

THE UTTAR PRADESH BOARD OF SECONDARY SANSKRIT
EDUCATION ACT, 2000

(U. P. Act No. 32 OF 2000)

[As passed by the Uttar Pradesh Legislature, assented to by the Governor on October 31, 2000 and published in Uttar Pradesh Gazette Extraordinary on November 1, 2000.]

**AN
ACT**

to provide for the establishment of a Board of Secondary Sanskrit Education in the State and for the matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Fifty-first Year of the Republic of India as follows :—

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Board of Secondary Sanskrit Education Act, 2000.

(2) It shall be deemed to have come into force on September 30, 2000.

Definitions

2. In this Act unless the context otherwise requires, —

(a) “Board” means the Uttar Pradesh Board of Secondary Sanskrit Education established under section 3 ;

(b) “Centre” means an institution or a place fixed by the Board for the purposes of holding its examinations and includes the entire premises attached thereto ;

(c) “Director” means the Director of Secondary Education, Uttar Pradesh ;

(d) “Head of the Institution” means the Principal or the Head Master, as the case may be of that institution ;

(e) “Inspector” means the district Inspector of Schools and includes an Officer authorized by the State Government to perform all or any of the functions of the Inspector under this Ordinance ;

(f) “Institution” means a Sanskrit school imparting Sanskrit education up to Uttar Madhayama recognized by the Board ;

(g) “Invigilator” means a person who assists the Superintendent of a Centre in conducting and supervising the examinations, at a center ;

(h) “Recognition” means recognition for the purpose of preparing candidates for admission to the Board’s Examination ;

(i) “Regional Joint Director” means the Joint Director of Education incharge of a region and includes an officer authorized by the State Government to perform all or any of the duties of a Regional Joint Director;

(j) “regulation” means regulations made under this Act ;

(k) “Superintendent of a Centre” means a person appointed by the Board to conduct and supervise examinations of the Board and includes an Additional Superintendent ;

(l) “Unfair means” in relation to an examinee while answering questions in an examination, means the unauthorized help from any person directly or indirectly or from any material written, recorded, copied or printed in any form whatsoever, or the use of any unauthorized telephonic, wireless or electronic or other instrument or gadget.

Constitution of the Board

3. (1) With effect from such date as the State Government may, by notification, appoint, there shall be established a Board to be known as the Uttar Pradesh Board of Secondary Sanskrit Education.

(2) The Board shall be a body corporate.

- (3) The Board shall consist of the following members, namely :—
- (a) the Director, who shall be the Chairman of the Board ;
 - (b) two Heads of the Institutions maintained by the State Government, nominated by the State Government ;
 - (c) two teachers of the Institutions maintained by the State Government, nominated by the State Government ;
 - (d) one Science teacher of any degree college affiliated to Sampurnanand Sanskrit Vishwavidyalaya, Varanasi, nominated by the State Government ;
 - (e) one Principal or Head of the Department of an Ayurvedic Medical College maintained by the State Government, nominated by the State Government ;
 - (f) two Principals of Sanskrit degree colleges maintained by the State Government, nominated by the State Government ;
 - (g) two members of the Legislative Assembly of the State elected by the said Assembly ;
 - (h) one member of the Legislative Council of the State elected by the said Council ;
 - (i) three academicians, nominated by the State Government ;
 - (j) Director, Sanskrit Academy, Uttar Pradesh ;
 - (k) two representatives of industries nominated by the State Government ;
 - (l) Director, State Institute of Science Education, Uttar Pradesh ;
 - (m) Principal, Central Pedagogical Institute, Allahabad ;
 - (n) two Deputy Inspectors of Sanskrit Schools nominated by the State Government ;
 - (o) Vice-chancellor of the Sampurnanand Sanskrit University, Varanasi or his nominee, not below the rank of Reader ;
 - (p) two Heads of the departments of Sampurnanand Sanskrit Vishwavidyalaya, Varanasi, nominated by the State Government ;
 - (q) an officer not below the rank of Deputy Director of Education nominated by the State Government who shall be the Member-Secretary;
 - (r) Inspector, Sanskrit Pathshalayen, Uttar Pradesh.
 - (s) Deputy Director, Sanskrit, Uttar Pradesh.

(4) As soon as may be after the election and nomination of the member of the Board have completed, the State Government shall notify that the Board has been duly constituted :

Provided that a notification under this sub-section may be issued even before the election of the members specified in clause (g) or clause (h), of sub-section (3) has been completed.

Removal of members

4. The State Government may remove from the Board a member other than an ex-officio member, who in its opinion, has so flagrantly abused his position as such member as to render his continuance on the Board detrimental to the public interest :

Provided that the State Government shall, before removing a member as aforesaid, give him an opportunity of explanation and shall place on record reasons for his removal.

Terms of Office of members

5. (1) A member other than *ex-officio* member, shall hold office for a term of three years from the date of the notification under sub-section (4) of section 3;

Provided that the State Government may, by notification enlarge the term of the office of all such members by a period not exceeding six months at a time, so however that the enlargements so granted shall not in the aggregate exceed one year.

(2) A member of the Board shall cease to be such member upon his ceasing to have the capacity in which he was elected or nominated, and his seat shall thereupon, become vacant.

Filling of vacancies on expiry of term of office

6. The State Government shall take steps for the reconstitution of the board before the expiry of the term of officer of members under section 5.

Meetings of the Board

7. (1) The Board shall meet at such time and place and shall subject to the provisions of sub-section (2) and (3) observe such procedure in transacting the business at its meetings, including the quorum threat, as may be provided by bye-laws made in this behalf.

(2) The Chairman shall preside at the meeting of the Board. In his absence, any member of the Board chosen by its members present at the meeting shall preside at the meeting.

(3) All questions arising in a meeting of the Board shall be decided by majority of votes of the members present and voting and in case of equality of votes the person presiding at such meeting shall have a second or casting vote.

Vacancies etc. not to invalidate acts and proceedings

8. No act or proceedings of the Board or of a committee appointed by it shall be invalid on the ground merely of the existence of any vacancy or defect in the Constitution of the Board or the committee.

Functions of the Board

9. Subject to the other provisions of this Act, the Board shall have the following powers, namely :—

(a) to prescribe course of instructions, text-books, other books and instructional material, if any, for Prathama, Madhayama and Uttar Madhayama classes in Sanskrit education ;

(b) to publish or manufacture, whether to the exclusion, complete or partial of others or otherwise, all or any such text-books, other books or instructional material ;

(c) to grant diplomas or certificates to persons, who-

(i) have pursued a course of study in an institution admitted to the privileges or recognition by the Board ;

(ii) are teachers ; or

(iii) have studied privately under conditions laid down in the regulations and have passed an examination of the Board under like conditions ;

(d) to conduct examinations at the end of the Prathama, Purva-Madhayama, and Uttar Madhayama Course ;

(e) to recognize institutions for the purposes of its examination ;

(f) to admit candidates to its examination ;

(g) to demand and receive such fee as may be prescribed in the regulations ;

(h) to publish or withhold publication of the results of its examinations wholly or in part ;

(i) to co-operate with other authorities in such manner and for such purposes as the Board may determine ;

(j) to call for reports from the Director on the condition of recognized institutions or of institutions applying for recognition ;

(k) to submit to the State Government its views on any matter with which it is concerned ;

(l) to see the schedules of new demands proposed to be included in the budget relating to institutions recognized by it and to submit if it thinks fit, its views thereon for the consideration of the State Government;

(m) to do all such other acts and things as may be requisite in order to further the objects of the Board as a body constituted for regulating and supervising Sanskrit education up to Uttar Madhyama ;

(n) to take all such steps as may be necessary or convenient for or may be incidental to, the exercise of any power, or the discharge of any function or duty, conferred or imposed on it by this Act.

Powers of the Board

10. (1) The Board shall, subject to the provisions of this Act and the rules made thereunder, have all such powers as may be necessary for the discharge of its functions and the performance of its duties under this Act, or the rules or regulations made thereunder.

(2) In particular and without prejudice to the generality of the foregoing powers, the Board shall have the powers,—

(i) to cancel an examination or withhold the result of an examination of a candidate or to disallow him from appearing at any future examination who is found by it to be guilty of,—

(a) using unfair means in the examination ; or

(b) making any incorrect statement or suppressing material information or fact in the application form for admission to the examination ; or

(c) fraud or impersonation at the examination ; or

(d) securing admission to the examination in contravention of the rules governing admission to such examination ; or

(e) any act of gross indiscipline in the course of the examination ;

(ii) to cancel the result of an examination of any candidate for all or any of the acts mentioned in sub-clauses (a) to (d) of clause (i) or for any bonafide error of the Board in the declaration of the result ;

(iii) to prescribe fees for the examinations conducted by it and provide for the manner of their realization ;

(iv) to refuse recognition of an institution,—

(a) which does not fulfill, or is not in a position to fulfill, or does not come up to the standards for staff, instructions, equipment or buildings laid down by the Board in this behalf; or

(b) which does not, or is not, willing to abide by the conditions of recognition laid down by the Board in this behalf ;

(v) to withdraw recognition of an institution not able to or adhere to, make provisions for, standards of staff, instructions, equipment or building laid down by the Board or on its failure to observe the conditions of recognition to the satisfaction of the Board ;

(vi) to call for reports from the Heads of recognized institutions in respect of any act of contravention of the rules or regulations or decisions, instructions or directions of the Board, and take suitable actions for the enforcement of the rules or regulations or decisions, instructions or directions of the Board, in such manner as may be prescribed by regulations ;

(vii) to inspect an recognized institution for the purpose of ensuring due observance of the prescribed course of study and that facilities for instructions are duly provided and availed of; and

(viii) to fix the maximum number of students that may be admitted to courses of study in a recognized institution.

(3) The decision of the Board in all matters mentioned in sub-section (1) and (2) shall be final.

Recognition of an institution in any new subject or for a higher class

11. Notwithstanding anything contained in clause (a) of section 10, the Board may, with the prior approval of the State Government, recognize an institution in any new subject or group of subjects or for a higher class.

Proper utilization of donation

12. Where a contribution or donation, either in cash or in kind, is taken or received by an institution including an institution maintained exclusively by the State Government, or a local authority, the contribution or donation so received shall be utilized only for the purpose for which it was given to it and in the case of an institution maintained exclusively by the State Government, the cash contribution or donation shall be credited to personal ledger account of such institution which shall be operated in accordance with general or special orders of the State Government.

Application of the Act

13. Notwithstanding anything contained in the Uttar Pradesh State Universities Act, 1973 or any other Uttar Pradesh Act, on and from the commencement of this Act, all the institutions, situated in the State immediately before such commencement including Government Sanskrit Schools, imparting Sanskrit education upto Uttar Madhayama, affiliated to or recognized by the Government Sanskrit College, Varanasi or Sampurnanand Sanskrit Vishwavidyalaya, Varanasi shall be deemed to have been recognized by the Board under this Act and shall cease to be affiliated to or recognized by the said Government college or Vishwavidyalaya and shall be governed by the Provisions of this Act :

Provided that the said Government college or Vishwavidyalaya shall hold examination of persons pursuing Prathama, Purva Madhayama or Uttar Madhayama courses of study in such institution immediately before such commencement and shall have power to grant diploma or certificate to such persons.

Power of the State Government

14. (1) The State Government shall have the right to address the Board with reference to any work conducted or done by the Board and to communicate to the Board its views on any matter with which the Board is concerned.

(2) The Board shall report to the State Government such action, if any, as it is proposed to be or has been taken upon its communication.

(3) If the Board does not, within a reasonable time, take action to the satisfaction of the State Government, the State Government may, after considering any explanation furnished or representation made by the Board, issue such directions consistent with this Act, as it may think fit and the Board shall comply with such directions.

(4) Whenever, in the opinion of the State Government, it is necessary or expedient to take immediate action, it may, without making any reference to the Board under the foregoing provisions, pass such order or take such other action consistent with this Act as it deems necessary, and in particular, may by such order modify or rescind or make any regulation in respect of any matter and shall forthwith inform the Board accordingly.

(5) No action taken by the State Government under subsection (4) shall be called in question.

Officer and other employees of the Board

15. For the purpose of enabling it efficiently to discharge its functions under this Act, the Board may appoint such number of officers and other employees as it may, with the previous approval of the State Government, think fit.

Powers and duties of the Chairman of the Board

16. (1) It shall be the duty of the Chairman of the Board to see that this Act and the regulations are faithfully observed and he shall have all powers necessary for this purpose.

(2) The Chairman of the Board shall have power to convene meetings of the Board and shall call a meeting, at any time after due notice, on a requisition signed by not less than one fourth of the total Membership of the Board and stating the business to be brought before the meeting.

(3) In any emergency, arising out of the administrative business of the Board, which in the opinion of its chairman, requires that immediate action should be taken, the Chairman shall take such action as he deems necessary and shall thereafter report the action taken to the Board at its next meeting.

(4) The Chairman of the Board shall exercise such other powers as may be prescribed by the regulations.

Powers and duties of the Secretary of the Board

17. The Secretary of the Board shall be the Chief Executive Officer of the Board and shall, subject to the superintendence, control and directions of the Board, be responsible for the execution of its decisions. He shall exercise such other powers and perform such other duties as may be prescribed by rules, and in particular,—

(a) be responsible to prepare and present the annual estimates and statement of accounts ;

(b) be responsible to ensure that all moneys are spent for the purposes for which they are granted or allotted ;

(c) be responsible for keeping the minutes of the meetings of the Board ;

(d) shall exercise such powers as are necessary for the conduct of the examinations ; and

(e) shall exercise such other powers as may be prescribed by the regulations.

Appointment and constitution of Committees and Sub-committees

18. (1) The Board shall appoint the following committees and different committees may be appointed for different areas of the State namely,—

- (a) Curriculum Committee;
- (b) Examinations Committee;
- (c) Results Committee;
- (d) Recognition Committee; and
- (e) Finance Committee.

(2) Such committees shall consist of the Members of the Board only and shall be constituted in such a way that as far as possible at least one Member from each of the following classes are represented in each of the Committees :—

- (a) Principal or Head of Institutions;
- (b) Teachers;
- (c) Member of the Legislative Assembly of the State ;
- (d) Member of the Legislative Council of the State;
- (e) Academicians :

Provided that no Member of the Board shall serve on more than one of such committees, and the term of Members of the committee shall cease with the cessation of Membership of the Board.

(3) In addition to the committees mentioned in sub-section (1) the Board may appoint such other committees or sub-committees as may be prescribed by regulations.

(4) The committees and sub-committees appointed under sub-section (3) shall be constituted in such manner and on such terms and conditions as may be prescribed by regulations.

Power to delegate

19. The Board may, by general or special order, direct that any power exercisable by it under this Act except the power to make regulations may also be exercised by its Chairman or by such Committee or officer in such cases and subject to such conditions, as may be specified therein.

Superintendent of a center and invigilator to be public servant

20. The Superintendent of a Centre and an invigilator shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Power of the Board to make regulations

21. (1) The Board may make regulations for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, the Board may make regulations providing for all or any of the following matters, namely :—

- (a) constitution, powers and duties of committees and sub-committees ;
- (b) the conferment of diplomas and certificates ;
- (c) the conditions of recognition of institutions ;
- (d) the course of study to be laid down for all certificates and diplomas;
- (e) the conditions under which candidates shall be admitted to the examinations of the Board and shall be eligible for diplomas and certificates ;
- (f) the fees for admission to the examination of the Board ;

(g) the conduct of examinations ;

(h) the appointment of examiners, moderators, collators, scrutinizers, tabulators, Centre inspectors, Superintendents of Centers and invigilators and their duties and Powers in relation to the Board's examinations and the rates of their remuneration ;

(i) the admission of institutions to the privileges of recognition and the withdrawal of recognition ;

(j) all matters which are to be, or may be, provided for by regulations ;

Publication and previous approval of regulations made by the Board

22. (1) Regulations under section 21 shall be made only with the previous approval of the State Government and shall be published in the *Gazette*.

(2) The State Government may approve any such regulation proposed by the Board with or without modification.

Scheme of Administration

23. (1) Notwithstanding anything contained in any law, document or decree or order of a court or other instrument, there shall be a Scheme of Administration for every institution, whether recognized before or after the commencement of this Act. The Scheme of Administration shall amongst other matter provide for the constitution of Committee of Management vested with authority to manage and conduct the affairs of the institution. The Head of the institution and two teachers thereof, who shall be selected by rotation according to seniority in the manner to be prescribed by regulations, shall be *ex-officio* members of the Committee of Management with a right to vote.

(2) No member of the Committee of the Management shall either attend the meeting of the Committee or exercise his right to vote whenever a charge concerning his personal conduct is under discussion.

(3) The Scheme of Administration shall also describe subject to any regulation, the respective powers, duties and functions of the Head of the institution and Committee of Management in relation to the institution.

(4) Where more than one recognized institutions are maintained by a body or authority there shall be separate Committee of Management for each institution unless otherwise provided in the regulations for any class of institutions.

(5) The Scheme of Administration of every institution shall be subject to the approval of the Director and no amendment to, or change in, the Scheme of Administration shall be made at any time without the prior approval of the Director :

Provided that where the Management of an institution is aggrieved by an order of the Director refusing to approve an amendment or change in the Scheme of Administration, the State Government, on the representation of the Management, may, if it is satisfied that the proposed amendment or change in the Scheme of Administration is in the interest of the institution, order the Director to approve the same, and thereupon the Director shall act accordingly.

(6) Every recognized institution shall be managed in accordance with the Scheme of Administration framed under and in accordance with, sub-section (1) to sub-section (5).

(7) Whenever there is a dispute with respect to the Management of an institution, persons found by the Regional Joint Director upon such enquiry as he deems fit, to be in actual control of its affairs may, for the purposes of this Act be recognized to constitute the Committee of Management of such institution until a court of competent jurisdiction directs otherwise :

Provided that the Regional Joint Director shall before making an order under this sub-section, afford reasonable opportunity to the rival claimants to made representations in writing.

Explanation : In determining the question as to who is in actual control of the affairs of the institutions the Regional Joint Director shall have regard to the control over the funds of the institution and over the administration, the receipt of income from its properties, the Scheme of Administration approved under sub-section (5) and other relevant circumstances.

Inspection of institutions and removal of defects

24. (1) Inspector, Sanskrit Pathshalayen, Uttar Pradesh, Allahabad or Deputy inspector, Sanskrit Pathshalayen (Regional), shall be competent authority for the inspection of institutions within his jurisdiction.

(2) The Director, Deputy Director, Sanskrit and Regional Joint Director or any officer authorized by him may also inspect an institution or cause the same to be inspected.

(3) The Director may direct the Management of an institution to remove any defect or deficiency found on inspection or otherwise.

(4) Where the Management fails to comply with any direction made under sub-section (2), the Director may, after considering the explanation or representation, if any, given by the Management,—

(a) refer the case to the Board for withdrawal of recognition; or

(b) recommend to the State Government to proceed against the institution under sub-section (5).

(5) If on receipt of a recommendation referred to in clause (b) of sub-section (4) the State Government is satisfied that in the interest of the institution it is necessary that the Management of that institution be handed over to an Authorized Controller, the State Government may, by order, for such period as may be specified in the order, appoint an authorized Controller, and the Authorized Controller, may take over the Management of the institution including Management of the land, building, funds and other assets belonging to or vested in the institution the to the exclusion of the Committee of Management or any other person and whenever the Authorized Controller so takes over the Management, he shall, subject only to such restrictions as the State Government may impose have, in relation to the Management of the institution, all such powers and authority as the Committee of Management would have if no order were made under this sub-section.

(6) An order under sub-section (5) shall be operative for a period not exceeding one year in the first instance :

Provided that if the State Government is of opinion that is expedient so to do in order to continue to secure the proper management of the institution it may from time to time extend the operation of the order for such period, not exceeding one year at a time as it may specify, so however that the total period of operation of the order including the period specified in the initial order under sub-section (5) does not exceed five years :

Provided further that if at the expiration of the said period of five years, there is no lawfully constituted committee of Management of the institution, the Authorized Controller shall continue to function as such until the State Government is satisfied that the Committee of Management has been lawfully constituted :

Provided also that the State Government may at any time revoke an order made under sub-section (5) or under this sub-section.

(7) No Authorized Controller shall be personally liable for acts done by him, in good faith, in performance of duties entrusted to him.

(8) Any order made under sub-section (5) shall have effect notwithstanding anything inconsistent therewith contained in any other enactment or instrument, relating to the Management and control of the institution, including any scheme of Administration, or relating to the property belonging to or vested in the institution.

(9) No order made by the Board withdrawing recognition under clause (a) of sub-section (4) and no order made under sub-section (5) shall be called in question in any court.

(10) The powers conferred by this section shall be in addition to and not in derogation of, any powers conferred on the State Government or the Authorized Controller under any other law for the time being in force.

Procedure for appointment of Head of institution, teachers and other employees

25. Subject to the provisions of this Act, the Head of institution and teachers and other employees of an institution shall be appointed in accordance with the regulations.

Conditions of Service of Head of institution teachers and other employees

26. (1) Every person employed in an institution shall be governed by such conditions of service as may be prescribed by regulations and any agreement between the Management and such employees in so far as it is inconsistent with the provisions of this Act or with the regulations, shall be void.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) the regulations may provide for,—

(a) the code of conduct, the period of probation, the conditions of confirmation and the procedure and conditions for promotion and punishment including suspension pending or in contemplation of inquiry or during the pendency of investigation, inquiry or trial in any criminal case for an offence involving moral turpitude and the emoluments for the period of suspension and termination of service with notice ;

(b) the scales of pay and payment of salaries ;

(c) transfer of service from one recognized institution to another ;

(d) grant of leave and provident fund and other benefits; and

(e) maintenance of record of work and service.

(3) (a) No Head of institution or teacher may be discharged or removed or dismissed from service or reduced in rank or subjected to any diminution in emoluments, or served with notice of termination of service except with the prior approval in writing of the Regional Joint Director.

(b) Regional Joint Director may approve or disapprove or reduce or enhance the punishment or approve or disapprove the notice for termination of service proposed by the Management :

Provided that in the cases of punishment, before passing order, the Regional Joint Director shall give, an opportunity to the Head of institution or the teacher to show cause within a fortnight of the receipt of the notice why the proposed punishment should not be inflicted.

(c) Any party may prefer an appeal to the Director against an order of the Regional Joint Director under clause (b) within one month from the date of communication of the order to that party and the Director may, after such further enquiry as he considers necessary, confirm, set-aside or modify the order and the order passed by the Director shall be final.

(4) No Head of institution or teacher shall be suspended by the Management, unless in the opinion of the Management,—

(a) the charges against him are serious enough to merit his dismissal, removal or reduction in rank; or

(b) his continuance in office is likely to hamper or prejudice the conduct of disciplinary proceedings against him; or

(c) any criminal case for an offence involving moral turpitude against him is under investigation, enquiry or trial.

(5) Where any Head of institution or teacher is suspended by the Committee of Management it shall be reported to the Regional Joint Director within seven days from the date of order of suspension and the report shall contain such particulars as may be prescribed by regulations and accompanied by all relevant documents.

(6) No such order of suspension shall, unless approved in writing by the Regional Joint Director, remain in force for more than sixty days from the date of such order and the order of the Regional Joint Director shall be final and shall not be questioned in any court.

(7) If at any time the Regional Joint Director is satisfied that disciplinary proceedings against the Head of institution or teacher are being delayed for no fault of the Head of institution or the teacher, the Regional Joint Director may after affording opportunity to the Management to make representation, revoke an order of suspension passed under this section.

Casual Vacancies

27. All casual vacancies among the Members, other than *ex-officio* Members, of the Board or of a committee appointed by the Board, shall be filled, as soon as may be, by the person or body who elected or nominated the member whose place has become vacant and the person elected or nominated to a casual vacancy shall be a member of the board or committee for the residue of the term for which the person whose place he fills would have been a member.

Power of the Board and Committee to make bye-laws

28. (1) The Board and its Committees may make bye-laws consistent with this Act the rules and the regulations,—

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum ;

(b) providing for all matters which are to be, or may be, provided for by bye-laws ;

(c) providing for all matters solely concerning the Board and its Committees and not provided for by this Act the rules and the regulations.

(2) The Board and its committees shall make bye-laws providing for the going of notice, to the members of the Board or committee, of the dates of meeting of the Board or Committee, and of the business to be considered at meetings, and for the keeping of a record of the proceedings of meetings.

(3) The Board may direct amendment or recession of any bye-law made by a Committee under this section and the Committee shall give effect to any such direction.

Protection for acts done in good faith

29. No suit, prosecution or other legal proceedings shall lie against the State Government, the Board or any of its Committees and sub-committees or any member of the Board or a Committee or sub-committee or any other person in respect of anything, which is in good faith done or intended to be done in pursuance of this Act or any rule, regulation, bye-laws, order or direction made thereunder.

Bar of Jurisdiction of courts

30. No order or decision made by the Board or any of its committees or sub-committees or sub-committees in exercise of the powers conferred by or under this Act shall be called in question in any court.

Fund of the Board

31. (1) The Board shall have its own fund, and all receipt of the board shall be credited thereto and all payments for the Board shall be made therefrom.

(2) Subject to any general or special order of the State Government, and subject to the provisions of this Act, the Board shall have the power to spend such sum as it may think fit on subjects or for purposes authorized by this Act.

Accounts and audit

32. (1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as the State Government may, by general or special order, specify.

(2) The Board shall prepare an annual financial statement and submit it to the State Government for its approval.

(3) The accounts of the Board shall be audited by such authority as the State Government may, by general or special order, specify.

(4) The accounts of the Board as certified by the audit authority together with the audit report thereon shall be forwarded annually to the State Government.

[The Uttar Pradesh Board of Secondary Sanskrit Education Act, 2000]

Power to remove difficulties

33. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by a notified order, make such provisions, not inconsistent with the provisions of this Act as appears to it to be necessary or expedient, for removing the difficulty.

(2) No order under sub-section (1) shall be made after the expiry of the period of two years from the commencement of this Act.

(3) The provisions of sub-section (1) of section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply to the order made under sub-section (1) as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.

Power to make rules

34. The State Government may by notification, make rules for carrying out the purposes of this Act.

Repeal and saving

35. (1) The Uttar Pradesh Board of Secondary Sanskrit Education Ordinance, 2000 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under this Act as if this Act were in force at all material times.

**U.P.
Ordinance
no. 15 of
2000**

STATEMENT OF OBJECTS AND REASONS

A Committee under the Chairmanship of Sri P.P. Baria for solving the problems of institution imparting Sanskrit Education in the State was constituted. The said Committee, besides other recommendations, recommended for the establishment of a separate Board of Secondary Sanskrit Education in the State. After due consideration of the report of the said Committee it was decided to make a law to provide for the establishment of the said Board.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Board of Secondary Sanskrit Education Ordinance, 2000 (U.P. Ordinance no. 15 of 2000) was promulgated by the Governor on September 30, 2000.

This Bill is introduced to replace the aforesaid Ordinance.

