The Bihar State Madarsa Education Board (Amendment) Act, 2024

Act No. 8 of 2024
बिहार गजट
असाधारण अंक
बिहार सरकार द्वारा प्रकाशित

24 फाल्गुन 1945 (शौ)
(सं 0 पटना 254) पटना, वृहस्पतिवार, 14 मार्च 2024

विधि विभाग

अधिसूचना
14 मार्च 2024

सं 0 एलोजी-01-06/2024-1995/लेज ||—बिहार विधान मंडल द्वारा स्थापित निम्नलिखित अधिनियम, जिससे गांव राज्यपाल दिनांक 14 मार्च, 2024 को अनुमति दे चुके हैं, इसके द्वारा सर्व-साधारण की सूचना के लिये प्रकाशित किया जाता है।

बिहार—राज्यपाल के आदेश से,
ज्योतिष्कस्प श्रीवास्तव,
सरकार के सचिव (शौ)।
प्रस्तावना:— 2020 में विभिन्न संस्थाओं द्वारा बिहार राज्य मदरसा शिक्षा बोर्ड (संस्थान) अधिनियम, 1981 में संशोधन करने के लिए अधिनियम

1. संशोधन नाम, विवरण एवं अर्थ:—

(i) इस अधिनियम को बिहार राज्य मदरसा शिक्षा बोर्ड (संस्थान) अधिनियम, 2024 कहा जा सकता है।
(ii) इसका विभाग संघीय बिहार राज्य में होगा।
(iii) यह राज्यपाल द्वारा प्राप्त किया गया है।

2. धारा 5 में संशोधन:—

(ii) विद्यालय अधिनियम की धारा 5 (2) को निमानुसार प्रतिलिपि किया जाता है:—
(i) नेतृत्वक द्वारा नियन्त्रण या कोई अन्य पदाधिकारी जिसके डाक राज्य शिक्षा के अनुप्रयोग एवं विद्यालय द्वारा चीनीकृत राष्ट्रीय शिक्षा नीति का समावेश नहीं करा सकता।

3. धारा 6 में संशोधन:—

(i) विद्यालय अधिनियम की धारा 6 में एक नई उप-धारा (3) जोड़ी जाती है:—
(ii) इसे विभाग प्रभारी के व्यक्तिगत कार्यक्रम के बावजूद, राज्य सरकार द्वारा बोर्ड को भी भाग बिगाड़ दिया जायेगा।

4. धारा 10 में संशोधन:—

(ii) इसके क्षेत्र के अनुसार प्रतिलिपि किया जाता है:—
(i) कोई भी व्यक्ति अथवा राज्य सरकार या किसी अन्य संस्थान में से कोई अनुप्रयोग नहीं कर सकता।

5. धारा 29 में संशोधन:—

(i) विद्यालय अधिनियम की धारा 29 में एक नई उप-धारा (6) जोड़ी जाती है:—
(ii) इसके क्षेत्र के अनुसार प्रतिलिपि किया जाता है:—
(iii) विभाग के विभाग प्रबंधकों द्वारा राष्ट्रीय शिक्षा बोर्ड के विचार के प्रभावी कार्यक्रम के अनुप्रयोग एवं विशेष अनुप्रयोग एवं व्यक्तिगत विशेष अनुप्रयोग के अनुप्रयोग नहीं कर सकता।

6. धारा 31 में संशोधन:—

(ii) इसके क्षेत्र के अनुसार प्रतिलिपि किया जाता है:—
(i) कोई भी व्यक्ति अथवा राज्य सरकार या किसी अन्य संस्थान में से कोई अनुप्रयोग नहीं कर सकता।
Introducing a curriculum that aligns with the National Education Policy

Bihar State Madarsa Education Board (Amendment) Act, 2024

AN
Act

to amend the Bihar State Madarsa Education Board Act, 1981

Introduction:- In the year 2020, the new National Education Policy has been implemented by the Central Government in the whole of India including the State of Bihar. The educational details of all the students of Bihar have been given in the Bihar Caste based Survey Report, 2022-23. It has become imperative to align the laws regulating various educational curriculums including Madarsa Education with the National Education Policy. Therefore, it is necessary that the existing structure of Madarsa Education be re-organized and re-structured and it should be made an effective tool for imparting modern education to the students apart from linguistics and religious studies.

With an objective to re-organize and re-structure the existing Madarsa Education, to make it pragmatic, workable, dove-tail with National Education Policy and modernization of Madarsa Education, it is necessary to amend section 5, 6, 10, 29 and 31 of the Bihar State Madarsa Education Board Act, 1981.

Be it therefore, enacted by the legislature of the State of Bihar in the 75th year of Republic of India as follows :-

1. **Short title, extent and commencement**
   (i) Name of the Act: This Act may be called Bihar State Madarsa Education Board (Amendment) Act, 2024.
   (ii) It shall extend to the whole of the State of Bihar.
   (iii) It shall come into force immediately on publication in the official gazette.

2. **Amendment in Section 5.**
   (i) **Section 5 (2) of the existing Act shall be substituted as follows:**
Directors/ Special Director or any other officer entrusted with responsibility of education for religious, Linguistic Minority or Oriental Education- Ex-officio

(ii) Section 5 (3) of existing Act shall be substituted as follows:
Head of the Department in Urdu or person holding equivalent post in Maulana Mazharul Haque Arabic and Persian University, Patna.

3. Amendment in Section 6.
A new sub-section (3) shall be added in Section 6 of the existing Act.
Notwithstanding the tenure prescribed in the section 6 (1), the State Government shall have the power to dissolve the Board any time if it is satisfied that the dissolution is in the larger public interest to make the functioning of the Board consistent with the aim and object of the Act.

4. Amendment in Section 10:
Section 10 (2) shall be substituted as follows:
No person shall be eligible for appointment as Chairman unless he holds adequate experience under the Central or State Government or Public Administration in any Government Institution or unless he has teaching or research experience of not less than 10 years in any educational institutional imparting education at post-graduate standard or is a reputed scholar in Arabic, Persian or Islamic studies.

5. Amendment in Section 29:
(i) A new sub-section (6) shall be added in Section 29 of the existing Act.
(6) (a) With effect from the date, the Act comes into force the existing Bihar State Madarsa Education Board shall stand dissolved.
(b) On dissolution of existing Bihar State Madarsa Education Board under above Sub-section 6 (a) the State Government in Department of Education shall appoint an Administrator not below the rank of Secretary to the Government to manage the affairs of the Board.

(ii) A new Sub-Section (7) shall be added as follows:
(7) (a) Upon dissolution of the Board, the State Government shall constitute a Committee of experts to study and make recommendation for re-organization and re-structuring of Madarsa Education with a view to make it consistent with National Education Policy and introduce curriculum of education to strengthen the present teaching in various modern subjects including Science, Humanities and also to include other vocationale subjects.
(b) The Committee of expert shall be constituted by the State Government comprising of not more than 5 members of whom at least one shall be person possessed of adequate knowledge of Urdu, Persian, Arabic and oriental studies. The Committee shall submit its recommendation to the State Government within a period of one month from the date of Constitution. All logistic support to the Committee shall be provided by Education Department, Government of Bihar.
(c) On the recommendation submitted by the Committee, it shall be examined by the State Government in the Department of Education and shall be accepted with such modification as deemed necessary in the interest of Madarsa Education.

(iii) New Sub-section (8) shall be added as follows:
(8) The State Government shall constitute a new Madarsa Education Board latest within a period of three months from the date of its dissolution.

6. Amendment in Section 31: Section 31 shall be substituted as follows:
31 (i) If any difficulty arises in giving effect to the provisions of the existing act or this amending Act, the State Government may make such order or do such things not
inconsistent with the provisions of the existing Act or the Amending Act as it appears to be necessary or expedient for removing the difficulty.

(ii) The State Government may issue appropriate direction for accomplishing the task entrusted to the Committee. The Stat Government may also issue such direction as deemed necessary for carrying out objects of the existing or the Amending Act to the administrator and the administrator shall be bound by such direction of the State Government.

Jyotiswaroop Srivastava,
I/C Secretary to the Government of Bihar.