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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. 1476-L.—25th September, 2012.—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. 37 of 2012

**THE WEST BENGAL SCHOOL SERVICE COMMISSION
(AMENDMENT) BILL, 2012.**

**A
BILL**

to amend the West Bengal School Service Commission Act, 1997.

WHEREAS it is expedient to amend the West Bengal School Service Commission Act, 1997, for the purposes and in the manner hereinafter appearing;

West Ben. Act
IV of 1997.

It is hereby enacted in the Sixty-third 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 School Service Commission (Amendment) Act, 2012.

(2) It shall be deemed to have come into force with effect from the 5th day of September, 2012.

*The West Bengal School Service Commission
(Amendment) Bill, 2012.*

(Clauses 2, 3.)

Insertion of new section after section 15 of West Ben. Act IV of 1997.

2. After section 15 of the West Bengal School Service Commission Act, 1997, the following section shall be inserted:—

‘Special provision for making exemption to school or certain schools. 15A. Notwithstanding anything contained in section 15, the State Government may, by general or special order, exempt from the purview of the Act a school or certain schools established and administered by such charitable organisation, and subject to such conditions and restrictions, and for such period, as may be specified in that order.

Explanation.—For the purpose of this section, the expression “charitable organisation” means an organisation rendering humanitarian services to the society, donation to which shall qualify for deduction under section 80G of the Income Tax Act, 1961.’. 43 of 1961.

Repeal and savings.

3. (1) The West Bengal School Service Commission (Amendment) Ordinance, 2012, is hereby repealed. West Ben. Ord. IV of 2012.

(2) Notwithstanding such repeal, anything done or any action taken under the West Bengal School Service Commission Act, 1997, as amended by the said Ordinance, shall be deemed to have been validly done or taken under the West Bengal School Service Commission Act, 1997, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

At present, teaching and non-teaching staff of Ramkrishna Mission, Belur Math, Ramkrishna Sarada Mission and Ramkrishna Saradapith Kanya Gurukul and similar organizations are being appointed on recommendation of the West Bengal School Service Commission constituted under the West Bengal School Service Commission Act, 1997 (West Ben. Act IV of 1997) (hereinafter referred to as the said Act). However, the authorities of Ramkrishna Mission, Belur Math, Ramkrishna Sarada Mission and Ramkrishna Saradapith Kanya Gurukul have made several representations stating that such teaching and non-teaching staff are often found deficient in discharging of their functions in lying with their lofty and philanthropic principles.

2. Accordingly, it has been considered necessary and expedient to provide exemption from the operation of the provision of section 9 of the said Act, by way of inserting a new section 15A after section 15 of the said Act, in order to give authority to select and appoint teaching and non-teaching staff directly by the authorities of Ramkrishna Mission, Belur Math, Ramkrishna Sarada Mission and Ramkrishna Saradapith Kanya Gurukul, for maintaining their age-old benevolent tradition.

3. As the West Bengal Legislative Assembly was not in session and it was necessary to take immediate action in the matter, an Ordinance, namely, the West Bengal School Service Commission (Amendment) Ordinance, 2012 (West Ben. Ord. IV of 2012), was promulgated.

*The West Bengal School Service Commission
(Amendment) Bill, 2012.*

4. The Bill seeks to replace the said Ordinance by an Act of the State Legislature.
5. The Bill has been framed with the above objects in view.
6. There is no financial implication involved in the Bill.

KOLKATA,
The 25th September, 2012.

BRATYA BASU,
Member-in-charge.

By order of the Governor,

MALAY MARUT BANERJEE,
*Secy. to the Govt. of West Bengal,
Law Department.*