 1969.