

SIKKIM BOARD OF INDIGENOUS LANGUAGES (SBIL), SIKKIM BILL 2022

(BILL NO. 11 OF 2022)

A bill for establishment and incorporation of State Board of Indigenous Languages (SBIL) in the State of Sikkim to facilitate the learners of Rai, Gurung, Sherpa, Tamang, Sunuwar (Mukhia), Newar, Manger and Bhujel Languages to enable them for pursuing higher education in their respective languages through distance mode (Correspondence course).

Be it enacted by the Legislation of Sikkim in the Seventy fifth year of the Republic of India as follows:-

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| 1- Short title, extent and commencement | <p>(1) This Act may be called the Sikkim Board of Indigenous languages (SBIL), Sikkim Bill, 2022.</p> <p>(2) It extends to the whole of Sikkim.</p> <p>(3) It shall come into force on such date as the State Government may by notification in the official Gazette</p> |
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2- Definitions

In this Act, unless the context otherwise requires,-

- (a) "Association" means the Association of the eight different languages who are teaching their respective languages to their communities in different corners of Sikkim. After completion, the Association issues the certificate to successful learners to seek admission in the Board;
- (b) "Assistant Controller" means Assistant Director, Language/any Textbook Officer designated as Assistant Controller under section 4;

- (c) **"ATBO"** means Assistant Textbook Officer of Indigenous Languages;
- (d) **" Board " or SBIL** means the Sikkim Board of Indigenous Languages (SBIL);
- (e) **"Board of Management "** means the Board of Management constituted under Section 4;
- (f) **"Course Director"** means the Director, Language designated as Course Director under section 4;
- (g) **"Controller of Examination"** means Additional Director or Joint Director or Deputy Director, Language designated as Controller of Examination for control and supervision of the examination to be conducted by the board.
- (h) **"Co-ordinator"** means co-ordinator of the Board appointed under section 4;
- (i) **"Distance education"** means informal education imparted by means of communication, correspondence courses, online classes (webinar) contact programmes and any other such methodology;
- (j) **"Department"** means the Education Department in the Government of Sikkim;
- (k) **"Examination"** means an examination conducted by the Board in the mode and manners as decided by the Board;
- (l) **"Fee"** means collection made by the Board from the students in relation to providing education in their respective languages, such as Fee for Prospectus, Examination Fee and other miscellaneous expenses which is non refundable;
- (m) **"Learner"** refers to an individual undergoing Courses in various indigenous and endangered languages;
- (n) **"Language-wise representatives"** means Textbook Officers, Assistant Textbook Officers and Co-ordinator of

Indigenous Languages viz. Rai, Gurung, Tamang, Sunuwar (Mukhia), Newar, Manger, Sherpa and Bhujel;

(o) "Registrar" means Joint Director or Deputy Director language designated as Registrar of the Board for the registration processes, schedule classes, keeping records of grades and marks and issuing the certificate to the learner;

(p) "TBO" means Textbook Officer of Indigenous Languages;

3- Establishment and incorporation of the Board

- (1) The State Government through Education Department, as soon as or may be after the Commencement of this Bill, by notification, establish a Board to be called the State Board of Indigenous Languages (SBIL) , Sikkim.
- (2) The office bearer and members of the Board become such officers or member so long as they continue to hold their designations or posts in the Language Section of Education Department, Government of Sikkim.
- (3) The Board shall situate and have its Office at Gangtok, East Sikkim under the Education Department, Government of Sikkim.

4- Constitution of Board (i) The Board of Management shall consist of the of Management following members, namely:-

a.	Course Director	Director(Language)
b.	Controller of Examination	Additional Director or Joint Director or Deputy Director (Language)
c.	Registrar	Additional Director or Joint Director or Deputy Director (Language)
d.	Assistant Controller	Assistant Director or any Text Book Officer (Language)

e.	Co-ordinator	Co-ordinator(Language & Rai)
f.	Language-Wise representative	
	1. Text Book Officer or Assistant Text Book Officer (Rai)	Member
	2. Text Book Officer or Assistant Text Book Officer (Gurung)	Member
	3. Text Book Officer or Assistant Text Book Officer (Tamang)	Member
	4. Text Book Officer or Assistant Text Book Officer Sunuwar (Mukhia)	Member
	5. Text Book Officer or Assistant Text Book Officer (Newar)	Member
	6. Text Book Officer or Assistant Text Book Officer (Mangar)	Member
	7. Text Book Officer or Assistant Text Book Officer (Sherpa)	Member
	8. Text Book Officer or Assistant Text Book Officer (Bhujel)	Member

- (ii) The Constitution of the Board of Management shall be notified by the State Government through the Education Department.

5- The terms of Reference of the Board

- (1) A learner who has passed Class VIII, IX and X can seek admission in SBIL for Secondary, Senior Secondary certificate courses.

- (2) A learner who are in-service and Certificate holders from the concerned association can also seek admission. However, the Board reserves the right to verify that authenticity of documents and accept or deny for admission.
- (3) The Board shall run certificate courses and advance certificate courses of 02(Two) years' duration each on the aforementioned languages at the under metric and post metric levels respectively.
- (4) The Board shall function as per the established guidelines for the other Regional Languages and curriculum Framework for conducting the Pre-Metric and Post-Metric level Exams every year as soon as the CBSE Board Exams are over.
- (5) The Board shall also facilitate the language learners with reading materials, tutors and periodical counselling etc.
- (6) The certificate courses on the aforesaid Language shall be treated as an optional subject equivalent to that of an additional subject of CBSE Board for Under graduate and Post Graduate Level Degree Courses under the Sikkim State University.
- (7) The Board shall collect fees on account of Prospectus, Examination Fee and other miscellaneous expenses which is non refundable from each students seeking admission.
- (8) The Board shall open a joint account in the name of Director, Additional Director or Senior Accounts Officer or Accounts Officer(HQ) in any nationalised bank to deposit and draw the fees collected from the students.

Section 6- Meeting of the Board.

- (1) The annual meeting of the Board shall be held once in every calendar Year.
- (2) The Board may hold meetings at such other times as the Course Director may decide.
- (3) The meeting of the Board shall be convened by the Controller of Examination in consultation with the Course Director.

Section 7- Powers and functions of the Board of Management.

The Board of Management shall be the Principal Body of the Board and shall exercise all powers and functions of the Board.

The Board shall have following powers and functions:-

- (1) to safeguard and promote the endangered languages of Sikkim.
- (2) to preserve and develop the ethnic culture of endangered communities of Sikkim.
- (3) to provide sustainable inclusive learning of endangered languages.
- (4) to provide opportunities to the learner for continuing their preferred language through correspondence course or distance learning.
- (5) to fulfil educational needs of the children or learner who are otherwise not catered to by the formal system of school education.
- (6) to develop need based Academic Programme for livelihood and lifelong learning up to pre-degree level
- (7) to provide professional advice to the Government of state, regarding proper development of Open and Distance Learning system at school level in response to requests from the Government.
- (8) to attain excellence in developing quality Open and Distance Learning curricula and courseware for learners.

- (9) to develop needed action plan for making education equitable and inclusive for the marginalised and disadvantaged groups like girl, women, minorities, differently-able (physically and mentally challenged).
- (10) to offer a wide spectrum of course of study in languages and continuing education and life enrichment courses up to pre-degree level.
- (11) to develop need-based curricula and self-learning materials for Secondary and Senior Secondary Education with focus on skill development.
- (12) to offer Secondary and Senior Secondary certificate courses through open and distance learning mode, online mode, virtual classroom mode and any other mode as the Board may decide from time to time.
- (13) to conduct examinations and issue certificates to successful learners.
- (14) shall conduct workshops and seminars on need basis to develop and promote the languages.

Section 8 – Powers and functions of the Course Director

- (1) The Course Director shall exercise general supervision and control over the affairs and functioning of the Board.
- (2) may, in emergency, exercise any of the powers of the Board provided, that shall not act contrary to any decision of the Board and shall, as soon as thereafter may be, report to the Board the action taken by him/her in exercise of any such power with the reason therefor.
- (3) shall be responsible for carrying out, and for giving effect to, the decisions of the Board or of any committee constituted under the Act.
- (4) may perform additional functions in accordance with the regulations made in this behalf.

Section 9- Powers and functions of the Controller of Examination and Assistant Controller of Examination

- (1) The main function of the controller of Examination is to conduct, control and supervise the examinations to be conducted by the Board
- (2) He shall advise the Board on the selection of examination centre, paper setters, examiners, invigilator or other engaged in connection with the examinations conducted by the Board.
- (3) He shall also perform other functions as may be assigned to him by the Course Director.
- (4) The Assistant Controller of Examination shall perform all functions of Controller of Examination in case of his or her absence or inability to discharge his functions owing to any reasons.

Section 10 - Powers and functions of Registrar

The power and function of the Registrar is to look after the registration processes, schedule classes, keeping records of grades and marks and issuing the certificate to the learner.

Section 11- Powers and functions of the Language-wise Representatives or Members

- (1) The language-wise representatives mainly focus on the Academic fields.
- (2) They shall prepare the syllabus, study materials and books.
- (3) They shall design and develop self-learning materials in print, audio video and other formats.
- (4) Setting of questions, conduct of examination and evaluation.
- (5) The representative or member shall perform such other functions as may be prescribed and may be delegated to it by the board.

Section 12- Board to furnish information

- (1) The Board shall furnish to the Education Department all the necessary information, reports, statements, achievements, standard of teaching, examination and research or any other matters relating to the Board.

Section 13- Power to make regulations

- (1) The Board may by notification, make regulations not inconsistent with the provision of this Act and rules in respect of any matter relating to the proper exercise of its powers and discharge of its functions under this Act or any other matter.

Section 14- Special powers of the Education Department

- (1) If it appears to the State Government through Education Department that the Board has contravened any of the provision of this Act made there under or has violated any of the directions issued by it under this Act or a situation or maladministration has arisen in the Board, it shall issue notice inquiring the Board to show cause within forty-five days.
- (2) If the Education Department on receipt of reply of the Board on the notice issued under sub-section(1), is satisfied that there is a prima facie case to contravening any of the provisions of this Act or the rules made thereunder or of violating directions issued by it under this Act or of ceasing to carry out the undertaking given by it or mal-administration, it shall make an order such enquiry as it may consider necessary.
- (3) The Education Department shall, for the purpose of any enquiry under sub-section (4), appoint an enquiry committee to inquire into any of the allegations and to make report thereon.
- (4) On the basis of the report the Department will take necessary action.

(5) Education Department shall have "special powers to make rules" if felt necessary.

15.


Decision of the State Government shall be final and binding on any issue of dispute and disagreement

STATEMENT OF OBJECT AND REASONS

The State Board of Indigenous Languages(SBIL) aims to facilitate learners of Indigenous Languages of Sikkim like Rai, Tamang, Gurung, Sherpa, Newar, Mangar, Sunwar(Mukhia) and Bhujel to enable them to pursue education in their respective languages at Secondary and Senior Secondary levels.

The establishment of this Board shall provide a legal platform for learning different Indigenous languages of the state at school level which will greatly help in their conservation and development. Since this board is one of its kind in the entire country, it will also facilitate learners of these languages from other states of India. This will also pave the way for starting degree courses in these languages.

With this objective in view, the Bill has been framed.


(K.N. LEPCHA)
MINISTER-IN-CHARGE
EDUCATION DEPARTMENT
(Minister)
Education Deptt. Law Deptt. And Parliamentary
CRD & Disaster Mgmt. and Sports & Youth Affairs
Government of Sikkim

FINANCIAL MEMORANDUM

-NIL-




(K.N. LEPCHA)

MINISTER IN CHARGE
EDUCATION DEPARTMENT
Education Dept., Law Dept. And Parliament
I.R.P. & Disaster Mgmt. and Sports & Youth Affs.
Government of Sikkim

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. Sub-clause (1) of clause 13 of the Bill empowers the Board to make regulations by notification for carrying out the purposes of the Act.
2. Sub-clause (4) of clause 14 of the Bill empowers the State Government through Education Department to reconstitute the Board.
3. Sub-clause (5) of clause 14 of the Bill empowers the State Government through Education Department with "special powers to make rules".

The proposed delegation of Legislative power is normal in character.



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Government of Sikkim