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PART IV — Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

NOTIFICATION

No.337-L.—16th March, 2010.—The Governor having been pleased to order, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement

of Objects and Reasons which accompanies it in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons, are accordingly hereby published for general information : —

Bill No. 5 of 2010
THE WEST BENGAL MADRASAH SERVICE COMMISSION
(AMENDMENT) BILL, 2010.

**A
BILL**

to amend the West Bengal Madrasah Service Commission Act, 2008.

WHEREAS it is expedient to amend the West Bengal Madrasah Service Commission Act, 2008, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXV of 2008.

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

Short title and commencement.

1. (1) This Act may be called the West Bengal Madrasah Service Commission (Amendment) Act, 2010.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 8 of West Ben. Act XXV of 2008.

2. In section 8 of the West Bengal Madrasah Service Commission Act, 2008 (hereinafter referred to as the principal Act), after the words “or the Non-teaching staff”, the words “and also to recommend the transfer including mutual transfer of the teachers or the Non-teaching staff” shall be inserted.

Insertion of new section 24 after section 23.

3. After section 23 of the principal Act, the following section shall be inserted:—

“Appointment on compassionate ground.

24. Notwithstanding anything contained in this Act, the State Government may, by order, specify certain Non-teaching post to be filled up by appointment, on compassionate ground, by the Director, Madrasah Education, on recommendation by the State Government.”.

STATEMENT OF OBJECTS AND REASONS.

With the introduction of the West Bengal Madrasah Service Commission Act, 2008 (West Ben. Act XXV of 2008) (hereinafter referred to as the said Act), the power to select and recommend to the teaching posts and the Non-teaching posts for the Recognised Non- Government Aided Madrasah have been entrusted with the West Bengal Madrasah Service Commission constituted under the said Act.

2. Any appointment to the teaching posts and the Non-teaching posts in contravention of the provisions of the said Act has been declared invalid.

3. It has, therefore, been considered necessary and expedient to amend the said Act with a view to making provision for appointment of the legal heirs of the deceased employee on the compassionate ground to the Non-teaching posts so as to provide some succour to the bereaved family in the event of the untimely death of the breadearner while in service.

4. The Bill also contains provisions for transfer including mutual transfer of the teaching and Non-teaching staff to be recommended by the Commission.

5. The Bill has been framed with the above objects in view.

6. There is no financial implications involved in giving effect to the provisions of the Bill.

KOLKATA,
The 15th March, 2010.

BUDDHADEB BHATTACHARJEE,
Member-in-charge.

By order of the Governor,

ASHIM KUMAR ROY,
*Secy.-in-charge to the Govt. of West Bengal,
Law Department.*