

West Bengal Primary Teachers Manual

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West Bengal Primary School Teachers Recruitment Rules

West Bengal Primary School Teachers Recruitment Rules, 2001, compiled with up to date amendments, corrigendum.

CHAPTER I

Preliminary

1. Short title and Commencement-

(1) These rules may be called the West Bengal Primary School Teachers Recruitment Rules, 2001.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions-

In these rules, unless there is anything repugnant in the subject or context,-

(a) 'the Act' means the West Bengal Primary Education Act, 1973;

(b) 'appointment' means appointment of teachers of Primary Schools in accordance with the provisions of the Act and the rules;

(c) 'authorised officer' means, unless otherwise specified, an officer not below the rank of Deputy Director of School Education, West Bengal, duly authorized by the Director of School Education, West Bengal.

(d) 'Board' means the West Bengal Board of Primary Education established under the Act;

(e) 'Council' means a Primary School Council established under the Act;

(g) 'Director' means the Director of School Education, West Bengal;

(i) 'Government' means the Government of West Bengal;

(j) 'Head Teacher' means the teacher of a Primary School appointed as Head Teacher of the primary school by the Council in accordance with these rules;

(j) 'non-teaching staff' shall mean the Librarian, or clerk, or peon, or Laboratory attendant, as the case may be;

(k) 'primary school' means a school or a department of a school set up under the Act for imparting such primary education as the State Government may prescribe, and includes a primary school or a Junior Basic School recognised under the Act and in existence on the date of coming into force of the West Bengal Primary Education (Amendment) Act, 1996;

(l) 'panel' means a list of names of the eligible and selected candidates for appointment as teacher in Primary Schools, published by the Board according to rules;

(m) 'rule' means any rule made under section 106 of the Act;

(n) 'superannuation' means the date of retirement of a teacher from the service on completion of sixtieth year of his age;

(o) 'teacher' means a person who holds a teaching post in a primary school or in a Junior Basic School on a regular and whole time basis, and is paid either wholly or in part from funds under the control of the State Government in the Education Department;

(q) 'vacancy' means vacant post of a Primary School teacher caused by (i) creation of a new post by the Council with prior sanction from the Government, (ii) retirement of a teacher, (iii) death of a teacher, (iv) resignation tendered by a teacher and accepted by the Council, (v) removal or dismissal of a teacher or (vi) deputation of a teacher.

CHAPTER II

General

3. Roll strength for a teacher-

(1) A Primary School under the jurisdiction of the Council shall ordinarily have one teacher for every forty pupils or part thereof, not being less than twenty in a hilly, forested other thinly populated area. A second teacher may be admissible when the roll strength exceeds sixty. A third teacher may be admissible when the roll strength exceeds one hundred. Similarly, a fourth teacher may be admissible when the roll strength exceeds one hundred forty and so on. But in no case a primary school is to have less than two teachers.

(2) No Council shall appoint teachers in primary schools within its jurisdiction beyond the number of teacher sanctioned by the State Government for the district or the subdivision.

(3) A council may propose to the Director for sanction of additional posts of primary teachers due to increase in roll strength in primary schools of the district or the subdivision, as the case may be. The Director of School Education will send the said proposal with his views to the School Education Department for necessary sanction of such additional post.

4. Filling up vacancies-

Subject to the condition that the number of vacancies to be filled up shall not exceed the number of sanctioned post of teachers, a Council shall-

(a) determine from time to time, the number of vacancies in primary schools within its jurisdiction in accordance with the provisions of sub-rule (1) sub-rule (2) and sub-rule (3) of rule 3 and take steps to fill up the vacancies as and when necessary.

(b) also determine the vacancies in primary schools within its jurisdiction imparting education in any language other than Bengali, as per guidelines issued by the government and fill in those vacancies.

CHAPTER III

Selection and Appointment

(1) Teacher

5. Appointing Authority-

District Primary School Council, Kolkata Primary School Council/ Siliguri Primary School Council shall be the Appointing Authority.

6. Qualifications –

(1) No person shall be appointed by the Council as a teacher unless he is a citizen of India and has completed the age of 18 years and has not completed the age of 40 years on the first day of the January 1st of the year of advertisement.

(2) The candidate shall possess the following minimum educational qualifications:-

- a) Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent with at least 50% marks and 2-year Diploma in Elementary Education (by whatever name known); or
- b) Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent with at least 45% marks and 2-year Diploma in Elementary Education (by whatever name known), in accordance with the National Council for Teacher Education (Recognition Norms and Procedure) Regulations 2002; or
- c) Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent with at least 50% marks and 4-year Bachelor of Elementary Education (B. El. Ed.); or
- d) Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent with at least 50% marks and 2-year Diploma in Education (Special Education); or
- e) Graduation and two year Diploma in Elementary Education (by whatever name known);

Note 1. – A person with D.Ed. (Special Education) or B.Ed. (Special Education) qualification shall, after appointment, undergo six month special programme in Elementary Education recognized by the National Council for Teacher Education (NCTE).

Note 2. – The persons having qualification of Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent with at least 50% marks or graduate (irrespective of marks obtained therein) or equivalent without 2-year Diploma in Elementary Education (by whatever name known) or 4-year Bachelor of Elementary Education (B. El. Ed.) or 2-year Diploma in Education (Special Education) shall also be eligible for appearing in the Teacher Eligibility Test (TET) to be conducted for appointment of primary school teachers in the State upto 31st March, 2014, subject to condition that those who are appointed without professional qualification shall acquire the professional qualification as specified in sub-rule (2)

of rule 6 above within a period of two (2) years from the year of appointment.

Note 3. – Priority mentioned in sub-rule (8) rule 9, shall be given to the eligible candidates who possess the minimum qualifications as specified in sub-rule (2) of rule 6.

Note 4.— For the purposes of this rule, -

a) a diploma in teacher education recognized by the National Council for Teacher Education (NCTE) shall be considered;

b) in case of Diploma in Education (Special Education) and B. Ed (Special Education), a course recognized by the Rehabilitation Council of India (RCI) only shall be considered.

Note 5. – Any candidate seeking appointment to the post of primary school teacher shall have studied and passed in the specific language as the first or the second language in the Higher Secondary Level or equivalent for which medium of instruction, the candidate is seeking appointment:

Provided that in case of Santhali as medium of instruction, the candidate shall only require to possess proficiency of reading, writing and speaking in OLCH1K1 scripts. It shall not be obligatory for the candidates seeking appointment to the post of primary school teacher in Santhali medium schools to have passed in the specific language as the first or the second language in the Higher Secondary Level or equivalent for which medium of instruction, the candidate is seeking appointment.

Note 6. – In case of the certificate issued by the authority other than the West Bengal Council of Higher Secondary Education, the said certificate issuing authority shall be set up a statutory authority and the said certificate issuing authority shall be authorized by the Government of India or by the State Government of the concerned State, as the case may be, for issuing Higher Secondary Level certificate.

Note 7. – All candidates must have studied and obtained Madhyamik (Secondary) Pass Certificate or equivalent with Mathematics and English as subjects.

Note 8. – The equivalent of Madhyamik certificate means the said certificate issuing authority shall be set up as per Act framed by the Government of India or by the State Government of the concerned State and the said authority shall be authorized by the Government of India or by the State Government of the concerned State, as the case may be, for issuing Secondary Level certificate.

Note 9. – The decision of State Government on the question of equivalence for the purpose of sub-rule (2) of rule 6 shall be final.

Note 10. – Candidates belonging to reserved categories SC/ST/OBC/PH/EC shall be allowed relaxation upto 5% in the qualifying marks.

Note 11. – The State Government may, by notification, declare reservation upto 10% of the total posts newly created, for maintaining pupil-teacher ratio in accordance with the provisions of the Right of Children to Free and Compulsory Education Act, 2009, with a view to providing adequate representation of the candidates of such categories without disturbing the 100-point roster as notified by the State Government from time to time:

Provided that the qualifications for such categories of candidates shall be the same as mentioned in sub rule (2) of rule 6:

Provided further that notwithstanding anything contained in any other rule of these rules, the period of service rendered by any candidate of such categories, shall be available as relaxation of age and no such candidate attaining 55 years of age as on the 1st day January of the year of the advertisement, shall be considered:

Provided also that notwithstanding anything contained in any other rule of these rules, State Government may also issue appropriate order of relaxation of age to a specific category of candidates or some categories of candidates pursuant to order passed by any Court of competent jurisdiction.

Note 12. – The reservation quota for the candidates belonging to the Scheduled Castes(SC), Scheduled Tribes (ST), Other Backward Classes (OBC), Exempted categories (EC), Ex-Service men and for Physically Handicapped (PH) candidates, shall be maintained as per the existing reservation rules as framed by the competent authority, after deducting 10% from total vacancies for appointment on compassionate ground, with relaxation of the upper age limit as admissible under the Government order:

Provided that in case the notification as mention in Note 11 is declared by the State Government, the total vacancies shall mean the existing vacancies plus newly created vacancies after deducting 10% as per provision of this Note.

7. Selection Committee-

(1) The Board shall constitute the Selection Committee/Committees for the purpose of selection of eligible candidates and preparation of panel or panels of such candidates for appointment of teachers in primary schools within the jurisdiction of the Board.

(2) The Selection Committee/Committees shall normally function for a period of two years from the date of its first meeting but the Board may, during the said period, reconstitute the Committee for good and sufficient reasons to be recorded in writing. Any member of the Committee, other than an ex-officio member, may resign with one month notice to the Chairman. The Board may remove any member, other than an ex-officio member at any time, subject to the condition that such member has been informed of the reason of his removal and has been given an opportunity of being heard.

(3) The Board may, if necessary, constitute one or more sub-committees for conducting Teacher Eligibility Test (TET) referred to item in sub-rule (3), of rule 9 and Interview referred to item (vi) of Table A of sub-rule (5) of rule 9. The decision of the sub-committee or subcommittees shall be bound by the decision of the Board.

(4) Any seven members of the Committee including the Chairman shall constitute a quorum.

(5) The Selection Committee shall normally function for a period of two years from the date of its first meeting but the Council may, during the said period, reconstitute the Committee for good and sufficient reasons to be recorded in writing. Any member of the Committee, other than an ex-officio member, may resign with one month notice to the Chairman. Similarly, the Council may remove any member, other than an ex-officio member at any time, provided that member has been informed of the reason of his removal and has been given an opportunity of being heard if he so desires.

8. Publication of employment notification-

(1) The Council shall, with the prior approval of the Government, publish the number of vacancies as determined under rule 4, except the vacancies mentioned in rule 14 and the vacancies to be filled up by inter-council transfer under the provisions of sub-section (k) of section 19 of the Act, together with other particulars with respect to such vacancies in two leading daily newspapers, one of which in the local language and other in English, and may also publish in one local weekly newspaper having adequate circulation in the district in which vacancies have occurred and one national level daily newspaper :

Provided further that the Government may, if it considers necessary to do so, notify the vacancies through such electronic media as it may consider necessary:

Provided that the Government may, direct to notify the vacancies taking together all the vacancies in such manner as it may consider necessary.

Note. – The advertisement for filling up vacancies includes vacancies existing on the date of advertisement plus vacancies anticipated to arise against sanctioned strength, in course of next twelve months.

(2) The detailed particulars which may inter alia consist of the following:-

- (a) the date, place and time for collection of application form;
- (b) the manner of submission of application form;
- (c) date and time of written examination;
- (d) quota for reservation with due consideration of the reservation policy of the Government of West Bengal;
- (e) the manner of payment of application fee;
- (f) any other particulars as may be approved by the State Government;
- (g) terms and conditions of the recruitment.

(3) With the prior approval of the Government, the Board shall have the following power to lay down the modalities, procedure or guidelines, as the case may be :-

- (a) for selection of candidates for appointment;
- (b) co-ordinate the entire procedural formalities relating to the recruitment; and
- (c) engage any specialized agency for the purpose of written examination.

(4) Application form shall be obtained on payment of Rs. 100/- (Rupees one hundred only), which is non-refundable and the manner of payment shall be notified at the time of advertisement provided that the candidates belonging to SC/ST shall require to pay non-refundable fee of Rs. 25/- (rupees twenty five only) for the said purpose.

8A. Fee for application–

(1) A candidate shall be required to pay a non-refundable application fee of rupees two hundred in the manner as may be notified under sub-rule (2) of rule 8:

Provided that the candidates belonging to Scheduled Castes and Scheduled Tribes are required to pay the application fee of rupees fifty only:

(2) Notwithstanding anything contained in sub-rule (1), the candidates referred to in the proviso to clause (b) of sub-rule (1) of rule 6, are not required to pay any fee specified in sub-rule (1).

9. Procedure of Selection–

(1) (a) The Selection Committee shall, after prima facie scrutiny of the duly filled application forms submitted by the eligible candidates having minimum educational qualifications as per rule 6, call for Teacher Eligibility Test (TET) in the form of written examination as specified in sub-rule (2) below.

Note.— Teacher Eligibility Test (TET) will be conducted by the Board on a single day throughout the State of West Bengal.

(2) The Teacher Eligibility Test (TET) shall be held as per guidelines issued from time to time by the National Council for Teacher Education and a person who will score 60% or above in the Teacher Eligibility Test (TET) examination shall be considered as Teacher Eligibility Test (TET) pass provided relaxation upto 5% marks shall be allowed to the candidates belonging to the reserved categories, such as SC/ST/OBC/PH/EC.

(3) Teacher Eligibility Test (TET) shall held in 100 marks consisting of the following (five) 5 Sections:-

(a) Section 1 – Child Development – 20 Marks – Question 1 to 20.

(b) Section II – Language I – 20 Marks – Questions 21 to 40.

(c) Section III – Language II – 20 Marks – Questions 41 to 60.

(d) Section IV – Mathematics – 20 Marks – Questions 61 to 80.

(e) Section V – Environmental Science – 20 Marks – Questions 81 to 100.

Note 1.— All questions shall be of multiple choice types with four alternatives out of which one option will be correct. All questions shall be compulsory and each item shall carry one mark. But there will be no negative marking.

Note 2.— First Language of the candidate shall be determined as per the medium of instruction of the primary school for which the vacancy occurred and Second language be English.

(4) The Selection Committee shall call all Teacher Eligibility Test (TET) qualified candidates as mentioned sub-rule (2), for the Viva-Voce/interview. The performance of the candidates who will be called for Viva-Voce/interview shall be assessed out of 10 marks by the Interview Board formed for the specific purpose.

(5) Thereafter academic, training, performance in Teacher Eligibility Test (TET), Extra Curricular Activities and performance in Viva-Voce/interview of the candidates appeared at the Viva-Voce/interview shall be computed in the following manner as mentioned in Table A below :-

Table-A

(i)	Madhyamik pass under the West Bengal Board of Secondary Education or its equivalent	10
(ii)	Higher Secondary pass under the West Bengal Council of Higher Secondary Education or its equivalent	15
(iii)	Training as prescribed in sub-rule (2) of rule 6.	20
(iv)	Teacher Eligibility Test (TET)	40
(v)	Extra Curricular Activities	05
(v)	Total	90
(vi)	Viva-Voce or Interview.	10
(vii)	Total	100

Note 1.—The percentage of marks to the total full marks obtained by the candidate in the Madhyamik Examination or its equivalent excluding additional marks, if any, shall be computed as percentage of 10.

Note 2.—The percentage of marks to the total full marks obtained by the candidate in the H.S. Examination or its equivalent excluding additional marks, if any, shall be computed as percentage of 15.

Note 3.— 70% and above marks obtained by the candidate in Training shall be awarded 20, 50% above but below 70% marks obtained by the candidate in Training shall be awarded 17 and below 50% marks but passed in the Training by the candidate shall be awarded 15.

Note 4.— The percentage of marks to the total full marks obtained by the Teacher Eligibility Test (TET) qualified candidate in Teacher Eligibility Test (TET) shall be computed as percentage of 40.

Note 5.— Maximum five (5) Marks shall be awarded to the candidates in the extra Curriculum Activities on the following extra Curriculum Activities:-

1	Games & Sports	1
2	National Cadet Crops (NCC)	1
3	Arts & Literature	1
4	Performing Art (drama)	1
5	Music	1
Total		5

A certificate of representation in the State/National/International level Games or Sports issued by the Competent State Govt or Central Government Authorities or agencies shall be awarded (01) mark.

Minimum 'A' certificate of National Cadet Crops (NCC) shall be awarded (01) mark.

A certificate that any essay, story, short story, drama, poetry written by the candidate selected for publication in any State level or National newspaper or Magazine. (Certificate alongwith a copy of publication shall be submitted), shall be awarded (01) mark.

(d) A certificate that the candidate has obtained proficiency in Performing Art (drama) issued by National School of Drama or by the State Government or Central Government shall be

awarded (01) mark.

(e) A certificate that the candidate has obtained proficiency in Music or Instrumental Music issued by the State Government or Central Government shall be awarded (01) mark.

(6) (a) The Selection Committee thereafter shall prepare a district wise merit list out of 100 marks as specified as in Table -A of candidates appeared at the for interview under Unreserved Category comprising of the names of the candidates belonging to General Category, Scheduled Caste Category, Scheduled Tribe Category, OBC Category – A, OBC Category – B and PH Category serially according to descending order of merit as per existing vacancy medium wise.

(b) Thereafter, the Selection Committee shall prepare separate district wise merit lists out of 100 marks as specified in Table -A belonging to Scheduled Castes, Scheduled Tribes, OBC Category -A, OBC Category – B and Physically Handicapped (PH) candidates in the respective category as per statutory reservation rules, from amongst the remaining candidates of such categories. Those lists must be prepared serially according to descending order of merit as per existing vacancy medium wise.

(c) In case of the candidates belonging to Exempted Category, Ex-Servicemen and Physically Handicapped (PH), separate merit lists category wise shall be prepared for vacancies reserved for the respective category.

(7) An additional panel of 5% of General, Scheduled Castes, Scheduled Tribes, OBC Category-A and OBC Category-B, Exempted Category, ex Servicemen and Physically Handicapped candidates shall be prepared in the same manner as referred to in sub-rule (b):

Provided further that additional panel of General Category shall not include the candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes category. However, in case of appointment to the post of General Category from additional panel, if any reserved candidate secures higher marks than the candidate belonging to General Category in the left out merit list then the said reserved candidate shall be selected for appointment:

Provided also that in case of non-availability of suitable qualified Ex-servicemen candidates belonging to General, Scheduled Castes, Scheduled Tribes and Other Backward Classes, the said vacancy of Exempted Category candidates shall be filled up by non-exempted category candidates belonging to General, Scheduled Castes, Scheduled Tribes, and Other Backward Classes, as the case may be:

Provided also that in case of non-availability of suitable qualified Ex-Servicemen candidate belonging to General, Scheduled Castes, Scheduled Tribes and OBC Category – A and OBC Category – B, the said vacancy shall be filled up by non Ex-Servicemen candidates belonging to General, Scheduled Castes, Scheduled Tribes and Other Backward Classes, as the case may be.

(8) While preparing final merit list for any category for appointment to the post of primary school teachers, if the marks of an untrained candidate becomes equal with that of a trained candidate, the trained candidate shall be given preference to the said untrained candidate having obtained equal marks.

(9) If in the process of recruitment or even after recruitment at any stage, it is detected or proved that a candidate has achieved success by way of unfair means or by suppression of some material facts, his or her appointment shall summarily be cancelled.

10. Approval of the panel-

(1) The panels passed in the meeting of by the Board, shall be sent in triplicate to the Director with all necessary papers for approval.

(2) The Director or his authorized officer on receipt of such panels passed by the Board shall satisfy himself that the rules and the procedures in this respect have been followed and may approve the panel. Such approval, if made, shall be communicated to the Council immediately, provided that if in the opinion of the Director, there are defects or mistakes in the panel in observing the rules and the procedure, he shall point out the defects and mistakes and ask the Council to rectify the defects and mistakes and to submit the panels to him with correction for approval.

11. Appointment letters-

(1) On approval of the panel by the Director under rule 10, the Council after verifying the antecedents and original documents of the candidates selected for appointment, issue the appointment letter under the signature of the Chairman or by an officer, not below the rank of the Secretary of the Council, duly authorized in this behalf and any appointment made otherwise shall be invalid:

Provided that in case of non-joining of a candidate within stipulated time from out of the normal panel, the Council may issue appointment letter from the additional panel of 5% referred to in sub-rule (8) of rule 9.

(2) Appointment letters shall be sent to the candidates' address by registered post. The names of such appointees shall be marked in the panel preserved in the office of the Council.

Provided that appointment shall be made from the panel for vacancies as referred to in rule 4.

(3) No appointment shall be made beyond notified vacancy for which the panel is to be prepared and the inclusion of name in the panel shall not constitute a claim for appointment.

12. Observance of statutory provisions for reservation-

In every case of selection and appointment under chapter III, the statutory provisions for reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, Other Backward Classes and physically handicapped candidates shall be properly observed.

13. Validity of the panel

Approved panel shall remain valid normally for one year from the date of approval by the Director or his authorized officer provided that the Director or his authorized officer may extend the validity of such panel by six months at a time, but the total period of such extension shall not exceed one year.

14. Appointment on compassionate ground-

(1) When a teacher or non-teaching staff dies in harness before the date of his superannuation i.e. at the age of 60 years, leaving a family which, in the opinion of the Council, is in extreme

financial hardship that it fails to provide two square meals and other essentials to the surviving members of the deceased teacher's family who is possessing required educational qualification as laid down in rule 6 and not below 18 years of age and not above 45 years of age and has obtained at least 55% marks in Teacher Eligibility Test (TET) shall be considered for appointment as primary school teacher on compassionate ground, the –

- (i) spouse;
- (ii) son;
- (iii) daughter

Of the deceased teacher's family who is possessing required educational qualifications as laid down in clause (a) and (c) of sub-rule (1) of rule 6 and unemployed, and not below 18 years of age and not above 45 years of age and found eligible to teach, may within two years from the date of such death make a prayer in writing to the Council for appointment as primary teacher on compassionate ground.

Provided that only one member of the family of the deceased primary teacher's family may be appointed on compassionate ground.

Explanation – *The expression "financial hardship", in relation to income of a deceased teacher consisting of up to five members in his family, shall mean an amount of income less than the initial gross salary of Group – D staff of the Council at the material point of time. For computation of income of such family, an income of an amount earned by each family member from any other sources than provident fund, gratuity and 20% of family pension of the first seven years or upon the attainment of sixty-five years of age of the deceased teacher had he been alive, whichever is earlier, at the material point of time, shall be taken into account:*

Provided that if the family of the deceased teacher exceeds five members the income so computed under this explanation shall be reduced by 20% for each member exceeding five and the amount so arrived at shall be taken into consideration in computing the income for the purpose of comparing it with the gross salary income of Group – D staff at the initial stage at the material point of time.

(2) When a primary teacher applies for being declared permanently incapacitated on medical ground, to the Council may direct him for appearing before the Medical Board setup for the purpose according to the procedure laid down in the relevant rules or order of the time being in force, and after receiving the report from the Council, if the Medical Board declares him permanently incapacitated to continue in further service, he may be allowed by the Council to retire on an from the date of submission in such application and by virtue of his early retirement, if his family is in such extreme financial hardship that it fails to provide two square meals and other essentials to the members of the retired teacher's family, the –

- (i) spouse;
- (ii) son;
- (iii) daughter,

of the prematurely retired teacher, who is possessing required educational qualifications as laid down in clause (a) and (c) of sub-rule (1) or rule 6 and unemployed, and not below 18 years of age and not above 45 years of age and found eligible to teach, may make within two years from the date of such retirement, a prayer in writing to the Council for appointment as

primary teacher on compassionate ground:

Provided that only one member of the family of the retired teacher may be appointed under the provisions of sub-rule.

Provided further that if the Medical Board shall not declare the teacher to be permanently incapacitated, the Council may allow him to rejoin the duty and the period of his absence, if any, shall be regularized as per existing leave rules applicable to him.

Explanation – *The expression “financial hardship”, in relation to income of a teacher, retired under this sub-rule, consisting of up to five members in his family for consideration of appointment under this sub-rule, shall mean an amount of income less than the initial gross salary of Group – D staff of the Council at the material point of time. For computation of income of such family, an income of an amount earned by any other sources by each family member than provident fund and gratuity at the material point of time, shall be taken into account:*

Provided that if the family of the teacher exceeds five members, the income so computed under this explanation shall be reduced by 20% for each member exceeding five and the amount so arrived at shall be taken into consideration in computing the income for the purpose of comparing it with the gross salary income of Group – D staff at the initial stage at the materials point of time.

(3) On receipt of the application under sub-rule (1) or sub-rule (2), as the case may be, if the Council considers that the case deserves the compassionate consideration, it may, with the prior approval of the Director or his authorized officer, give appointment to the applicant as primary teacher.

(4) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), the rules, orders or notifications issued by the Government relating to appointment on compassionate ground shall also be taken into account in making appointment under this rule.

(5) Notwithstanding anything contained in this rule, the benefit of appointment of a member of the family of the deceased teacher or non-teaching staff on compassionate ground shall only be applicable to the in-service teacher or non-teaching staff, i.e. up to his attaining the age of superannuation and shall not be applicable for those person who is serving as teacher or non-teaching staff under extension beyond the age of superannuation.

14A. Provisions of rule 14 to apply with modifications to compassionate appointment of family of teacher or non-teaching staff of aided non-Government Secondary Schools. –

(1) The Council may, subject to other provisions of this rule, appoint a member of the family of the teacher or non-teaching staff of aided non-Government Secondary Schools as primary teacher on compassionate ground.

(2) The provisions of rule 14 shall apply mutatis mutandis in the cases of appointment under sub-rule (1) of this rule and shall have effect subject to the following modifications in sub-rules (1), (2) and (5) of rule 14, namely:-

- (a) references to the teacher or non-teaching staff shall be construed as references to the teacher or non-teaching staff of aided non-Government Secondary Schools;
- (b) references to the Council shall be construed as references to the District Inspector

of Schools (Secondary Education);

(3) The concerned District Inspector (Secondary Education) shall process the application and forward the same with its recommendation in deserving cases to the Council for disposing of the application in accordance with sub-rule (3) of rule 14.;

15. Maintenance of roster-

(1) the Council shall maintain separate rosters for the cases as referred to rule 14 and appointment shall be offered, after observing all formalities, according to seniority in such roster. In no case, such appointment on compassionate ground shall be made exceeding ten per cent of the existing vacancies in a calendar year.

(2) In the cases of appointment under rule 14, reference to the employment exchange and preparation of panel shall not be necessary.

16. Posting on appointment-

The primary teachers shall be posted in primary schools within the jurisdiction of the Council according to vacancies determined by Council under rule 4.

Teachers shall be asked to join their posts within a specified period, failing which their names may be struck off from the panel and appointments shall be cancelled without further communication to the candidates and the next eligible candidates in the panel shall be offered appointment.

16A. Training on Deputation –

(1) The Government may, by order, identify any training necessary for a teacher.

(2) The Council may, by an order, send a teacher for such training on deputation basis.

(2) Head Teacher

17. Appointment of Head Teachers-

The Council shall appoint head teachers in every primary school within the jurisdiction of the Council from a panel of senior-most primary teachers possessing requisite qualifications as laid down in sub-rule (1) and sub-rule (2) of rule 6 and who have obtained a Junior Basic Training Certificate or Primary Teacher's Training Certificate or equivalent.

18. Preparation of Panel-

A Circle-wise panel of head teachers shall be prepared by the Council between January and April of every year on the basis of vacancies occurred or due to occur "within 31st" December of the said year:

Provided that, if due to circumstances beyond the control of the Council, any teacher from the aforesaid panel is not appointed against the vacancies for that year, the panel shall continue in the following year in so far as such teacher is concerned and the name of such teacher may be placed at the top of the panel to be prepared in the following year.

19. Posting-

Head teacher may be posted in such primary schools where no head teacher is posted or the post of the head teacher is vacant.

A head teacher shall join his post within a period specified by the Council, failing which his appointment as head teacher may be cancelled and his name may be struck off from the panel of head teachers without any further communication, and the person whose name appears next in the panel of head teachers, shall be appointed and posted as head teacher in that post.

20. Appointment of Teacher-in-Charge-

The Council may utilize the services of the senior most primary teacher in a primary school as the teacher-in-charge, temporarily for a maximum period of six months at a time, when a panel of head teachers is not ready or the post of a head teacher is lying vacant for a considerable period of time:

Provided that such teacher-in-charge shall hand over the charge of the office to the head teacher from the date the head teacher assumes the charge.

CHAPTER IV

Miscellaneous

21. Retirement-

A primary teacher shall retire from the service on completion of his sixtieth year of age.

22. Premature retirement-

If, on the prayer of a teacher seeking early retirement, the Council is satisfied, after considering all aspects, that such prayer is justified, the Council shall seek approval of the Director for each such individual case and if the Director or his authorized officer approves, the teacher after such approval shall be allowed to retire before completion of his sixtieth year of age. No member of the family of the retired teacher shall be allowed any employment in this respect.

23. Confirmation-

(1) Subject to the provisions of sub-rule (2), sub-rule (3), sub-rule (4) and sub-rule (5), a teacher may be confirmed by the concerned Council against a sanctioned post with effect from the date following the date of completion of two years of service from the date of joining in a primary school.

(2) On expiry of the said period of two years and within a period of three months there from the Council continuous and satisfactory services of the teacher during the said period of two years.

(3) The report shall be furnished by the Sub-Inspector of schools within a period of three months from the date of issue of such letter or within such extended period, not exceeding

three months as the Council may determine, and the Sub-Inspector of Schools shall be informed, by a letter, of such extension.

(4) Before confirmation of the teacher, the report shall be considered by the Council and if satisfied, shall issue an order of confirmation of the teacher.

(5) The teacher shall be confirmed with effect from the date following the date of completion of two years of service.

(6) If-

(a) no report is furnished by the Sub-Inspector of schools within the period or extended period mentioned in sub-rule (3), or

(b) the report of the Sub-Inspector of schools is not considered by the Council within, a period of three months from the date of receipt of the letter, as the case may be, the teacher shall be deemed to have been confirmed with effect from the date following the date of completion of two years of service.

24. Application of the rules-

Notwithstanding anything contained in any special rules and orders to the contrary, rule 3, rule 4, rule 6, rule 23 and rule 26 shall apply to all recognized primary schools, irrespective of whether they are managed by religious or linguistic minority or not.

25. Appeal-

An appeal shall lie, in respect of any action taken by the Council under rule 7, rule 9, sub-rule (1) of rule 10, sub-rule (2) of rule 11 and rule 12 to the West Bengal Board of Primary Education, if made within thirty days of such action, and the decision of the Board in this regard shall be final.

26. Reference to the Board-

If any difficulty arises in implementing any provisions of these rules, the matter shall be referred to the Board and may take decision with intimation to the State Government

If, however, in the opinion of the Board, the matter needs to be referred to the Government, such reference to the Government shall be made by the Board and the decision of the Government shall be final.

27. Interpretation-

The interpreting these rules is reserved to Government. If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

28. Repeal-

All rule and orders made under the Bengal (Rural) Primary Education Act, 1930 and the West Bengal Urban Primary Education Act, 1963 and the West Bengal (Rural) Primary Education (Temporary provision) Act, 1969 regarding appointment of teachers and service conditions of

primary teachers, contrary to the provisions of these rules, are hereby repealed in the districts where the West Bengal Primary Education Act, 1973 (43 of 1973), has come into force:

Provided that appointment of all teachers made with the approval of the Director or his authorized officer prior to the coming to effect of these rules into force, shall be deemed to have been made under these rules.

Reference:

1. No. 57-SE(Pry) dated 15.01.2002
2. No. 1261-SE(Pry) dated 16.12.2005
3. No. 106-SE(Pry) dated 28.01.2008
4. No. 207-SE(P) dated 20.02.2008
5. No. 111-SE(Pry) dated 16.02.2009
6. No. 269-SE(P) dated 19.05.2009
7. No. 331-SE(Pry) dated 26.06.2009
8. No. 383-SE(Pry) dated 24.07.2009
9. No. 1130-SE dated 29.11.2011
10. No. 829-SE dated 21.12.2011
11. No. 285-SE dated 24.07.2012

Notes

West Bengal Primary School Teachers Leave Rules

West Bengal Primary Education (Leave of Teacher of Primary Schools) Rules, 1999 compiled with up to date amendments, corrigendum.

RULES

1. Short Title –

These rules may be called the West Bengal Primary Education (Leave of Teacher of Primary Schools) Rules, 1999 and shall come into force with effect from the date of notification.

2. Extent of Application–

These rules are applicable to all the teachers of the Non-Government Primary Schools under the administrative control of the Calcutta / Mahakuma / District Primary School Councils.

3. Definitions–

In these rules, unless there is anything repugnant in the subject, or context –

(a) the 'Act' means the West Bengal Primary Education Act, 1973;

(b) 'Appointment' means appointment of teachers of Primary Schools in accordance with the provisions of the relevant Act and the Rules;

(c) 'Appropriate medical certificate' means a certificate granted by a Registered Medical Practitioner stating that he / she has examined the concerned teacher personally;

(d) 'Board' means the West Bengal Board of Primary Education established under the Act;

(e) 'Council' means Primary School Council established under the Act;

(f) 'Permanent Teacher' means a teacher who has completed two years of continuous and satisfactory service in the post in which he / she is appointed and confirmed against such post by the appointing authority or an Officer duly authorized in this behalf;

(g) 'Primary School' means a School or department of a School giving instruction in Primary School and includes junior basic school;

(h) 'Sanctioning Authority' means and includes the authorities for sanctioning leave as stated in the sub-rule (i) of 7 of these rules.

(i) 'Teacher' means a person who holds a teaching post in a Primary School appointed in the prescribed manner on a regular and full-time basis and is paid either wholly or in part under the control of the State Government in the School Education Department;

(j) 'Temporary Teacher' means a teacher who is appointed against a post but is not confirmed as a Permanent Teacher against such post.

4. Leave admissible to the teacher-

The Primary teachers appointed substantively may be allowed the following kinds of leave:

(a) Casual Leave – Casual Leave for short period may be granted at the discretion of the sanctioning authority to a teacher on full pay for not more than 14 days during a calendar year but it shall not entail an absence of more than 7 consecutive days at a time, including Sundays and / or holidays, except under very special circumstances to be recorded in writing.

Provided that Sundays and / or holidays preceding, following or intervening any period of casual leave shall not be counted as part of such leave.

(b) Maternity Leave-

(i) A female teacher or non-teaching employees may be granted maternity leave on full average pay for a period of 180 days from the date of commencement.

(ii) Maternity leave may be granted to such female teacher on full pay not exceeding a period of 45 days in case of miscarriage or abortion if the request for such leave is supported by an appropriate medical certificate from a registered medical practitioner.

(c) Compensatory leave – If a teacher under specific orders of the Primary School Council is detained for duties and prevented from availing himself / herself, either in full or in part, of the vacation, during which the Primary Schools remains closed, he / she shall be entitled to get leave on full pay for the number of days which is such proportion of 30 days as the number of days of vacation not taken leave to the full vacation of the year, subject to the conditions that such detention of the teacher and a copy of the order shall forthwith be forwarded to the Board, and that when such leave amounts to 240 days at the credit of permanent teacher, he / she shall cease to earn such leave.

(d) Half Pay Leave – A teacher may be granted half pay leave on appropriate medical certificate on the ground of his / her illness or private affairs not exceeding 30 days for each completed year of service:

Provided that no half pay leave shall granted for more than 180 days at a time.

(e) Commuted Leave – Commuted leave, not exceeding half the amount of half pay leave due, may be granted on medical ground on production of appropriate medical certificate or on the ground of private affairs subject to the conditions that –

(i) the commuted leave during the entire period of service shall be limited to the maximum of 180 days on full pay;

(ii) that twice the amount of commuted leave granted shall be debited against the half pay leave due; and

(iii) that the total duration of the commuted leave taken in conjunction with the compensatory leave in lieu of duty during vacation in terms of Clause (d) subject further to the conditions that

(A) no commuted leave under this Clause may be granted, unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on its expiry, and

(B) a teacher on commuted leave is entitled to leave salary equal to twice the amount admissible to him under Clause (d) above.

(f) Leave on Medical Ground – A permanent teacher may be granted leave on medical ground on full pay for a period of 15 days for each completed year of service spent on duty on production of resuming charge:

Provided that the total period of such leave shall not exceed 180 days during the entire period of service; Provided that the total period of such leave in conjunction with leave in terms of Clauses (c) and (d) shall not exceed the maximum limit as prescribed in Clause(d).

(g) Extraordinary Leave without Pay – Extraordinary leave without pay may be granted to a teacher under special circumstances when no other leave may commute retrospectively the period of absence without leave into extraordinary leave without pay:

Provided that the total duration of such leave in conjunction with any other leave shall not, at any time, exceed 24 months.

(h) Special Leave – Special leave with full pay may be granted on grounds and for the period as stated in the following Clauses –

(i) in case of detention in lawful custody without trial for the period of such detention;

(ii) in case of prolonged illness making the teacher bed-ridden for a long time not exceeding 18 months; in such cases the Council shall be the leave sanctioning authority on scrutiny of the application accompanied by appropriate medical certificate;

(iii) for participation in conferences, Council meetings or meetings of recognized All India Federation of Teachers' Association for the actual period required on production of certificate of actual attendance from the Associations;

(iv) for attending as delegates at the annual general conference / meetings of recognized association of Primary Teachers for the actual period required including the days taken for the forward and return journeys to and from the venue of such conference / meeting subject to submission of certificates of actual attendance from the Association.

(i) Quarantine Leave – Quarantine leave being the leave of absence from duty necessitated by order not to attend School in consequences of the presence of infectious disease in the family or household of a teacher may be granted such leave over and above or in continuation of other kinds of leave for a period not exceeding 21 days or in exceptional circumstances, 30 days on submission of a certificate from Medical or Public Health Office subject to the condition that any leave necessary for quarantine purpose in excess of this period shall be treated as absent from the duty and his pay is not intermitted.

List of infectious diseases for the purpose of the Clause is given below:-

(i) Small Pox (ii) Scarlet fever (iii) Plague (Bueekmonic or Bubionic) (iv) Typhus and (v) Cerebro-spinal meningitis.

5. Teachers appointed on deputation against deputation vacancy or purely temporary basis are entitled to enjoy casual leave for a period of proportionate to their service in the relevant calendar year.

6. Prefixing or suffixing of holidays –

Leave other than casual leave may be prefixed to Sundays / holidays / vacations, as the case may be, but intervening Sundays / holidays / vacation shall be counted along with the relevant leave.

7. Sanctioning Authority –

(i) The concerned Sub-Inspector of Schools shall be the authority for sanctioning casual leave to teachers in Primary Schools maintained by the Council in the Districts. The Council shall be the authority for sanctioning other kinds of leave after considering the recommendations of the District Inspector of School (Primary Education) or an Officer authorized in this behalf, not below the rank of Sub-Inspector of Schools. The Council shall also make necessary acting arrangement.

(ii) A teacher shall submit leave application through the Head Teacher of his School while the Head Teachers shall leave application through the existing Managing Committee / Administrator of the School.

(iii) On leave application being submitted by a teacher, the Sub-Inspector of School concerned shall draw up the salary bill of teacher including the period of leave admissible and due to the teacher with leave statement in anticipation of the leave being sanctioned by the competent authority.

8. Miscellaneous –

(i) No kind of leave except casual leave and medical leave can be availed without written application and previous sanction by the competent authority except under very exceptional circumstances which should be explained in writing to the satisfaction of the leave sanctioning authority. The application of casual leave, where previous sanction has not been obtained, must, however be submitted as early as possible and in any case, not later than the date of resuming the duties. In case of medical leave exceeding 7 (seven) days, for which no prior application has been made and a sanction obtained, the intimation of absence must be

communicated to the leave sanctioning authority through proper channel with appropriate medical certificate if there is delay submitting leave application in proper manner.

(ii) Any kind of leave except casual leave and compensatory leave, may be granted in combination with or in continuation of any other kind of leave, subject to such limits, as stated.

(iii) Leave cannot be claimed as right and the sanctioning authority reserves the right to refuse or revoke leave of any description, if, in the opinion of the authority, the exigencies of the circumstances so demand.

9. Repeal-

Rule 24, Rule 25 and Rule 26 under chapter IV of the Rules regulating the Recruitment and Leave of Teachers in the Primary Schools in West Bengal as published in the Notification No. 768 Edn. (P), dated 22nd November, 1991 by the Government of West Bengal, Education Department, Primary Branch are hereby repealed.

Reference:

1. No. 453-SE(Pry) dated 05.05.1999
2. No. 573-SE(Pry)/10R-1/99 dated 15.09.2011

Notes

General Provident Fund Rules

GENERAL PROVIDENT FUND SCHEME, 1995
GOVERNMENT OF WEST BENGAL
School Education Department
Budget Branch, Salt Lake, Kolkata - 700 091

No. 134-SE(B), Calcutta the 26th Sept, 1995

MEMORANDUM

1. The West Bengal Non-Government Educational Institution and Local Authorities (Control of Provident Fund of Employees) Act, 1983 and Rules made thereunder became effective from 15th March, 1984 for all Primary schools of which the District School Boards / District Primary School Councils or District Inspectors of Schools (Primary Education) are the Controlling Authorities and 1st June, 1984 for all Secondary Schools recognised as such under the W.B. Board of secondary Education Act, 1963 and all Higher Secondary Schools recognised as such under the W.B. Council of Higher Secondary Education Act, 1975. It has been observed that in absence of effective Management Schemes in respect of General Provident Fund of the Employees, there is some misunderstanding among the employees of the Non-Government Educational Institutions.

2. After careful consideration of the circumstances explained above the Governor has been pleased to direct that a scheme under the name 'West Bengal Recognised Non-Government Educational Institution Employees (Management of General Provident Fund Accounts) Scheme, 1995 be introduced as enclosed in the Annexure to this Memorandum.

3. This order issues with the concurrence of Finance Department vide their U.O.No .515 Group J dated 15.11.94.

By order of the Governor
Sd/- J. R. Saha
Secretary to the Government of West Bengal.

ANNEXURE

THE SCHEME

1. This Scheme may be called **West Bengal Recognised Non-Government Educational Institution Employees' (Management of General Provident Fund Accounts) Scheme, 1995.**

2. It shall come into force with effect from thy 1st day of November, 1995.

3. Extent of applicability:

This scheme shall be applicable to all employees covered by the provisions of the West Bengal recognized Non-Government Educational Institution Employees (Death-Cum-Retirement Benefit) Scheme, 1981 (as contained in this Departments Memo No. 136-Edn.(B) dated 15.5.85) as may be amended from time to time as indicated in Statement-I referred to in paragraph 3 of the West Bengal Recognised Non-Government Educational Institutions Employees (Death-Cum-Retirement Benefit) Scheme, 1981 and who have opted for pension (including family pension)-cum-gratuity in terms of para 4 of the said scheme of 1981.

4. Definitions:

In this Scheme unless there is anything repugnant to the subject or context-

(a) 'Approved/ Affiliated Institution' shall mean those educational which are recognised by the West Bengal Board of Secondary Education/West Bengal Council of Higher Secondary Education/ West Bengal Board of Madrasah Education/ West Bengal Board of Primary School Education/District Primary School Council or any such authority specifically authorized by the State Government in this respect.

(b) 'Approved teaching/ Non-teaching Employees' shall mean a whole time teaching/ Non-teaching employee attached to the institutions included in the Statement - I referred to in paragraph 3 of the Memo No. 136-Edn(B) dated 15.5.85 duly recruited by a competent appointing authority in accordance with approved recruitment rules/ norms framed by a competent authority and such appointment approved by competent authority, wherever necessary.

(c) 'Pay' in this scheme shall mean basic pay and includes personal pay, special pay and dearness pay, if any.

(d) 'State Government' shall mean Government of West Bengal in the Education Departments and in charge of matters of School Education, Higher Education, Mass Education Extension and Technical Education & Training and where necessary, in consultation the Finance Department.

(e) 'Subscriber' shall mean an employee who subscribes to the General Provident Fund.

(f) Family means -

(i) in the case of a male subscriber, the wife or wives and children of a subscriber and the widow or widows and children of deceased son of the subscriber, provided that, if a subscriber proves that his wife been judicially separated from him or has ceased under the customary law of the community to which she belongs to be no entitled to maintenance, she shall thenceforth be deemed to be no longer a number of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently indicates by express notification in writing to the Head of the Institution that she shall continue to be so regarded;

(ii) in case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of deceased son of the subscriber:

Provided that if a subscriber by notification in writing to the Head of the Institutions expresses her desire to exclude her husband from her family, the husband shall thenceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

Note-1. 'Children' means legitimate Children.

Note-2. An adopted child shall be considered to be child when the Head of the Institution, or if any doubt arises in the mind of the Head of the Institution, the Government is satisfied that under the personal law of the subscriber adoption is legally recognized as conferring the status of a natural child, but in this case only.

(g) 'Fund' shall mean General Provident Fund.

(h) 'Year' shall mean the financial year followed by the State Government, with 'paid months' meaning the months from March to February next year and 'credited months' meaning the months from April to March next year.

(i) 'Subscription' shall mean the amount subscribed by an employee at a fixed rate for each month of a year.

(j) 'Advance' shall mean amount as may be withdrawn by a subscriber on specific by a competent authority.

(k) 'Refund of Advance' shall mean amount repaid on a fixed monthly rate for the purpose of a repayment of the amount withdrawn temporarily.

(l) The 'Act', for the purpose of this Scheme and schedule there under shall mean West Bengal Non-Government Educational Institutions and Local Authority (Control of Provident Fund of Employees) Act, 1983 as may be amended from time to time.

(m) The 'Rules' referred to in this scheme and schedule thereunder shall mean West Bengal Non-Government Educational Institution and Local Authorities (Control of Provident Fund of Employees) Rules, 1984 as may be amended from time to time.

(n) The 'authorised officer', for the purpose of appreciation and interpretation of the Scheme and schedule thereunder shall mean the officer in whose name Provident Fund Deposit Account is to be opened in the Treasury for making transactions of General Provident Fund of Employees of the Non-Government Educational Institution in accordance with act and rules thereunder.

(o) 'Natural heir' means all members of the family.

5. All approved employees of the Recognised Non-Government Educational Institution shall be **required to subscribe** to the General Provident Fund **on completion of one year's continuous service**.

N.B. Employees recruited against deputation/ leave/ short-term vacancies shall not be eligible to subscribe to the General Provident Fund.

6. A subscriber on being eligible to subscribe to the General Provident Fund shall have to submit application in prescribed form for allowing him to subscribe to the General Provident Fund. In case an eligible employee fails to submit required application form within one month from the date of attaining eligibility the Head of the institution shall suo-motu fill up the form and commence deduction of subscription from the salary of the eligible employee at the minimum rate prescribed in para 10 of this Scheme.

NOTE: Sometimes communication of approval is issued with retrospective effect from an earlier date. The employee concerned shall have to subscribe to the fund with commensurate retrospective effect. Head of the institution shall realise the subscription out of arrear claim.

7. All subscriber shall have to submit nominations in prescribed form conferring right to receive the amount that may stand to his credit in the fund in the event of his death before that amount has become payable or having become payable has not been paid.

Provided a subscriber shall not make any nomination in favour of a person who is not member of his family. A subscriber having no family may, however, nominate any person provided further that the nomination shall become invalid on subsequently acquiring a family.

8. A subscriber shall be allotted an account number by the Head of the Institution immediately after the starts subscribing to the General Provident Fund.

9. Account in respect of each account number of each individual subscriber shall be maintained by the respective Head of the Institution in the manner prescribed in the schedule annexed to this Scheme.

10. Rate of Subscription:

(a) Subscriber shall be eligible to subscribe to the General Provident Fund at the minimum rate of 6% (six per cent) of his pay as on 31st March of the year and not more than his pay subject to the following provisions:

(i) if an employee on the said date was under suspension or on leave and elected not to subscribe during the period of such leave, his pay shall be the pay to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India or on leave on the said date and elected to subscribe during such leave, his pay shall be the pay to which he might have

been entitled had he been duty;

(iii) in case of a subscriber who was not in employment on the preceding 31st March, his pay shall be the pay to which he was entitled on the first day of his employment.

(b) Subscription shall be paid monthly except during the period an employee is under suspension.

(c) A subscriber willing to enhance or reduce his monthly subscription shall intimate in writing in the month of March of the year specifying his rate of monthly subscription to the Head of the Institution. The Head of the Institution shall realize the amount from the salary for the month of March for deposition to the fund, provided that in case of reduction, the reduced rate shall not be below the prescribed minimum rate.

(d) The rate of subscription commenced from the salary of the month of March shall remain unchanged throughout the year. In no case rate shall be changed except in the following cases.

(i) An employee who has been placed under suspension shall not subscribe to the General Provident Fund during the period of such suspension. But on reinstatement he shall have the option of paying any sum not exceeding the maximum amount of arrear subscription in one lump or in installments.

(ii) Where the rate of subscription falls short of 6% of pay.

(e) A subscriber may discontinue his subscription for the last six months of his service on serving a notice to the Head of the Institution well before the commencement of such discontinuance.

11. Interest:

(a) Interest on the balance of a subscriber shall be allowed to his credit as such rate as may be prescribed by the State Government.

(b) Interest shall be credited with effect from the 1st day of the financial year.

(c) Interest shall be allowed only on the balance standing at the credit of the subscriber on the last day of a particular month. Detailed procedure of calculation of interest has been set forth in the schedule annexed hereto.

(d) In case of existing subscribers when the balance standing at the credit of the subscriber with interest up to date under the present system has been transferred to the Treasury under the provision of the Act and rules there under, it shall be treated as transferred to the newly opened amount of the subscriber.

(e) In cases where the existing balance of subscriber with up to date interest has not been

deposited to the Treasury under the provision of the Act and rules there under, the same shall be taken into account for the purpose of calculation of interest only when the said amount is deposited into Treasury.

12.A (i) Withdrawal:

A temporary advance may be granted to a subscriber from the amount standing to his credit in the fund on the following grounds as conditions:

(a) To pay expenses incurred in connection with medical treatment of the subscriber or a member of his family actually dependent on him/ her.

(b) To pay obligatory expenses that may be required to maintain social status of the subscriber connection with marriages in respect of persons solely dependent on him/ her, funerals and other religious ceremonies in accordance with the prevailing customs of the community to which the subscriber belongs and also to meet expenses in connection with marriage and other ceremonies of the subscriber himself/ herself.

(c) Sanctioning authority shall record the reasons for such sanction in writing.

(d) The amount of advance shall not exceed three month's pay of the subscriber or three-fourth of the balance standing at the credit of the subscriber, whichever is less, provided that the amount of monthly recovery together with monthly subscription shall not exceed three-fourth of monthly pay of the subscriber.

(e) The amount of temporary advance shall be recovered in equal monthly instalments from the salary of the subscriber, the number of such instalments being not less than ten and not more than twentyfour in any case.

12.A (ii) A second temporary advance shall be admissible during the pendency of the first temporary advance subject to the condition laid down, in para 12A (i) (d) provided the unrecovered amount of the first advance together with the amount of fresh advance shall be computed and will be treated as fresh advance and shall be recovered in the manner prescribed in para 12(A) (i) (e).

12B. A subscriber on completion of twenty years of service or within ten years before the date of his retirement on superannuation, whichever is earlier, may be allowed non-refundable advance on the following terms and conditions:

(a) The amount of non- refundable advance shall not exceed three-fourth, of the balance standing at the credit of the subscriber on the last day of previous year.

(b)The non- refundable advance shall be allowed on the following grounds.

(i) Medical treatment of self and/ or any member of the family actually dependent on

him/ her. The amount of advance shall cover the expenses of medical consultation fees, cost of medicine etc., cost of other para-medical services, including cost of equipments, cost of pathological, radiological and electronic examinations required and recommended by physician, cost of journey to a place and back for specialized treatments not available in the locality.

(ii) for incurring expenditure in connection with marriage or other religious ceremonies of daughters and sons whether dependent on the subscriber or not and / or any other relation actually dependent on the subscriber.

(iii) for purchase of a house/ flat for residential purpose of his own and his family.

(iv) for purchase of a suitable house-site for the purpose of construction of a house for use as residence of his own and/ or his family.

(v) for construction of a house for use as residence of his own and/ or his family.

(vi) for incurring expenditure in connection with Higher Education like Medical, Engineering and other technical Education of a duration of not less than three years for children of the subscriber.

(c) A second advance shall be sanctioned except for the reasons specified in b(iii) b(iv), b(v) above.

(d) In case of non-refundable advance sanctioned in favour of a subscriber, the subscriber shall have to furnish utilization certificate within a specified period.

13. Sanctioning authority in respect of advances mentioned in para 12 of the scheme has been specified in the schedule annexed hereto. 10. Rate of Subscription:

(a) Subscriber shall be eligible to subscribe to the General Provident Fund at the minimum rate of 6% (six per cent) of his pay as on 31st March of the year and not more than his pay subject to the following provisions:

(i) if an employee on the said date was under suspension or on leave and elected not to subscribe during the period of such leave, his pay shall be the pay to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation out of India or on leave on the said date and elected to subscribe during such leave, his pay shall be the pay to which he might have been entitled had he been duty;

(iii) in case of a subscriber who was not in employment on the preceding 31st March, his pay shall be the pay to which he was entitled on the first day of his employment.

(b) Subscription shall be paid monthly except during the period an employee is under suspension.

(c) A subscriber willing to enhance or reduce his monthly subscription shall intimate in writing in the month of March of the year specifying his rate of monthly subscription to the Head of the Institution. The Head of the Institution shall realize the amount from the salary for the month of March for deposition the amount to the fund, provided that in case of reduction, the reduced rate shall not be below the prescribed minimum rate.

(d) The rate of subscription commenced from the salary of the month of March shall remain unchanged throughout the year. In no case rate shall be changed except in the following cases.

(i) An employee who has been placed under suspension shall not subscribe to the General Provident Fund during the period of such suspension. But on reinstatement he shall have the option of paying any sum not exceeding the maximum amount of arrear subscription in one lump or in installments.

(ii) Where the rate of subscription falls short of 6% of pay.

(e) A subscriber may discontinue his subscription for the last six months of his service on serving a notice to the Head of the Institution well before the commencement of such discontinuance.

14. Final withdrawal:

The amount standing at the credit of a subscriber shall become payable on the following eventualities:

(a) When a subscriber ceases to be in employment on superannuation.

(b) When a subscriber resigns from service, and after such resignation is accepted, provided that if the subscriber joins an employment having General Provident Fund Scheme regulated by the provision of Acts or regulations of Govt. of India or State Govt. or any statutory authority under the Central and State Govt. or authority constituted by Central or State Government, the balance standing at his credit may be transferred to the account of the subscriber to be opened at his new place of appointment, if the new employee agrees to such transfer.

(c) A subscriber may be allowed to withdraw 90% of the balance standing at his credit on the closing date of the previous year (less amount already withdrawn, if any) at any time prior to one year from the date of retirement.

(d) In the event of the death of the subscriber before the amount standing at his credit becomes payable normally.

(e) In the event of dismissal of the subscriber from service provided that if the subscriber is re-instated after the dismissal the amount shall have to be refunded by the subscriber to his

Account/ newly-opened account.

15. On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made -

(i) When the subscriber leaves a family -

(a) if a nomination made by the subscriber in accordance with the provisions of para 7 of or of the corresponding para heretofore in force in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination;

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares:

Provided that no share shall be payable to -

(1) sons who have attained legal majority;

(2) sons of a deceased son who have attained legal majority;

(3) married daughters whose husbands are alive;

(4) married daughters of a deceased son whose husbands are alive;

If there is any member of the family other than those specified in clauses (1), (2), (3) and (4): Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of para 7 or of the corresponding para heretofore in force in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

16. Detailed procedures to be followed from the very beginning of the allotment of account number and till the balance standing at the credit of the subscriber have been finally paid have been specified in the schedule annexed hereto.

17. When the amount standing to the credit of the subscriber in the Fund becomes payable, it shall be the duty of the Authority to make payment as provided in the paras 14 and 15.

18. The employees or Members of an organization who have obtained interim orders from the

Hon'ble Court, Calcutta relating to the application of the Act and rules thereunder shall not be covered with the provisions of the scheme and scheduled thereunder provided that each employee shall have to submit documentary evidence to the effect that he is covered by the order of the Hon'ble Court, and provided further that any such employee may apply to come under the Scheme with the leave of the Hon'ble Court.

19. The State Government may from time to time, issue such instructions as considered necessary, for proper implementation of the scheme or for any other matter in connection with the scheme.

20. If any question arises relating to the interpretation of any provision of this scheme, it shall be referred to the State Government, whose decision shall be final.

THE SCHEDULE

1. Allotment of Account number

(a) The subscriber shall apply to the Institution where he is working for allotment of an account number in Form No. I annexed hereto along with nomination in Form No. II annexed hereto duly filled in and submitted in duplicate at least three months before he becomes eligible to subscribe to the General Provident Fund.

(b) In case the subscriber fails to submit application, the Head of the institution shall suo motu allot an account number and ask the employee concerned to submit nomination in the prescribed Form No. II.

Note: At the time of the General Provident Fund account number to a subscriber, the Head of the Institution must put his signature on the nomination paper if already submitted and if it is properly filled in.

(c) The account number shall be allotted in such a manner that the identity of the subscriber i.e. the name of institution, Type of institution and District in which it is situated can be identified by the prefix of the number.

Example: Account number of an employee of Rahara High School of North 24 Parganas shall be prefixed with 'N24 Pgs./SE/Rahara H.S. /.....', placing a serial number at the end.

Similarly Account number of an employee of a Primary School of Barrackpore Circle of North 24 Parganas District shall be like 'N 24 Pgs/ Barrackpore/PE/ (name of the school/a serial number)'

(d) In case of employees of the approved State-aided Non-Government Primary Schools, the Secretary of the District Primary School Council shall act as Head of the Institution for the purpose of allotment of account number etc., wherever the term, 'Head of the Institution' has been used; similarly District Library Officer shall act as Head of the Institution in respect of Non-Government aided Libraries and sponsored Libraries in the District and District Social Education Officer shall act as Head of the Institution in respect of employees whose grant-in-aid/ contribution towards salaries are controlled by him.

(e) Head of the Institution shall maintain an Index register in Form No. III annexed hereto.

(f) The application for enrolment as subscriber and nomination form duly filled in and accepted after proper security of each entry shall be kept in the safe custody of the Head of the Institution. The Head of the Institution shall also acknowledge the receipt of nomination form in prescribed proforma (Form IV) annexed herewith. One copy of the accepted nomination form shall be kept pasted in the Service Book of the employee.

2. Deduction from salaries

(a) Deduction shall commence from the salary for the month in which the subscriber becomes eligible to subscribe.

Provided, however, when a subscriber becomes eligible from a retrospective date for any reason whatsoever, the subscription shall commence from the date of eligibility and subscription shall be recovered in one lump, or, in instalments in a number of months at the option of the subscriber where salary for the earlier period has already been drawn and disbursed and the recovery of current subscription and the arrear subscription, if any, shall run simultaneously.

(b) The Head of the Institution shall prepare a schedule of recovery in duplicate in each month for the purpose of deduction in Form V annexed hereto.

3. Authority empowered to sanction advance

(a) The Head of the Institution shall sanction advance in accordance with the provisions in para 12 of the scheme on receipt of application in Form VI annexed hereto.

(b) The Head of the Management Board/ Committee/ Council shall disposed of the similar application for advance as may be submitted by the Head of the Institution himself.

4. Accounting

(a) The Head of the Institution shall maintain a Broadsheet in Form VII annexed hereto.

(b) Posting in the Broadsheet shall be made from the entries in the schedule of recovery (Form V).

(c) The Head of the Institution shall maintain a ledger account in respect of each individual subscriber in Form VIII. Posting herein shall be made from the entries in the Broadsheet.

(d) Each entry in the ledger account shall be initiated by The Head of the Institution.

(e) By the 15th day of following month The Head of the Institution shall submit to the grant-in-aid disbursing authority a statement of debits and credits under the following columns:

- (i) Credit on account of subscription,
- (ii) Credit on account of additional subscription, if any,
- (iii) Credit on account of refund of advance,
- (iv) Total credit,
- (v) Debits on account of withdrawals,
- (vi) Balance at the Credit of the Institution.

(f) The disbursing authority shall check the figures with reference to the record maintained in his office and take steps for reconciliation forthwith, if necessary.

5. Deposit and withdrawals

(a) The Head of the Institution shall submit the schedule of recovery in duplicate along with Treasury challan in quadruplicate in the manner prescribed in the West Bengal Non-Government Educational Institution and Local Authorities (Control Provident Fund of Employees) Act, 1983 and Rules thereunder to the grant-in-aid disbursing authority by the 20th of each month. The grant-in-aid disbursing authority shall issue advice of release of grant-in-aid deducting the amount to be credited to the Government account on account of General Provident Fund. A second advice along with duly filled Treasury challan in quadruplicate shall also have to be submitted to the Treasury by the tenth of the month following one in respect of which the salary has been drawn for crediting the amount in the General Provident Fund Account of the school. The Treasury Officer shall retain one copy of the challan and return three copies with his seal and countersignature as proof of deposit of the amount to the grant-in-aid disbursing authority. The grant-in-aid disbursing authority shall return one copy challan together with one copy of schedule duly countersigned by the Institution to the head of the Institution who shall make entries in the Broadsheet from the duly countersigned schedule. Necessary action with the remaining copies of challans shall be taken in accordance with the provision of the act and Rules thereunder.

(b) In the case where salaries are disbursed out of Local Fund Account of an Institution/ Body maintained with the Treasury, deposit have to be made through cheques drawn on the Treasury, other procedures remaining the same.

(c) The amount deducted out of salary of an employee shall have to be shown in the acquittance roll.

(d) The sanctioning authority in respect of temporary advance and non-refundable advance communicate the sanction on receipt of an application from the subscriber in prescribed Form No. VI to the authorized officer in terms of the provision of the Act and Rules thereunder with a certificate to the effect that the fact of withdrawal of the amount (to be mentioned specifically) has been recorded in the ledger Account and Broadsheet maintained by the Institution. The Officer concerned shall release the amount in favour of the Institution who will disburse the amount on proper acquittance. Final withdrawal on superannuation etc. as provided in para 14 of the Scheme shall be allowed by the authority competent to sanction an advance on receipt of an application in the prescribed Form IXA or IXB, as the case may be, annexed hereto. A certificate shall have to be incorporated in the sanction order to the effect that necessary entries In the Index register, Broadsheet against the name and account number as well as in the Ledger account have been made. The authorized officer concerned as mentioned in the para above shall release the amount in favour of the institution where the employee was attached before the amount became payable and the Head of the Institution shall arrange payment of proper acquittance.

6. Calculation of interest and posting

(a) The interest on the balance at credit of the subscriber shall be calculated at the rate as may be prescribed by the State Government in the Finance deptt. And on the basis of the balance as on the last date of each month and posted to the credit of the subscriber in the Broadsheet and the ledger account of the subscriber. A copy of the Broadsheet shall be submitted to the Officer entrusted with maintenance of Institution-wise account under the Act for verification and crediting the total interest in favour of the Institution.

(b) Interest shall be allowed upto 6 (six) month from the date on which the balance standing at the credit of the subscriber becomes payable.

N.B. Interest upto 50 paise shall be ignored and from 51 paise and above shall be rounded up to the next rupee.

7. Auditing

All the postings in respect of General Provident Fund account shall be audited cent-per cent. The audit firm after completing auditing shall specifically add a certificate to the following effect "The entries in the ledger account of each subscriber to the General Provident Fund have been verified with reference to entries in the Broadsheet and entries in the Broadsheet have been checked with reference to withdrawals and challans showing the deposit for the period from.....to.....and calculations of interest in respect of each individual subscriber have been checked and found correct or the following discrepancies have been observed which have been reconciled in our presence.

- 1.
- 2.
- 3.

8. Furnishing of statement of Account

After the appointed audit firm furnishes the required certificate, the Officer authorized to operate General Provident Fund of Non-Government Educational Institution under the Act and the Rules thereunder shall issue instructions to the Head of the Institution to issue statement of account for the financial year upto which the audit of the accounts has been completed in Form X to the subscriber and the Head of the Institution/ Management Board will accordingly issue Statement of accounts to the subscriber.

9. Miscellaneous Provisions

(a) In the event of transfer of an employee where the service is transferable, such as employees of the Primary Schools, on appointment in an institution covered by the scheme, the Head of the Institution in the place of new posting will allot a fresh Account number and

notify the same to the Head of the Institution where the subscriber was employed before transfer/appointment.

The Head of the former Institution shall intimate the fact to the officer authorized under the Act and Rules thereunder, who will withdraw the balance of the subscriber at his old place of posting, transmit the same to the concerned Treasury Officer through an account payee demand draft to be drawn in favour of the concerned officer of the District/ Sub-Division authorized under the Act and Rules thereunder and the latter will deposit the same to the Provident Fund Deposit Account through treasury challan in quadruplicate and also furnish advice to the Head of the Institution of the new place of posting for crediting the amount in new account of the subscriber.

N.B. The transfer of amount through demand draft and deposit shall not be required where there will be no change of Treasury and the authorized officer under the Act and Rules thereunder in respect of the employee after his transfer/ new appointment.

(b) The balance standing at the credit of a subscriber covered by paragraph 14(b) of the scheme shall be transferred through a demand draft to be drawn in favour of the new employer under intimation to the subscriber.

Notes

West Bengal Primary Teachers Transfer Rules

Government of West Bengal
School Education Department
Primary Branch

NOTIFICATION

No. 809-SE(Pry), Date: 15th July, 2002

In exercise of the power conferred by the sub-section (1) and clause (K) of sub-section (2) of section 106 of the West Bengal Primary Education Act, 1973 (West Bengal Act XLIII of 1973) (hereinafter referred to as the said Act), the Government is pleased to make the following rules. The rules will be in suppression of all previous rules and will come into effect immediately.

RULES

1. Short title and application:

(1) These rules may be called the West Bengal Primary Education (Transfer of Teachers including Head Teacher) Rules, 2002.

(2) These rules shall apply to Teachers including Head Teachers for the purpose of transfer from one primary school to another within the jurisdiction of a Council.

2. Definitions:

In these rules, unless the context otherwise requires.

(a) "The Act" means the West Bengal Primary Education Act, 1973 (West Bengal Act XLIII of 1973);

(b) "Board" means the West Bengal Board of Primary Education established under the Act;

(c) "Council" means a District Primary School Council established under the Act;

(d) "Head Teacher" means the teacher of a Primary School appointed as a Head Teacher of the Primary School by the Council;

(e) "Primary School" means a School or a department of a School set up under the Act;

(f) "Teacher" means a person who holds a teaching post in a primary school or in a junior basic school, appointed on a regular and whole time basis and is paid wholly from the funds under the control of the State Government in the School Education Department.

3. Roll Strength of a Teacher

A Primary Teacher under the jurisdiction of the Council ordinarily will have one teacher for every forty pupils or part thereof, not being less than twenty in a hilly, forested or other thinly populated area. A second teacher may be admissible when the roll strength exceeds sixty. A

third teacher may be admissible when the Roll strength exceeds one hundred. Similarly, a fourth teacher may be admissible when the Roll strength exceeds one hundred forty and so on. But in no case a primary school is to have less than two teachers.

4. Condition for Transfer

A Council may –

(a) On its own motion, or

(b) On an application from a teacher, transfer approved teacher within its jurisdiction from one primary schools to another primary schools on the condition that such approved teacher is confirmed and has completed minimum two years of continuous service both in case of mutual or single transfer;

Provided that the Council may, if it considers necessary for proper utilization of service of a primary teacher in the interest of education, transfer and approved teacher without maintaining any time limit of service;

Provided further that where there is a surplus teacher according to Roll strength as stated in rule 3, the Council may, on its own motion, transfer such approved teacher without maintaining any time limit of service by way of rational adjustment of teacher in a primary school having deficit teacher in the following order of preference:

- (i) A primary school without an approved teacher,*
- (ii) A primary school having a single teacher, and*
- (iii) Other primary school having shortage of teacher.*

5. Procedure for Transfer

(1) A teacher seeking transfer under clause b of rule 4, shall submit his application for transfer with reasons thereof to the concerned Sub-Inspector of Schools during the month of December of each year and the concerned Sub-Inspector of Schools shall subsequently send such application with his specific views to the respective Council by January of the Succeeding year.

(2) Subject to sub rule (3) the Council shall consider such application and take a decision in respect of transfer by February and March of each year. Every transfer order shall be effected either at the end or at the beginning of the academic year.

Provided that if it is considered expedient to do so by the Council under a exceptional circumstances the application for transfer may be considered at any time with the approval of the Board.

(3) The Council may, while processing the application for transfer of approved teachers, consider the applications of such teachers as stated below on the priority basis according to the following order of preference, namely:

- (a) A physically handicapped teacher having more than fifty percent of handicappedness of such teacher possessing a supporting document issued by the competent authority;

(b) A female teacher who has to face serious inconvenience in attending the school regularly due to her present place of posting;

(c) A teacher suffering from acute incurable disease like cancer, kidney element etc. and such teacher possessing a supporting document issued by the competent authority;

(4) After considering the application for transfer of an approved teacher, the Council may accept or reject the application for transfer and such decision of the Council shall be final.

(5) If the application of the approved teacher is accepted, the Council shall issue an order of transfer under the signature of the Secretary of the Council and such order shall be communicated to the teacher and other concerned forthwith.

(6) On receipt of the order of transfer, the Sub-Inspector of Schools of the concerned Council shall immediately issue release order in favour of the teacher, so transferred, with a direction the new place of posting.

(7) The concerned teacher shall after receiving the release order, join the new place of posting as directed under sub-rule 6. A transferred teacher shall be entitled to the joining time as stated under rule 7 depending upon the distance between two schools by normal route.

(8) The transferred teacher shall at the time of joining new place of posting submit a joining report to the concerned Sub-Inspector of Schools who shall endorse a copy of the joining report to the Secretary to the Council.

6. Bar to Transfer

(1) No teacher shall be eligible to apply for transfer for a period of five years from the date of transfer.

(2) No teacher shall be eligible for transfer if he attains the age of fifty seven years.

(3) No prayer of transfer shall be entertained for next five years if the transfer order is not carried out by an approved teacher in whose favour a transfer order is issued.

7. Joining Time

A teacher while carrying out the order of transfer shall be entitled to joining time as specified below namely:

DISTANCE BETWEEN TWO SCHOOLS BY NORMAL ROUTE	JOINING TIME
Up to 8 Kms	Nil
Above 8 Kms to 30 Kms	1 (one) day
Above 30 Kms but under 150 Kms	2 (two) days
Above 150 Kms	3 (three) days

8. Inter Council Transfer

In case of inter council transfer the Council shall follow the principles and procedures of the board in accordance with the provision conferred by the clause (K) of section 19 of the Act.

9. Disciplinary Proceedings

Where a teacher fails to comply with an order of transfer made under these rules, disciplinary proceedings against such teacher may be initiated.

10. Appeal

(1) A teacher aggrieved by an order of transfer may, within 30 days of the date of receipt of such order, prefer an appeal to the Board.

(2) Such an aggrieved teacher shall, before preferring any appeal against an order of transfer under these rules, be required to comply with the order of transfer.

(3) The Board may dismiss the appeal or pass an order directing the Council to modify or reverse its decision, and the Council shall comply with such order.

11. Interpretation

If any question arises relating to the interpretation of these rules, the Council shall refer the matter to the Board and the decision of the Board shall be final.

By the order of the Governor

Sd/- D. Basu

Special Secretary to the Govt. of West Bengal

Notes

West Bengal Primary Teachers Conduct Rules

1. Short title, extent, commencement and application –

- (1) These rules may be called the West Bengal Primary Education (Conduct of Service of Primary Schools) Rules, 2001.
- (2) They shall extend to the whole of West Bengal except the hill areas as defined in the Darjeeling Gorkha Hill Council Act, 1988 (West Ben. Act XIII of 1988).
- (3) They shall come into force on the 12th day of July, 2001.
- (4) They shall apply to the teachers of primary schools under the control of the Primary School Councils.

2. Definitions:

- (1) In these rules, unless there is anything repugnant to the subject or context –
 - (a) The “Act” means the West Bengal Primary Education Act, 1973 (West Ben Act XLIII of 1973);
 - (b) “appointing authority” means, for the purpose of these rules, the Chairman of the respective Primary School Council;
 - (c) “Board” has the same meaning as in the Act;
 - (d) “disciplinary authority” means, for the purposes of these rules, the Chairman of the respective Primary School Council.
 - (e) “family” includes husband, wife, unmarried daughter(s), dependent son(s) including legally adopted son(s) or daughter(s), or dependent parent;
 - (f) “Primary School Council” has the same meaning as in the Act;
 - (g) “School” means a primary school as defined in the Act;
 - (h) “teacher” has the same meaning as in the Act;
- (2) Words and expressions used and not defined in the rules, but defined in the Act shall have the same meaning as respectively assigned to them in the Act.

3. Duties –

The following shall be the duties of a teacher, namely:-

- (1) Every teacher shall implement the educational policy and programmes of the State Government / Board and attend to all programmes of the school as may be assigned by the council and the programmes prepared by the school itself, or the Village Education Committee, or the Ward Education Committee (in the case of a municipal area) or the Women’s Education Committee, or the Vidyalaya Unnayan Committee;
- (2) Every teacher shall faithfully discharge his assigned duties;
- (3) Every teacher shall, in the discharge of his duties, rise above all prejudices and personal

and other considerations and maintain integrity, impartiality and devotion to duty;

- (4) Every teacher shall always be punctual in attending to the duties of the school;
- (5) Every teacher shall perform his duties according to the hours of duty as may be prescribed by the State Government or Board from time to time;
- (6) Every teacher shall provide information regularly to parents / guardians regarding the attendance or short comings of their wards;
- (7) Every teacher shall accept as a profession the individual responsibility of reporting to the concerned authorities, all matters that are considered to be prejudicial to the interest of the students and the development of the school;
- (8) Every teacher shall guide the students in developing their physical, social, intellectual, emotional, moral and aesthetic sense.

4. Rights –

The following shall be the rights of a teacher:-

- (1) Every teacher shall enjoy full democratic rights;
- (2) Every teacher shall have the right to form association / unions / federative bodies of teachers.

5. Obligations –

- (1) No teacher shall, while on leave, accept any service or employment.
- (2) No teacher shall engage himself in any trade or employment, either part-time or whole time except the honorary work of social or charitable nature or of the co-operative society. There shall be no bar in seeking election to the Panchayat bodies, municipality and legislature by a teacher.
- (3) Every teacher shall treat all students with love and affection and be just and impartial to them irrespective of caste, creed, sex, status, religion, language, or place of birth.
- (4) Every teacher co-operate with the head of the school and the colleagues in and outside the school in both the curricular and co-curricular activities.
- (5) Every teacher shall refrain himself from accepting any remuneration for coaching or tutoring the students.

6. Annual Performance Report –

- (1) A self-appraisal report shall be submitted by every teacher annually to the concerned Sub-Inspector of Schools through the Head Teacher of the School concerned. The Head Teacher shall have the authority to give his comments on the performance of the teacher in the self-appraisal report.
- (2) An annual academic report of each school and in respect of each teacher shall be submitted by the Head Teacher to the District Inspector of Schools (Primary Education) and the Primary School Council through the Sub-Inspector of Schools (Primary Education) for his comment.

(3) The format of an annual performance report shall be such as the State Government may prescribe.

(4) Before formation of any adverse opinion the Primary School Council may seek the opinion of the respective Vidyalaya Unnayan Committee.

(5) The Head Teacher shall be the custodian of all movable and immovable properties of the school including all documents.

7. Suspension –

(1) A Primary School Council may place a teacher under suspension –

(a) Where an inquiry under sub-rule(1) of rule 9 of these rules against him is contemplated by the Primary School Council or such an inquiry is pending; or

(b) Where a case of any criminal offense involving moral turpitude against the teacher is under investigation or trial.

(2) Where a teacher is detained in custody for a period of exceeding 48 hours on a criminal charge or otherwise, he shall be deemed to have been suspended by an order of the appointing authority with effect from the date of his detention and shall remain under suspension until further orders. A teacher who is undergoing a sentence of imprisonment shall also be dealt with in the same manner, pending a decision as to the disciplinary action to be taken against the teacher.

(3) Every order of suspension under sub-rule (1) shall be communicated to the Director of School Education, Government of West Bengal, and the Board.

(4) A teacher under suspension or deemed to have been suspended shall be entitled to the following payments:-

(a) During the first three months of suspension, a monthly subsistence pay which he would have drawn if he had been on half-pay leave. Provided that where the period of suspension exceeds three months, the appointing authority shall be competent to increase the amount of subsistence allowance for the remaining period of suspension by such amount, not exceeding fifty percent of the subsistence allowance admissible during the first three months of suspension, if, in the opinion of the appointing authority, the period of suspension has been prolonged for reasons to be recorded in writing.

(b) Dearness, medical and other allowances, admissible from time to time on the basis of the subsistence allowance fixed by the competent authority.

(5) No payment under sub-rule (4) shall be made unless the teacher furnishes a certificate to the effect that he is not engaged in any other employment, business, profession or vocation.

8. Penalties –

The following penalties may, for good and sufficient reasons, be imposed on a teacher, namely:-

(a) Censure;

- (b) Withholding of increments or promotion;
- (c) Removal from service which shall not be a disqualification for future employment as as teacher.
- (d) Dismissal from service which shall be a disqualification for future employment as a teacher.

9. Procedure for imposing penalties –

- (1) No order imposing any of the aforesaid penalties shall be made without proper enquiry by an enquiring authority to be appointed by the disciplinary authority.
- (2) No order imposing any of the penalties provided in these rules shall be made without serving a “show-cause notice” to the teacher and giving him an opportunity of being heard.
- (3) Upon completion of the enquiry to be made by an enquiring authority appointed by the disciplinary authority, a report shall be prepared containing the following documents;-
 - (a) The articles of charge in the form as may be prescribed by the State Government and the statement of imputations of misconduct or misbehavior,
 - (b) The defense of the teacher, if any, in respect of each article of charge,
 - (c) An assessment of the evidence in respect of each article of charge, and
 - (d) The finding of the enquiring authority on each article of charge and reasons thereof.
- (4) A report on the findings of the enquiring authority shall be submitted to the disciplinary authority.

10. Actions to be taken by the disciplinary authority –

- (1) The disciplinary authority shall consider the report of the enquiring authority and record its findings on each charge.
- (2) If the Disciplinary Authority having regard to its findings on the charges, is of the opinion that any of the penalties mentioned in rule 8, may be imposed, it shall pass appropriate orders with a copy to the teacher concerned.

11. Appeal–

A teacher may prefer an appeal against an order imposing penalties mentioned in rule 8 to the Appeal Committee, constituted under section 91 of the Act, and the decision of the Appeal Committee shall be final.

12. Implementation of orders of the Appeal Committee –

The authority which passed the order appealed against shall give effect to the orders passed by the Appeal Committee and, in doing so, it shall furnish to the teacher concerned a copy of the order passed by the Appeal Committee.

13. Pay and allowances on reinstatement –

When the suspension of a teacher is held to have been unjustifiable or not wholly justifiable, or when a teacher who has been dismissed, removed or suspended is reinstated, the disciplinary or appellate authority may grant to him for the period of his absence from duty –

(a) if he is honourably acquitted, the full pay to which he would have been entitled if he had not been dismissed, removed or suspended, and by an order to be separately recorded, any other allowance of which he was in receipt of prior to his dismissal, removal, or suspension or,

(b) if otherwise, such proportion of pay and allowance as the disciplinary, appellate authority may deem fit.

In a case falling under clause (a), the period of absence from duty shall be treated as a period spent on duty. In a case falling under clause (b), the period may be treated as on duty or leave but it shall not be so treated unless the disciplinary or appellate authority directs accordingly.

The period of absence shall where it is neither treated as on duty nor leave, be treated as a period spent on suspension.

14. Interpretation –

If any question arises relating to the interpretation of these rules, it shall be referred to the State Government in the School Education Department, whose decision shall be final.

Reference:

1. 906-SE(Pry) dated 09.07.2001

Notes

West Bengal Primary Education Teachers and Employees Death cum Retirement Benefit Rules, 2008

GOVERNMENT OF WEST BENGAL
School Education Department
Bikash Bhawan, Salt Lake, Kolkata - 700 091

NOTIFICATION

No. 1467-SE(Law) PL/5S-174/07, Dt. 05.08.2008 - The following draft of rules, which the Governor proposes to make in exercise of the power conferred by sub-section (1) of section 106, read with clause (q) of sub-section (1) of section 60 of the West Bengal Primary Education Act, 1973 (West Ben. Act XLIII of 1973) (hereinafter referred to as the said Act) and in supersession of all orders, schemes and notifications on the subject, is hereby published, as required by sub-section (1) of section 106 of the said Act), for information of persons likely to be affected thereby;

The draft shall be taken into consideration on or after the expiry of a period of thirty days from the date of its publication and any objections or suggestions with respect thereto, which may be received by the undersigned before the said period, shall be duly considered: -

Draft rules

CHAPTER I

Preliminary.

1. Short title

These rules may be called the West Bengal Primary Education (Teachers and Employees' Death-cum-Retirement Benefit) Rules, 2008.

2. Application

(1) These rules shall apply to -

a) the teachers who have joined the service on or after the first day of April 1981 and opted for pension- cum-general provident fund including family pension under West Bengal Non-Government Aided Educational Institution Employees (Death Cum Retirement Benefit) Scheme 1981;

b) the teachers who joined the service on any date on or after the first day of April,

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1968 and opted to come under Pension-cum-Family Pension and Gratuity under the West Bengal Recognized Non-Government Educational School Employees (Death-cum-Retirement Benefit) Scheme. 1981 published under Government Order No. 136-Edn (B) dated 15.5.85 within the timeframe, as decided by Government Orders Nos. 136-Edn (B) dated 15.05.1985, 284 Edn (B) dated 17.10.1989, 148 Edn (B) dated 31.05.1990 and 496 - Edn (B) dated 16.12.1991:

Provided that those options have duly been accepted by respective District Inspector of Schools.

c) the approved teaching and non-teaching staff of the Government or Government aided or sponsored Training Institutions for Primary Teachers;

d) the approved employees of District Primary School Councils or District School Board;

e) the approved teaching and non-teaching staff of Government Sponsored Free Primary Schools and Junior Basic or Pre-Basic or Pre-Primary or Nursery Schools taken over from municipalities and brought under the Scheme of the West Bengal Urban Primary Education Act, 1963 (West Ben. Act XXVIII of 1963).

(2) Subject to the provisions of Chapter III with respect to payment of Gratuity, these rules shall not apply to the teachers of D.A. getting schools or the teachers appointed or engaged on contract basis such as part-time teachers, para- teachers or Siksha Sahayaks and to those teachers who have opted for Contributory Provident Fund in lieu of Pension- cum-Family Pension.

3. Definitions

(1) In these rules, unless there is any thing repugnant in the subject or context-

a) "Act" means the West Bengal Primary Education Act, 1973 (West Ben. Act XLIII of 1973);

b) "basic pay" means the monthly pay which is drawn by an employee and which corresponds to a stage in the time scale of pay attached to the post held by him;

c) "daughter" means daughter of an employee till she attains 25 years of age and includes step daughter or adopted daughter of such employee till she attains 25 years of age;

d) "Director of Pension and Provident Fund and Group Insurance" means Director of Pension and Provident Fund and Group Insurance appointed by the Government of West Bengal;

- e) "emoluments" means basic pay and dearness pay last drawn;
- f) "employee" means and includes-
- i) the approved teaching and non-teaching staff of Government, or Government aided or sponsored, Training Institutions for Primary Teachers,
 - ii) the approved employees of District Primary School Councils or District School Board,
 - iii) the approved teaching and non-teaching staff of Government Sponsored Free Primary Schools and Junior Basic or Pre-Basic or Pre-Primary or Nursery Schools taken over from Municipalities and brought under the Scheme of the West Bengal Urban Primary Education Act, 1963 (West Ben. Act XXVIII of 1963);
- g) "family" includes the following relations of an employee of the Council, namely:-
- i) for the purpose of death gratuity-
 - A) spouse of the employee,
 - B) son including step son/adopted son,
 - C) unmarried and widow and divorced daughter,
 - D) mother,
 - E) father
 - F) brother below the age of 25 years and unmarried or widow sister;
 - ii) for the purpose of family pension-
 - A) spouse of the employee,
 - B) sons including step or adopted sons,
 - C) unmarried or widow and divorced daughter,
 - D) dependent parents;
- Note: - Marriage after retirement shall be recognized for the purpose of family pension;*
- h) "leave" means any period of leave admissible to an employee under the rules applicable to him;
- i) "pensioner" means a retired employee who is receiving pension;
- j) "Primary School" means a school sponsored by Government or the schools under the management of District Primary School Council including Siliguri or Kolkata Primary School Council and District School Board in Darjeeling Gorkha Hill Council area;
- k) "Service Book" means the documents that contain the records of service of an employee, as specified under Government Order No.804-Edn (B) dated 19.10.1990 and Government Order No.1980-Edn (S) dated 15.12.1971;

l) "State Government" means the Government of West Bengal in the School Education Department.

(2) The words and expressions used and not defined in these rules but defined in the Act shall have the same meanings as respectively assigned to them in the Act.

CHAPTER II

Pension

4. Classification of pensions

There shall be following four classes of pensions, namely:-

- (a) compensation pension;
- (b) invalid pension;
- (c) superannuation pension;
- (d) retiring pension.

5. Eligibility for pension

(1) An employee shall be eligible to compensation pension, invalid pension or superannuation pension, as the case may be, if he has completed at least ten years satisfactory qualifying services.

(2) An employee shall be eligible to retiring pension if he has completed at least twenty years satisfactory qualifying services.

3) Any service of an employee before completion of his 18 years of age shall not count as service.

6. Compensation pension

(1) An employee is entitled to receive compensation pensionary benefits for the satisfactory service he has rendered if he is discharged on abolition of the permanent post held by him;

Provided that an employee is not entitled to receive compensation pension or gratuity for the service he has rendered if he accepts any other appointment where his previous service may be counted.

(2) An employee is not entitled to receive compensation pension for loss of appointment on

discharge after the completion of a specified term of service.

(3) An employee shall be given a notice of not less than three months before he is discharged from the service on abolition of the post held by him:

Provided that if in any case, notice of at least three months is not given and the employee is not offered with any employment on the date on which his service is dispensed with the sanction of the authority competent to dispense with the service, then a gratuity, not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him in addition to compensation pension but no compensation pension shall be payable for the period for which he receives a gratuity in lieu of notice.

7. Invalid pension

(1) An employee shall be entitled to receive invalid pension if he retires from service due to becoming permanently incapacitated on account "of physical or mental infirmity.

(2) Unless otherwise specified, an employee who applies for an invalid pension shall submit a medical certificate from the Chief Medical Officer of Government of West Bengal in the concerned District or from any other Medical Officers of equivalent status nominated or specified by the state Government.

(3) While applying for invalid pension, the employee shall furnish a medical certificate in Form 19.

(4) Invalid pension is not admissible to an employee, if the Medical Officer certifies that the incapacity of the employee is directly due to addiction to drugs, alcohol or any other substance.

8. Superannuation pension

Superannuation pension is granted to an employee who retires at the age of 60 years.

9. Retiring pension

A retiring pension is admissible to an employee who is allowed to retire as per his prayer after completing at least twenty years" satisfactory qualifying services.

10. Commencement of pension

The pensions herein above referred in rules 6, 7, 8 and 9 shall commence from the date following the date of retirement of such employee.

11. Determination of date of birth

(1) When the year of birth of employee is known but the date of birth is not known, the first day of July shall be deemed to be the date of birth.

(2) When only the month and year of birth of an employee are known, the 16th day of that month shall be deemed to be the date of birth.

12. Qualifying service

(1) The continuous satisfactory service of a whole time approved employee in any educational Institution, shall count as qualifying service:

Provided that the service rendered before completion of 18 years shall not be counted as service: Provided further that the service rendered by an employee in an unrecognized school or in a D.A. getting school shall not be counted:

Provided also that the service rendered by an employee under the Central or in any State Government or union territories shall count for determining qualifying services.

(2) Approved temporary service including approved service on leave or deputation vacancy in one or more schools shall be counted towards pension, subject to the fulfillment of other conditions for grant of pensions.

(3) All periods of authorized leave, other than extra-ordinary leave without pay, shall be counted as qualifying service:

Provided that the service rendered by an employee under State Government shall be counted for determining qualifying service:

Provided further that extra-ordinary leave granted other than on medical ground shall be also counted towards calculating qualifying services if such leave is granted due to the employee's inability to join or rejoin duty on account of civil disturbance declared by the state government or for pursuing higher studies in relation to his teaching subject in school with prior permission from District Inspector of Schools concerned.

(4) Period of suspension followed by reinstatement shall be counted as qualifying service if such period is treated, by order, as duty by the competent authority.

(5) The period between the date of dismissal or removal and the date of reinstatement shall be counted as qualifying service only if the appointing authority, by order, treats that period as on duty or leave other than extra-ordinary leave.

(6) Vacations shall be counted as qualifying service if an employee is present on both the

closing and re-opening dates and if on leave on either of the dates, the absence is regularized by sanction of leave by the competent authority.

(7) Qualifying services for pension shall be counted upto the age of superannuation or the date preceding the date of voluntary retirement.

(8) Period of absence under duress as declared by Government Order No.1071-Edn (S), dated 19.8.1977 and Government Order No. 477-Edn (S) dated 16.8.1980 (read with any subsequent orders to the same effect) issued by State Government shall be counted as qualifying service.

(9) Any period of services not covered under sub-rules (1) to (8) shall not count as qualifying service.

13. Effect of dismissal or removal or resignation

When an employee is dismissed or removed from service or when he resigns from the post, the service rendered by him shall stand forfeited and such employee is not entitled to receive pension.

14. Date of retirement

(1) When an employee is required to retire on attaining a specific age, the date on which he attains that age, shall be reckoned as a working day and the employee shall retire with effect from the afternoon of that day.

(2) If the date of retirement on superannuation of an employee falls on any date other than the first day of the month, he shall be allowed to retire on the last day (afternoon) of the month.

(3) If the date of retirement on superannuation of an employee falls on the first day of a month, he shall be allowed to retire on the last day (afternoon) of the preceding month.

15. Pension sanctioning authority

The Secretary of the District Primary School Council concerned shall be the pension sanctioning authority under these rules.

16. Rate of pension

(1) The amount of pension shall be determined at the rate of 50% of last pay drawn in all cases to an employee who has completed at least 33 years satisfactory qualifying services:

Provided that an employee, who at the time of retirement has rendered satisfactory qualifying

service of 10 years or more but less than 33 years the amount of his pension shall be of such proportion of the maximum admissible pension as the qualifying services rendered by him.

(2) The maximum or minimum monthly amount of pension in favour of a pensioner shall not exceed or not be less than the sum as may be fixed from time to time by the State Government.

(3) In addition to pensions determined under sub-rule (1), the pensioner is entitled to relief as admissible to the State Government pensioners from time to time.

(4) Subject to the other provisions of these rules the amount of monthly pension payable monthly shall be expressed as a whole of a rupee and where the pension calculated according to these rules contains a fraction of rupee, it shall be rounded off to the next higher rupee.

(5) A pension admissible to an employee shall be fixed and paid in Indian rupee and in India.

(6) Where the service of an employee has not been thoroughly satisfactory, the pension sanctioning authority may make such reduction in the amount as it thinks fit.

(7) The proportionate reduction in the amount of pension under these rules should be to the extent by which the employee's service as a whole has failed to reach a thoroughly satisfactory standard.

(8) The service of an employee against whom a charge of corruption has been initiated through proceedings cannot be considered to be satisfactory.

(9) Final pension, gratuity etc., shall not be sanctioned to an employee against whom departmental or judicial proceedings have been instituted or pending.

(10) In case of misconduct of the pensioner, the pension sanctioning authority shall have the power to withhold pension or reduce the amount of pension.

17. The rate of dearness pension

The amount of dearness pension shall be determined at the rate of 50% of the dearness pay (the part of dearness allowance merged with pay is treated as dearness pay) drawn last in all cases to an employee who has completed at least 33 years satisfactory qualifying services:

Provided that for an employee who at the time of retirement has rendered satisfactory qualifying service of 10 years or more but less than 33 years, the amount of his dearness pension shall be of such proportion of the maximum admissible dearness pension as the qualifying service rendered by him is in proportion to the maximum admissible length of service qualifying for pension:

Provided further that no part of dearness pension shall be allowed to be commuted before or after retirement with or without medical examination by any employee under any circumstances.

18. Provisional Pension

(1) Where any departmental or judicial proceeding is instituted or pending against an employee who is allowed to retire on attaining the age of superannuation or otherwise, he shall be paid a provisional pension following his prayer during the period commencing from the date of his retirement to the date on which the final orders are passed by the appropriate authority on such proceeding.

(2) Where an employee who is allowed to retire on attaining the age of superannuation but whose pension has not been sanctioned by the Pension Sanctioning Authority for want of his necessary service records, shall be paid provisional pension following his prayers.

(3) The amount of provisional pension shall not exceed the sum total of maximum amount of pension and the maximum amount of dearness pension, which would have been admissible to an employee on the basis of his qualifying services up to the date of retirement, or if he was under suspension on the date of retirement upto the date immediately preceding the date on which he was placed on suspension.

(4) Payment of the provisional pension shall be adjusted against the final retirement benefits sanctioned to such employee up to conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

(5) In no case the provisional pension, referred to in sub-rule (1), shall be paid beyond a period of 12 months from the date of retirement. During sanction of provisional pension under the rules, report on admissibility of pension is required to be obtained from the Director of Pension, Provident Fund and Group Insurance, West Bengal. No Gratuity or death cum retirement gratuity shall be paid to him until the conclusion of such proceedings and the issue of final orders thereon. Such provisional pension shall be subject to adjustment against the amount of pension including gratuity or by short payment of pension. All outstanding dues shall be adjusted in the same manner as above.

19. Right to withhold pension in certain cases

(1) The pension of an employee may be withheld in whole or in part under an order of the pension sanctioning authority, passed not later than 3 years after the date of retirement to meet any sum due under the liability incurred by such employee to the government.

(2) The pension sanctioning authority reserves to himself the right of withholding or withdrawing a pension or any part of it whether permanently or for a specified period, and the right of ordering recovery from the pension relief of the whole or part of any pecuniary loss caused to Government, if the person is found to have been guilty of grave misconduct or negligence during the period of his service, including service rendered on reemployment after

retirement:

Provided that such proceedings by Managing committee if instituted while the employee was in service whether before his retirement or during reemployment, shall after the final retirement of the employee be deemed to be a proceeding under this article and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service:

Provided further that such proceedings, if not instituted while the employee was in service, whether before his retirement or during reemployment shall not be instituted save with the sanction of Secretary of the Department and shall not be in respect of any event which took place more than 3 years before such institution.

(3) An employee who retires from service but against whom criminal proceedings involving moral turpitude is pending in a court of law shall not be sanctioned any pension until the termination of the criminal proceedings:

Provided that an interim allowance not exceeding two thirds of the pension that would have been admissible but for the criminal proceedings may be granted during the pendency of such proceedings in case of hardship.

Provided further that if he is convicted on a criminal charge involving moral turpitude he shall not be entitled to any pension but a compassionate allowance may be granted to him and this shall not exceed two third of the pension which would have been admissible to him if he had retired on medical certificate.

Provided also that interim allowance or compassionate allowance, as the case may be, can be sanctioned only after obtaining an admissibility report from Director of Pension, Provident Fund and Group Insurance. West Bengal:

Provided also that no such judicial proceedings if, not instituted while the employee was in service, whether before his retirement or during re-employment shall be instituted in respect of a cause of action which arose, or an event which took place more than 3 years before such institution.

Explanation I. - For the purpose of this rule a departmental proceeding shall be deemed to have been instituted on a date on which the charge sheet or statement of charges is issued to the pensioner or if the employee or an employee has been placed on suspension from an earlier date, on such date.

Explanation II. - For the purpose of this rule a judicial proceedings shall be deemed to have been instituted -

(a) in the case of criminal proceeding, on the date on which the complaint or report of the police officer, on which the magistrate takes cognizance is made, and

(b) in the case of civil proceedings, on the date, on which the plaint is presented or as the

case may be, an application is made to the civil court.

(4) Where any departmental or judicial proceeding is instituted against an employee who has retired on attaining the age of retirement or otherwise, he shall be paid during the period, commencing from his retirement to the date on which, upon conclusion of such proceedings final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service upto the date of retirement or if he was under suspension, for the period between the date of his joining to the date immediately preceding the date of suspension, but no gratuity or death cum retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders there on.

(5) Payment of provisional pension made under clause (4) shall be adjusted against the final retirement benefit sanctioned to such an employee upon conclusion of aforesaid proceeding but no recovery shall be made where pension finally sanctioned is less than provisional pension or the pension is reduced or withheld either permanently or for a specified period.

20. Withholding of pension and dearness pension in case of convictions and misconduct

(1) The Pension Sanctioning Authority shall by order, in writing, withhold or withdraw a pension or a part thereof whether permanently or for a specific period, if the pensioner is convicted of criminal offence serious in nature or is found guilty of grave misconduct.

(2) Where a pensioner is convicted of criminal offence serious in nature by a court of law, action under sub-rule (1) shall be taken in the light of the judgement of the Court relating to such conviction.

(3) In the context of a case not falling under sub-rule (2), if the pension sanctioning authority under the sub-rule (1) considers that the pensioner is prima-facie guilty of grave misconduct, it shall, before passing an order under sub-rule (1), serve upon the petitioner a notice specifying the action proposed to be taken and calling upon him to submit, within 15 days of the receipt of the notice or such further time not exceeding 15 days as may be allowed by the pension sanctioning authority, such representation as he may wish to make against the proposal and such representation shall be considered by the pension sanctioning authority while withholding the pension under sub-rule (1).

(4) An appeal against an order under sub-rule (1) shall be made to the Secretary, School Education Department, Government of West Bengal.

21. Recovery of dues before sanctioning pension

(1) When a retiring employee does not clear government dues and these are ascertainable, an equivalent cash deposit or refund may be taken from him or may be deducted out of gratuity

payable to him before releasing his final pension or gratuity.

(2) If any of the Government dues remain unassessed for any reason the retiring employee may be asked to furnish a suitable bond or a part of gratuity not exceeding the estimated outstanding dues plus 25 % there of may be withheld (subject to maximum of 10%) and balance may be released to him.

(3) Government dues remaining unrealized and other dues revealed within a period not exceeding six months from the date of retiring of the employee, shall, however, be reckonable from the pensioner by adjusting with dearness pension or dearness relief admissible.

CHAPTER III

Gratuity

1. Gratuity

(1) For a service of 10 years or more, an employee is entitled to retiring gratuity at the rate of one -fourth of his for each completed six monthly period of satisfactory qualifying service, subject to a maximum of 16 1/2 months emoluments as fixed by the Government. For service of less than 10 years but more than at least 1 year, the rate of gratuity is 1/2 month's emoluments reckonable for pension for every completed six monthly period of service. The maximum amount is however Rs. 2,50,000/- :

Provided that the period of satisfactory qualifying exceeding 33 years shall not be counted.

(2) No gratuity shall be paid to an employee against whom a departmental or judicial proceeding is instituted or pending, until the conclusion of such proceeding and the issue of final order.

(3) While calculating the amount of death or retirement Gratuity, Dearness pay and Dearness Allowances drawn immediately before death or retirement shall be taken into account in addition to Basic Pay last drawn.

23. Provisional gratuity

An employee whose gratuity is not sanctioned for the reasons as stated in sub-rule (2) of rule 22, provisional gratuity, after withholding of 10 per cent or Rs. 10, 000/- of the provisional gratuity, whichever is less should be sanctioned to the retiring employee by Pension Sanctioning Authority concerned subject to the furnishing a written undertaking by the pensioner concerned.

CHAPTER IV

Provisions relating to death gratuity and family pension.

24. Death gratuity

In the event of death in harness, the death gratuity shall be admissible at such rates as mentioned in table below:-

Length of qualifying service	Rate of death gratuity
(a) Less than one year	2 times of the amount reckonable as Gratuity
(b) One year or more but less than 5	6 times of the amount reckonable as Gratuity
(c) 5 years or more but less than 20 years	12 times of the amount reckonable as Gratuity
(d) 20 years or more	Half of the amount reckonable for Gratuity for every completed 6 monthly period of qualifying service, subject to maximum of 33 times of the amount reckonable for Gratuity.

In no case the amount shall exceed Rs. 2,50,000/-

25. Nomination

(1) Any employee to whom these rules apply shall make a nomination in writing in the appropriate form conferring on one or more persons the right to receive the retiring gratuity or death gratuity that may be sanctioned under these rules.

(2) The concerned employee as well as the heads of offices shall follow the following nomination procedure: —

(a) every whole time and regular West Bengal Recognized Non-Government Educational Institution Employees and teachers shall execute nomination in the proper form as prescribed under these rules just after his joining the service or as soon as his or her services are made whole time and regular;

(b) it shall be the duty of every head of office to supply necessary Form of nomination for West Bengal Primary Teachers' Death Cum Retirement Benefit Rules to every whole time and regular employee on the very date of his joining service or on the date in which the employee is brought under whole time and regular service;

(c) on receiving the nomination Form from the employee concerned, the same should be pasted in the service Book after it is duly countersigned by the head of the office as required under these rules;

(d) the statement of family should be obtained just after the employee completes one year's service and the same should be pasted in the Service Book. It shall be incumbent upon the employee concerned to report to the head of the office, in writing, any omission or addition that may occur subsequently in order to keep the statement of family members updated;

(e) if an employee has a family, the nomination shall not be in favour of any person or persons other than the member of his family. If an employee nominates more than one person, he shall specify in the nomination Form the amount or share payable to each of the nominee in such manner as to cover the whole amount of gratuity.

26. Family pension

(1) Family pension is admissible to the members of the family of an employee who dies while in service after rendering at least one year's service.

(2) The benefit shall also be admissible in case of death of an employee after retirement if at the time of death he was in receipt of compensation, invalid, retiring or superannuation pension.

27. Family pension at normal rate

The rate of family pension admissible to the members of the family of an employee shall be 30% of pay (basic pay) drawn last actually or notionally:

Provided that maximum and the minimum amount of family pension shall be fixed by orders of the State Government from time to time.

28. Family pension at enhanced rate

(1) In the event of death of an employee while in service, the enhanced rate of family pension may be admissible:

Provided that the employee concerned has rendered, not less than 7 years continuous service, prior to his death:

Provided further that the family pension at enhanced rate is payable for, a period of 7 years from the day following the date of death or till the date on which the employee concerned would have attained the age of 65 years had he survived, whichever period is less.

(2) In the event of death after retirement, the family pension at enhanced rate shall be payable up to the date on which the deceased employee concerned would have attained the age of 65

years had he survived or for 7 years, whichever period is less and after the period of family pension at enhanced rate is over, family pension at normal rate shall commence.

(3) The amount of family pension at enhanced rate payable under these rules shall be calculated in the following manner:-

(a) 50% of the last basic pay of the deceased employee:

(b) two times of family pension as per last basic pay;

(c) amount of pension in case of pensioner (in case of died in harness this point should not be filled).

(4) The amount whichever is the lowest amongst clauses (a), (b) and (c) of sub-rule (3) shall be taken into consideration for payment of family pension at enhanced rate.

29. Period during which family pension is admissible

Subject to the following conditions, the family pension shall be admissible -

(a) in the case of widow or widower up to the date of death of such widow or widower or re-marriage of such widow, whichever is earlier;

(b) in the case of son, until he attains the age of 25 years;

(c) in the case of unmarried daughter, till she attains the age of 25 years or marriage whichever is earlier;

(d) in the case of dependent parents up to the date of their death or re-marriage, whichever is earlier.

Note. - Where an employee is survived by more than one widow, the family pension shall be paid to them in equal shares. This shall not be applicable in cases where bigamy is barred by statutes and personal law. On the death of the widow, her share of the pension shall become payable to her eligible minor children. If at the time of her death a widow leaves no eligible minor child, the payment of her share of the pension shall cease.

30. Grant of family pension to dependent disabled son(s) or daughter(s) of the Deceased Pensioner:-

Where a deceased pensioner's son or unmarried or widowed daughter, who is suffering from any mental disorder or disability of mind or is physically disabled so as to prevent him or her to earn his or her living even after attaining the age of 25 years, shall be paid family pension during his or her lifetime subject to the following conditions:-

(a) if such son or daughter is one among two, or more of the pensioner, the family pension shall be initially payable to the minor children, in the case of minor son until he attains the age

of 25 years and in the case of unmarried daughter until she attains the age 25 years or marriage which ever is earlier, as the case may be, and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him for life;

(b) if there are more than one such son or daughter suffering from mental disorder or disability of mind or who are physically disabled, the family pension shall be payable in the order of their birth and the younger shall get the family pension only after the elder next above him ceases to be eligible. When the family pension is payable to twin children, it shall be paid to such twin children in equal shares, provided when one such child ceases to be eligible, his share shall revert to the other and when both of them cease to be eligible the family pension shall be payable to the next eligible single child or twin children;

(c) the family pension shall be paid to such son or daughter through the guardian as if he is a minor; production of guardianship certificate is not necessary where such child has attained the age of majority;

(d) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the disability is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a Sub- Divisional Medical Officer, stating, as far as practicable, the Mental or Physical condition of such son or daughter;

(e) the person receiving the family pension as guardian of such son or daughter shall produce once in every year a certificate from a Medical Officer not below the rank of Sub-Divisional Medical Officer to the effect that he or she continues to suffer from mental disorder or disability of mind or continues to be physically disabled;

Provided that such son or daughter is not in receipt of any kind of pension whatsoever from any Government or Government Undertaking etc. on account of such disability:

Provided further that in case of disability of permanent in nature certified as non-recoverable. or incurable, the production of certificates for every three years may be done away with.

31. Date of effect of family pension

A family pension shall take effect from the day following the death of an employee or pensioner.

32. Family pension payable to one member of the family

(1) Subject to the provision contained in the note under rule 29, the family pension sanctioned under these rules shall not be payable to more than one members of the employee's family at the same time. It shall first be admissible to the widow or widower and on the death of such

widow or widower to the first eldest minor daughter, thereafter next minor daughter according to seniority and when there shall be no minor daughter, the eldest minor son and so on and thereafter to mother and lastly to father. Payments to minor shall be made through natural or legal guardian.

Note: - Payment of family pension shall not be any bar if at the time of entitlement, the widow or widower or unmarried daughter or son happens to be employed anywhere.

33. Family pension and retirement benefits against disappeared employee

(1) When an employee disappears leaving his family, admissible retirement benefits may be granted to his eligible members of the family as mentioned under rule 28.

(2) On receipt of such application along with documents as may be necessary subject to fulfilment of the following conditions:-

(a) the family must lodge a report with the concerned police station and obtain a report from the Officer-in- Charge of such Police Station to the effect that the incumbent could not be traced out in spite of efforts made by the police.

(b) an indemnity bond should be taken from the family pensioner concerned to the effect that all payments received from the Government shall be refunded to the Government in the event the missing person reappears and claims his dues.

(3) All Government dues outstanding against the employee shall be recovered from the relief on pension.

(4) The family concerned shall apply to the Secretary, District Primary School Council concerned for grant of family pension after one year from the date of disappearance of the employee.

(5) The Pension Sanctioning Authority concerned shall make proper scrutiny of the application received under sub-rule (3) and if it found proper, he shall recommend it to the Director of School Education, West Bengal and the Director of School Education in his turn shall forward the case with his comments to the State Government.

34. Procedure for payment of retirement benefits

(1) (a) The Sub-Inspector of Schools concerned shall prepare a list as shown in Form 1 every six months, i.e. on the 1st January and the 1st July each year of all employees who are to retire within the next 30 months of that date.

(b) A copy of every such list shall be sent to the Director of Pension, Provident Fund and Group

Insurance, not later than the 31st January or the 31st July as the case may be, of that year. In case of the persons retiring for reasons other than by way of superannuation, the Sub-Inspector of Schools concerned shall promptly inform the Director of Pension, Provident Fund and Group Insurance.

(2) The Sub-Inspector of Schools concerned shall send a notice specified in Form 2 to the employee who is to retire on superannuation within the next 24 months.

(3) An employee, who is eligible for pension under these rules, shall submit to the Sub-Inspector of Schools concerned a formal application for pension in Form 3 as specified in third schedule duly filled in all respects along with other papers as specified in Form Nos. 4,5,6,7,8 and 9 positively 18 months in advance of his retirement on superannuation. It is to be noted that the retirement benefit can only be obtained when the retiring or retired employee or family pensioner shall submit a formal application for retirement benefits in prescribed proforma as above duly filled in all respects with all requisite papers for any kind of pensions or family pension or Contributory Provident Fund cum Gratuity / Death Gratuity in case of those employees opted for Contributory Provident Fund cum Gratuity under Death Cum Retirement Benefit, 1981.

(4) The Sub-Inspector of Schools on receipt of the formal application for pension, shall prepare the pension papers as specified in Forms 12, 13, 14 and 15 after due scrutiny and verification of the service claimed and the emoluments actually drawn and forward the same along with the original Service Book to the Pension Sanctioning Authority concerned within 3 months after the receipt of the application from the employee under sub-rule (3).

(5) The Pension Sanctioning Authority concerned shall check the pension papers and Service Book under sub-rule (4) with reference to the Check List prescribed in Form 23 (Check List) and shall countersign the Service Book and other forms as required above and he shall also prepare Pension Calculation Sheet in Form 17. He shall also countersign the Initial Pay Fixation statements of different Revision of Pay and Allowances. Within 3 months from the date of receipt of said papers from the Sub-Inspector of Schools, the Pension Sanctioning Authority concerned shall send the Pension papers as stated under sub-rule (4) alongwith Service Book, Form 17 and Form 23 duly completed in all respect to the Finance Officer of the District Primary School Council concerned for further examination.

(6) After receiving back the pension papers, if any observation or objection is made by the Finance Officer of the District Primary School Council concerned, the Pension Sanctioning Authority concerned shall promptly meet the observation or objection with the disposal of the pension papers to enable the Finance Officer of the District Primary School Council concerned to give certificate as to the correctness of the case within 3 months from the date of receipt of the pension case from the Pension Sanctioning Authority concerned.

(7) After obtaining the prescribed certificate as to the correctness of the case from the Finance Officer of the District Primary School Council concerned, the Pension Sanctioning Authority concerned shall sanction pension in Form 16 and shall send all duly filled Forms, as applicable, with the forwarding letter as in Form 18, including Service Book in original and Form 23 (Check List) to the Director of Pension, Provident Fund and Group Insurance, West Bengal

within 3 months from the date of receipt of such papers from Finance Officer of the District Primary School Council concerned.

Note: - There is no bar to receive service pension and family pension under these rules if the family pensioner's husband happens to be in military service prior to appointment as employee.

(8) If the Pension Sanctioning Authority concerned cannot sanction the pension of an employee for whatever be the reasons he shall intimate his decision thereof to the employee concerned within 3 months from the date of receipt of the papers as provided in sub-rule (5).

(9) Director of Pension, Provident Fund and Group Insurance shall issue the said pension payment order within 5 months from the date of receipt of the pension papers under sub-rule (7).

(10) Director of Pension, Provident Fund and Group Insurance shall send Pension Payment Order (PPO) to the Pension Disbursing Officer or Treasury Officer concerned with copies to the Pension Sanctioning Authority concerned and the retiring employee or family pensioner within 5 months from the date of receipt from the Pension Sanctioning Authority concerned.

(11) On receipt of the Pension Payment Order (PPO), the Pension Disbursing Officer (P.D.O.) or Treasury Officer (T.O.) concerned shall on personal appearance of the pensioner, complete formalities as prescribed in the relevant rules and start payment of admissible retirement benefits, from the date as mentioned in the Pension Payment Order (PPO).

(12) If the Director of Pension, Provident Fund and Group Insurance cannot issue Pension Payment Order of an employee for whatever be the reasons, shall intimate his decision thereof to the Pension Sanctioning Authority and the employee concerned, within 5 months from the date of receipt of the papers as provided in sub-rule (7).

(13) The pension sanctioning authority shall sanction provisional pension, provisional gratuity and issue Provisional Pension Payment order. The same shall be drawn and disbursed by the Sub-Inspector of Schools concerned from concerned Treasury.

CHAPTER V

Commutation of pension

35. Commutation of pension

An employee who is eligible for the benefit of pension under these rules shall be entitled to commute for a lump sum payment at the specified rate:

Provided that an employee shall not be entitled to commute more than 40 % of the pension which has been or may be granted to him:

Provided further that a employee against whom a judicial or departmental proceeding has been instituted or continued or a pensioner against whom any such proceeding has been instituted or continued shall not be permitted to commute any portion of his pension during the pendency of such proceeding.

36. Application for commutation before retirement

An employee before his retirement shall make an application to the sub-inspector of Schools concerned in Form 4 along with the application for pension under sub-rule (3) of rule 34.

37. Application for commutation after retirement

A pensioner who fails or declines to make an application for commutation of pension to the sub-inspector of Schools concerned in Form 4 along with the application for pension under sub-rule (3) of rule 34 the employee, may apply to the Sub-Inspector of Schools upto the age of 61 without medical examination. The pensioner shall enclose a copy of Pension Payment Order with the application for commutation of pension.

38. Application for commutation exceeding 61 years

(1) A pensioner who fails or declines to make an application for commutation of pension to the sub-inspector of Schools concerned in Form 4 along with the application for pension under sub-rule (3) of rule 34. the pensioner, may apply to the Secretary. District Primary School Council concerned at the age exceeding 61 years with medical examination in Form 10 for commutation of a portion of his pension.

(2) (a) The Pension Sanctioning Authority concerned, on receipt of application in Part I of Form 10, acknowledge the receipt in Part II of Form 10 and despatch the same to the applicant.

(b) the Pension Sanctioning Authority concerned shall forward in original to the Director of Pension, Provident Fund and Group Insurance in Part III of Form 10 with the request that part IV of that Form may be completed and returned to him as early as possible so that action for getting the applicant examined by the appropriate medical authority can be taken.

(3) The Director of Pension and Provident Fund and Group Insurance shall, on receipt of Form 10 from the Pension Sanctioning Authority concerned complete Part IV of that Form and transmit the same to the Competent Authority as early as possible.

(4) The Competent Authority shall, on receipt of Form 10 from the Director of Pension, Provident Fund and Group Insurance intimate the applicant in Part V (2) of Form 10 by such Medical Authority or Medical Boards as the Competent Authority may consider fit for commutation and shall at the same time instruct him to appear for examination before the

Medical Authority or Medical Board within three weeks from the date of its order, or he has applied for Commutation in advance of the date of his retirement within three months from the date of order but in case earlier than the date of retirement and shall supply a copy of Part I of Form 11 to the applicant. If the applicant appears before the Medical Authority or Medical Board, he shall be deemed to have accepted the amount authorized to be commuted.

(5) A copy of Part V(2) of Form 10, as the case may be shall be endorsed by the Director of Pension, Provident Fund and Group Insurance to the Appropriate Medical Authority or Medical Board through the Director of Health Services (for cases in Calcutta) or the Chief Medical Officer of Health (for any other case) with -

- (i) Part II and Part III of Form 11;
- (ii) Part IV of Form 10 duly completed in original;
- (iii) two copies of the applicant's photograph of which one copy shall be attested by an officer belonging to Group A service of the State Government.

(6) (a) If the applicant, after receipt of communication from the Competent Authority under sub-rule (4) fails to appear for Medical examination before the Medical Authority or Medical Board on the date and at the time communicated to him (including any change therein either at the request of the applicant or due to administrative reasons) and there is no reasonable ground for his failure, the Medical Authority or Medical Board shall report the fact to the Competent Authority concerned and return to him the documents received under sub-rule (4).

(b) With the return of documents to the Competent Authority under clause (i) the application for commutation shall be deemed to have been withdrawn.

(7) The Director of Health Services, West Bengal or the Chief Medical Officer of Health shall, on receipt of documents referred to in sub-para (4), shall

- (a) arrange for the medical examination of the applicant by the Medical Authority at the nearest available station from the residence of the pensioners;
- (b) transmit the documents referred to in sub-para (4) to the Medical Authority with the direction to examine the applicant;
- (c) inform the applicant as to the place and date of his medical examination and direct the Medical Authority to communicate to the applicant the time of such examination.

Note. - In fixing the date of medical examination, it shall be ensured that the medical examination is held before the applicant's next birthday.

(8) The Certifying Medical Authority shall, after obtaining from the applicant a statement in Part I of Form 11 which must be signed in their presence, subject to strict examination enter the results in Part II of Form 11 and record their opinion as to the accuracy with which the pensioner has answered the questions in Part I of Form B regarding his medical history and habits, attest the unattested copy of the photograph of the applicant, complete the certificate contained at the end of Part II of Form 11 and forward it to the Audit Officer, who has already completed Part IV of Form 10, with the following documents:-

- (i) Part II or Part III of Form 11 in original;
- (ii) Attested copy of applicants photograph;
- (iii) Part I of Form 11 in original; and
- (iv) Part IV of Form 10 duly completed in original.

(9) The Medical Authority or Medical Board shall also send to the applicant a certified copy of Part III of Form 11 and forward a certified copy of Part III of Form 11 to the Competent Authority who has signed Part V (1) or Part V (2) of Form 10.

(10) If the Medical Authority or Medical Board or Special Board, as the case may be directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice despatched within a period of two weeks from the date on which he receives intimation of the finding after Medical Authority and of the revised sum payable on communication. The Pension Sanctioning Authority shall communicate the adverse medical report and revised sum payable as commuted value.

(11) If the applicant does not withdraw in writing his application within the said period of two weeks, he shall be deemed to have accepted the revised sum offered.

(12) The pensioner who applied for commutation of pension within one year from the date of his retirement shall not be subjected to medical examination for the purpose of payment of commuted value of pension, provided this benefit shall not be admissible to the persons retired on ground of invalidation. Application for commutation of pension without medical examination shall be made after the date of retirement and the commutation shall become absolute, that is, the retired pension shall become absolute, that is, the retired person shall become entitled to receive the commuted value of pension on the date on which his application is received by the Competent Authority. A pensioner who has applied for commutation of pension without medical examination shall have no option to withdraw his application. Persons retired on ground of invalidation and those have applied for commutation of pension after one year from the date of retirement shall be subjected to medical examination. Such persons shall become entitled to receive the commuted value of pension on the basis of next birth day following the date on which the medical authority signs the medical certificate.

(13) In case of application for commutation of pension from a pensioner drawing invalid pension, the Medical Board shall, after examination in the manner as stated above, record his opinion in Part III of Form 11.

(14) The Medical Authority examining a pensioner applying for commutation of pension shall be competent to charge fee at rates as prescribed by the State Government in the Health Department.

Note. -The commuted portion of pension shall be restored to a pensioner after completion of 15 years from the date of retirement, irrespective of the date of commutation.

CHAPTER VI

Miscellaneous

39. Transfer of pensionary benefit from one Treasury of India to another

(1) A pensioner settled outside the State of West Bengal can make an application to Director of Pension, Provident Fund and Group Insurance, West Bengal showing sufficient cause to allow transfer of payment from one Treasury in the State of West Bengal to another Treasury in other States or Union Territories in duplicate in Form 20:

Provided that if a pensioner or family pensioner prefers payment of his pensionary benefit outside West Bengal he may submit application to the Director of Pension, Provident Fund and Group Insurance in duplicate in Form 21.

(2) The Director of Pension, Provident Fund and Group Insurance shall countersign and forward the same to the Accountant General (A&E), West Bengal for issuing Special Seal Authority to the concerned Accountant General for payment of pensioner benefits outside West Bengal as per application under sub-rule (1).

(3) If the Pensioner or Family Pensioner prefers on a date subsequent to the first drawal of Pensionary benefit from a Treasury in West Bengal or Pension Disbursement Office Kolkata to draw the Pensionary benefits from a Treasury outside West Bengal he shall submit an application in forms specified in eighth schedule before the concerned Treasury in West Bengal or Pension Disbursement Office, Kolkata. On all the cases, recent duly attested Joint or Single photographs, fresh specimen signature or Left Thumb Impression, are to be collected by the respective Treasury Officer(s) or Pension Disbursement Office (PDO), Kolkata.

(4) On receipt of such application from the Pensioner or Family Pensioner the Treasury in West Bengal or Pension Disbursement Office, Kolkata shall forward the application in Form 22 with both halves of the Pension Payment Order with last payment certificate embodied thereon and photographs, specimen signatures etc. to the Director of Pension and Provident Fund and Group Insurance, West Bengal for necessary authentication and placement before the Accountant General (A&E), West Bengal for issuing specimen seal authority to the concerned Accountant General outside West Bengal.

(5) On the receipt of both copies of P.P.O. (one copy for Treasury and other is incumbent's copy) with application in duplicate and the photographs, specimen signatures etc. from the concerned Treasury or Pension Disbursement Office under sub-rule (4), the Director of Pension, Provident Fund and Group Insurance, shall cancel both halves of P.P.O. and forward the same to the Accountant General (A&E), West Bengal along with the single or joint photographs, fresh specimen signature etc. and a fresh Descriptive Rolls of such Pensioners or Family Pensioners for issue of Special Authority. The Director shall also send specimen signature of the Audit Officer or Director. Pension, Provident Fund & group insurance. West Bengal to the Accountant General (A&E), West Bengal. While sending both halves of P.P.O. to

the Accountant General (A&E), West Bengal for issuance of Special Seal Authority in respect of the first payment, the following documents are required to be submitted by The Director of Pension, Provident Fund and Group Insurance, namely: -

- (a) Last Pay Certificate;
- (b) sanction of pension;
- (c) amount of pension or gratuity or commuted value of pension;
- (d) amount commuted and amount reduced pension;
- (e) date of restoration of normal pension after commutation;
- (f) name of family pensioner;
- (g) date of birth in case of minor;
- (h) nomination for life time arrear.

(6) While sending transfer cases to the Accountant General (A&E), West Bengal the Director of Pension, Provident Fund And Group Insurance being the Pension Payment Order issuing Authority is also required to get the Pension Payment Order cancelled and fresh Pension Payment Order prepared with last payment certificates for issuance of Special Seal Authority. In the matter of issuance of Special Seal Authority, the Accountant General (A & E), West Bengal shall act as an interface between the Director of Pension and Provident Fund and Group Insurance, West Bengal and other States.

(7) In the cases of revision of pension the Director of Pension and Provident Fund and Group Insurance, West Bengal shall issue revised authority as per the scheme with the counter signature and send the same to the Accountant General (A&E), West Bengal for issuing Special Seal Authority. In the case of Revision or Relief in pension the Director of Pension and Provident Fund and Group Insurance shall send copy of the order granting relief of pension at revised rates to the Accountant General (A&E), West Bengal for issue authority for payment of relief at revised rate to the pension drawing person from other States.

(8) The pensioners or family pensioners desirous of drawing pension from outside this State shall furnish to the concerned pension disbursing authority necessary certificates or documents like life certificate, non-employment certificate etc. as and when required by the said authority.

(9) Regarding accounting procedure, the amount paid by the other State Governments shall initially be booked under "8793-Inter-State Suspense Accounts with Government of West Bengal.

(10) On receipt of clearance by R.B.I. Nagpur the same is to be kept under "8658-Suspense Account-110-CAO RBI Suspense" as debit. On receipt of the vouchers and details from the concerned Accountant General the amount is to be debited finally under "2071 -01 -109 -NP-001 -V-04".

40. Application of West Bengal Service Rules

In all matters not expressly provided for by these rules, the rules specified in the West Bengal Service (Death-cum-Retirement Benefit) Rules, 1971 shall, in so far as they are not inconsistent with these rules and with the Act, shall apply to the employees mutatis mutandis subject to approval of the Government of West Bengal in the Finance Department.

41. Interpretation

If any question arises on any matter or matters relating to the interpretations to these rules, it shall be referred to the State Government and the decision of the State Government thereon shall be final.

42. Relaxation

Nothing in these rules shall be construed to limit or abridge the power of the State Government in School Education Department to dispense with or relax with requirement of any provisions of these rules to such extent and subject to such condition as may be considered necessary.

43. Repeal and savings

(1) The provisions of West Bengal Recognized Non-Government Educational Institution Employees (Death-cum-Retirement) Scheme 1981, as applicable to teachers of Primary Schools, along with notifications, memorandum and orders published earlier relating to the eligibility, application, admissibility of the benefits under the aforesaid West Bengal Recognized Non-Government Educational Institution Employees (Death-cum-Retirement) Scheme, 1981 shall be deemed to have been repealed in so far as they are repugnant to the matters covered by these rules:

Provided that such repeal shall not affect the previous operation of die said scheme, notifications and orders or anything done or any action taken thereunder and the benefits already granted on the basis of the scheme, notifications, orders in force prior to coming into effect of these rules shall not in any way be adversely affected.

(2) The Forms appended to these rules shall replace the relevant existing Forms.

Notes

West Bengal Schools (Control of Expenditure) Act, 2005

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

NOTIFICATION

No. 2053-L. 19th August, 2005. — The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIV of 2005
THE WEST BENGAL SCHOOLS (CONTROL OF EXPENDITURE) ACT, 2005
[Passed by the West Bengal Legislature.]

[Assent of the Governor Was first published in the Kolkata Gazette, Extraordinary, of the 19th August, 2005.]

An Act to provide for the control of expenditure in the schools in West Bengal.

Whereas it is expedient to provide for the control of expenditure in the schools in West Bengal and the matter connected therewith or incidental thereto;

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

1. Short title, extent and commencement:-

- (1) This Act may be called the West Bengal Schools (Control of Expenditure) Act, 2005.
- (2) It extends to the whole of West Bengal.
- (3) This section shall come into force at once and the remaining sections shall come into force on such date or dates and in such area or areas as the State Government may, by notification, appoint and different dates may be appointed for different sections or for different areas.

2. Definitions:-

In this Act, unless the context otherwise requires,—

- (a) “approved” means approved by the Director or his authorised officer;
- (b) “Board” means the West Bengal Board of Secondary Education established under the West Bengal Board of Secondary Education Act, 1963;
- (c) “Board of Madrasah” means the West Bengal Board of Madrasah Education established under the West Bengal Board of Madrasah Education Act, 1994;
- (d) “Council” means the West Bengal Council of Higher Secondary Education established under the West Bengal Council of Higher Secondary Education Act, 1975;
- (e) “Director” means the Director of School Education, West Bengal;
- (f) “District Level Inspection Team” means the District Level Inspection Team constituted under sub-section (1) of section 8;
- (g) “Madrasah” shall have the same meaning as defined in clause (h) of section 2 of the West

Bengal School Service Commission Act, 1997;

(h) “non-teaching staff” means a member of the staff other than a teacher of a school;

(i) “notification” means notification published in the Official Gazette;

(j) “prescribed” means prescribed by rules made under this Act;

(k) “recognised” with its grammatical variations, used with reference to a school, shall mean recognised or deemed to have been recognised under—

(i) the West Bengal Board of Secondary Education Act, 1963, or

(ii) the West Bengal Primary Education Act, 1973, or

(iii) the West Bengal Council of Higher Secondary Education Act, 1975, or

(iv) the West Bengal Board of Madrasah Education Act, 1994;

(l) “region” means a region as specified under sub-section (2) of section 3 of the West Bengal School Service Commission Act, 1997;

(m) “school” means—

(i) a recognised non-Government aided—

(A) secondary school, or educational institution, or part or department of such school or institution, imparting instruction in secondary education, or

(B) higher secondary school, or educational institution (other than a college), or part or department of such school or institution, imparting instruction in higher secondary education, or

(C) Madrasah, or

(D) Primary Teachers’ Training Institution; or

(ii) a recognised non-Government institution which has been imparting instruction in secondary education or higher secondary education or madrasah education and receiving grant from the State Government in the form of dearness allowance for its teachers and non-teaching staff.

Explanation I.—“Aided” with its grammatical variations, used with reference to a school, shall mean aided by the State Government in the shape of financial assistance towards the basic pay of the teachers and non-teaching staff of that school.

Explanation II.—“Basic pay” shall mean the monthly pay of a teacher or non-teaching staff of a school, which corresponds to a stage in the time-scale of pay of the post held by the teacher or non-teaching staff in that school.

Explanation III.—“Secondary Education” shall have the same meaning as in clause (1) of section 2 of the West Bengal Board of Secondary Education Act, 1963.

Explanation IV.—“Higher Secondary Education” shall have the same meaning as in clause (d) of section 2 of the West Bengal Council of Higher Secondary Education Act, 1975;

(n) “school authority”, in relation to a school, means the governing body, managing committee, ad hoc committee, administrator or any other body, by whatever name it is called, which is charged with the management of the affairs of the school;

(o) “State Government” means the Government of West Bengal in the School Education

Department;

(p) “teacher” means an Assistant Teacher or any other person, holding a teaching post in a school on a regular and whole-time basis and is paid from the fund under the control of the State Government and includes a Headmaster or a Headmistress;

(q) “unaided school” means a recognised unaided school to which no financial assistance has been sanctioned by the State Government;

(r) “West Bengal Board of Primary Education” means the West Bengal Board of Primary Education established under the West Bengal Primary Education Act, 1973.

3. Application:-

This Act shall apply to schools other than,—

- (a) a school not in receipt of any financial assistance from the State Government; or
- (b) a Government school:

Provided that the State Government may, if it considers necessary in the exigencies of public service, exempt any school from the operation of this Act for such period as it may think necessary.

Explanation.—“Government school” means a school maintained and managed by the State Government, the Government of India, or the Railway Board under the Ministry of Railway, Government of India.

4. Previous sanction of State Government for appointment etc.:-

(1) Save as otherwise provided in sub-section (2), no school authority shall,—

(i) create any teaching or non-teaching post involving any financial liability on the State exchequer; or

(ii) appoint or engage any teacher or non-teaching staff; or

(iii) regularise the service of any person, who has rendered service on any casual or part-time, vacancy on contract or any other basis, against any permanent teaching or non-teaching post of a school; or

(iv) revise the pay or allowances of any teacher or non-teaching staff; or

(v) grant any special pay or allowance or other remuneration under any description whatsoever including ex gratia payment or any other benefit, having financial implication, to any person holding a teaching or nonteaching post; or

(vi) incur, except as prescribed, expenses for any development scheme, without previous sanction of the State Government.

(2) Notwithstanding anything contained in sub-section (1), the school authority may fill up, in the manner as may be prescribed, a vacancy of a teacher caused by leave or deputation for a period not exceeding one year without previous sanction of the State Government:

Provided that no such person who has been appointed on such vacancy in a school, shall be appointed in any sanctioned post or by creating any new post in that school, only for rendering

such service.

5. Void appointment:-

(1) No school authority shall appoint any teacher in a school in contravention of the provisions of this Act, or the provisions of the West Bengal School Service Commission Act, 1997, or any rules, orders, procedures or directions issued thereunder.

(2) No school authority shall appoint any non-teaching staff in a school excepting in the manner as may be prescribed.

(3) Any appointment made by a school authority in contravention of sub-section (1) or sub-section (2) shall be void.

6. Unaided School not to get financial assistance:-

No unaided school shall be entitled to get any financial assistance from the State Government.

7. Appointment on part time or contract basis:-

Notwithstanding anything contained in any other law for the time being in force or any rules or orders issued thereunder or any contract, customs or usages to the contrary, no person, who has been appointed as teacher or non-teaching staff on any casual or part-time vacancy or on contract basis in a school, shall have any right to be appointed on permanent basis in any sanctioned post or by creating any new post only for rendering such service.

8. Constitution of District Level Inspection Team:-

(1) The State Government may, by order, constitute a District Level Inspection Team for each district.

(2) The District Level Inspection Team shall consist of the following members:—

- (a) a nominee of the Board;
- (b) a nominee of the Council;
- (c) a nominee of the Board of Madrasah;
- (d) the District Inspector of Schools (Secondary Education).

(3) The District Inspector of Schools (Secondary Education) shall be the Member-convenor of the said District Level Inspection Team.

(4) The District Level Inspection Team shall inspect and enquire into facts and records of the schools, which are under consideration of the State Government for recognition or upgradation, and shall discharge such other duties and perform such other functions as the State Government may, by order, direct for carrying out the purposes of this Act.

9. Selection of sites for setting up new school, etc.:-

(1) The State Government may,—

- (a) select the site for setting up a new school,
- (b) set up a new school,

- (c) upgrade an existing school, .
- (d) determine the strength of teacher and non-teaching staff in a school, in such manner as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1), the State Government shall not set up a new school or upgrade an existing school unless,—

- (a) the District Level Inspection Team recommends so to do, and
- (b) due appropriation is made in the Budget of the State by the State Legislature in this behalf.

Explanation I.—For the purposes of this section, the expression “upgrade” means upgradation of a Junior High School to a Secondary School, or as the case may be, from a Secondary School to a Higher Secondary School.

Explanation II— The expression “Junior High School” means a school imparting instruction in Secondary Education from class V to class VIII.

10. Power of State Government to sanction additional post:-

The State Government may, if it considers necessary so to do, sanction additional post of teacher or non-teaching staff in a school in such manner as may be prescribed:

Provided that no such additional post of teacher or non-teaching staff shall be sanctioned, unless due appropriation is made in the Budget of the State by the State Legislature in this behalf.

11. Power to inspect and hold enquiry:-

(1) The State Government may, if it considers necessary so to do, by general or special order, authorize the Director or any other officer not below the rank of a Sub-Inspector of schools in this behalf to—

- (a) inspect any school, its buildings, laboratories, libraries, records and equipments;
- (b) make an enquiry into any financial irregularities by any school;
- (c) make an enquiry into the income, expenditure, properties, assets and liabilities of any school.

(2) The State Government may, after considering the report of such inspection or inquiry, direct the school authority to take such action in the matter concerned, as may, in the opinion of the State Government, be necessary.

(3) If the school authority omits or fails to comply with the direction of the State Government, as stated in sub-section (2), the State Government may take action against such school authority in accordance with the provisions of section 12.

12. Power to de-recognise schools or abolish post:-

If the State Government has reason to believe that the number of students studying in a particular school has fallen below the prescribed number, or the school authority has failed to take action as directed by the State Government under section 11, it may, after giving the concerned school authority an opportunity of being heard and for the reasons to be recorded in writing,—

- (a) direct the Board, West Bengal Board of Primary Education, Council, Board of Madrasah, or such other authority to derecognise the school; or
- (b) abolish any teaching or non-teaching post of such school; or
- (c) order shifting of teaching and non-teaching staff from such school to any other school within the region; or
- (d) take such action as may appear to the State Government to be necessary and proper.

13. Power to determine fixation of pay and age of superannuation:-

The State Government may,—

- (a) determine and approve the case of fixation of pay of the teacher or nonteaching staff of a school in the manner, as may be prescribed;
- (b) determine the age of superannuation and the benefits payable after superannuation to the teachers and non-teaching staff of a school in the manner as may be prescribed.

14. Scale of Pay etc. of Teacher:-

- (1) Every teacher of a school shall, if appointed in the post of Undergraduate teacher category, be entitled to draw pay in the scale of pay in which he is appointed and shall not be entitled to claim any additional increment or higher scale of pay for acquiring any qualification other than the qualifications specified for such post.
- (2) Every teacher of a school shall, if appointed in the post of Graduate teacher category, be entitled to draw pay in the scale of pay in which he is appointed and shall not be entitled to claim any additional increment or higher scale of pay for acquiring any qualification other than the qualifications specified for such post.
- (3) Every teacher of a school shall, if appointed in the Honours Graduate or Postgraduate teacher category, be entitled to draw pay of Post-graduate teacher category, upon acquiring Post-graduate degree, in the manner as may be specified by order.

15. Option of Contributory provident fund:-

Notwithstanding anything contained in the West Bengal Non-Government Educational Institutions and Local Authorities (Control of Provident Fund of Employees) Act, 1983, or in any rules made thereunder, or in any other law for the time being in force,—

- (a) if a teacher or a non-teaching staff, who had been a subscriber to the Contributory Provident Fund scheme and opted for remaining subscriber to the said scheme instead of being a subscriber to the General Provident Fund scheme, such option shall be treated as final and no change in such option shall be allowed thereafter;
- (b) if a teacher or a non-teaching staff, who had been a subscriber to the Contributory Provident Fund scheme and opted for shifting from Contributory Provident Fund Scheme to General Provident Fund scheme, such teacher or non-teaching staff shall not be entitled to get the employers' contribution made to his credit in the Contributory Provident Fund scheme.

16. Protection of teacher and non teaching staff:-

Notwithstanding anything contained elsewhere in this Act, the terms and conditions of service

of a teacher or a non-teaching staff in the employment of a school, immediately before the commencement of this Act, shall not be varied to his disadvantage in so far as such terms and conditions relate to the appointment of such teachers and non-teaching staff to the posts held by them immediately before the commencement of this Act.

17. Penalty:-

Whoever contravenes the provisions of section 4 or section 5, shall be punishable with imprisonment for a term not exceeding two years, or with fine, or with both.

18. Cognizance of offenses:-

No prosecution shall be instituted under this Act without the previous sanction of the State Government.

19. Protection of action taken in good faith:-

No suit, prosecution or other legal proceeding shall lie against any officer of the State Government for anything which is in good faith done or intended to be done in the discharge of his duties under this Act or the rules or orders made thereunder.

20. Act to have overriding effect:-

The provisions of this Act or any rules or orders made thereunder shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract, custom or usages to the contrary.

21. Power to remove difficulties:-

If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of this Act, as the State Government may consider necessary for removing such difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

22. Power to make rules:-

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

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for any matter, which may be or is required to be prescribed.

(3) Every rule made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

By order of the Governor

MD. HESAMUDDIN

Secy.-in-charge to the Govt. of West Bengal

Law Department

Notes

Mid-Day-Meal Calendar for the Financial Year 2013-14

Government of West Bengal
School Education Department
Mid Day Meal Section
ACHARYA PROFULLO CHANDRA BHAVAN
Plot 7/1, Block- DK, Salt Lake, Sector- II
Karunamoyee, Kolkata-91
E-mail: director.cmdmp@gmail.com
Phone No. 033-223596761, Fax No.-23344052

Memo No: 167(24)-ES(CMDMP)/Genl-11/2011, Dated:- 01.04.2013

From : Shri N.N Barman,
Project Director, CMDMP,
School Education Department,
Govt. of West Bengal.

To: 1) The Commissioner, Kolkata Municipal Corporation, 5, S.N.Banerjee Road, Kolkata-700013.
2) The Labour Commissioner, W.B, New Secretariat Building, 11th floor, Kolkata-700001
(3 to 19) The District Magistrates..... (all)
20) The Executive Director, Education Department, Lowis Jubilee Complex, P.O. & District:- Darjeeling.
21) The Sub Divisional Officer, Siliguri, District:- Darjeeling.
22) The District Inspector of School (Secondary).....(all)
23) The District Inspector of School (Primary)(all)
24) The Chairman, Kolkata Primary School Council, 27A, Bose Pukur Road, Kasba, Kolkata-700042.

Sub: Mid-Day-Meal Calendar for the Financial Year 2013-14.

Sir,

I am directed to send herewith the Mid-Day Meal Calendar for the Financial Year 2013-14 for favour of your taking necessary action with stipulation that number of days as sanctioned per month may vary keeping the total days in a quarter intact.

In this connection, it may be informed that all eligible students attending the institutions must be served MDM on all school days including Saturdays irrespective of the approved number of students and working days. If the average number of children availing MDM and the working days are more than the approval, the concerned Nodal Officer may approach the State Govt. with evidence at the earliest for providing additional fund and foodgrains. The said proposal, thereafter, will be sent to the Govt. of India for additional allotment.

This may kindly be circulated to all concerned.

Encl: As stated

Yours faithfully,
Project Director
CMDMP

Enclosure of Memo No:167(24)-ES(CMDMP)/Genl-11/2011, Dated:- 01.04.2013

Mid-Day-Meal Calendar for the Financial Year 2013-14

Sl. No.	Month	Total No. of Days in the month	Number of Days Sanctioned for Mid – Day – Meal Primary Schools (Class I-V)	Upper Primary Schools (Class VI- VIII)	NCLP Schools
1	2	3	4	5	6
1	April'13	30	24	24	26
2	May'13	31	12	14	27
3	June'13	30	15	15	25
4	July'13	31	23	24	27
5	August'13	31	23	24	27
6	September'13	30	22	22	25
7	October'13	31	10	6	26
8	November'13	30	20	17	26
9	December'13	31	17	20	26
10	January'14	31	21	21	27
11	February'14	28	20	20	24
12	March'14	31	23	23	26
	Total	365	230	230	312

N.B.: 1) MDM will be served on all school days including Saturdays.

2) If No. of approved days exceeds, Nodal Officer may approach the State Govt. with evidence for additional fund and foodgrains.

3) No. of approved days per month may vary keeping the total days in a quarter intact.

Project Director
CMDMP

Grant of 'A' category scale of Pay to the Primary School Teachers

GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
BIKASH BHAWAN, SALT LAKE CITY, KOLKATA-91

No. 209-SE (EE)/PTTI-7/2011, Date: 4.03.2013

From: S. C. Ghosh,
Joint Secretary, School Education Deptt.

To: The Chairman,
District Primary School Council, Purba Medinipur
P.O. Tamluk, Dist.: Purba Medinipur.

Subject: Grant of 'A' category scale of Pay to the Primary School Teachers.

Sir,

In inviting a reference to your letter vide No 1926/ES dt. 09.01.2013 and without prejudice to earlier orders of this Department in this regard I am directed to say that in terms of order of the National Council for Teacher Education vide No 62-5/2008/NCTE/N&S (Pt)/A53953 dt. 04.07.2012 and subsequent clarifications issued by this Deptt. vide No. 389(38)-SE(EE)/PTTI-7/2011 dt. 13.08.2012 and 801(38)-SE(EE)/PTTI-7/2011 dt. 02.11.2012 the following categories of Primary School Teachers shall be treated as trained teachers and they may be allowed 'A' category scale of pay:-

i) Teachers who have completed 2 years Diploma in Elementary Education (D. El. Ed) from NCTE recognised institutions before/after their entry in service:

Provided in-service teachers will be allowed 'A' category scale of pay from the date of attainment of such qualification of D.El.Ed. However persons already possessing D.El.Ed qualification before their entry as a Pry. School Teacher, may be allowed 'A' category scale of pay at the time of their joining the post.

ii) Teachers completed one year Diploma in Primary Teacher Training Course and appointed after 31.12.2005 and subsequently covered one year Bridge Course through NCTE recognised Institution:

Provided such category of teachers may be allowed 'A' category scale of pay from the date of their joining the post or the date of attainment of the qualification whichever is later.

iii) Teachers who have attained 1 yr./ 2 yrs. Diploma in Elementary Education from State recognised institutions and appointed as teacher on or before 31.12.2005 shall be treated as 'trained teacher':

iv) Teachers who have attained degree/diploma viz. D.Ed (Special Education) or B.Ed. (Special Education) from RCI recognised institution and subsequently covered a 6 months' course in elementary education from NCTE recognised institution.

v) Teachers who possessed B. Ed degree and appointed before 01.01.2012 and subsequently completed 6 months' course from NCTE recognised institution in elementary education.

vi) Teachers appointed prior to 01.07.1996 and also obtained B.ED/ B.T. / PGBT degree / diploma prior to 01.07.1996 may be allowed 'A' category scale of pay.

The above guidelines may be followed in disposal of matters related to granting of 'A' category scale of pay to Primary School Teachers.

Yours faithfully
Sd/- Joint Secretary

Guidelines for Conducting Teacher Eligibility Test (TET)

Background and Rationale

The implementation of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 requires the recruitment of a large number of teachers across the country in a time bound manner. In spite of the enormity of the task, it is desirable to ensure that quality requirement for recruitment of teachers are not diluted at any cost. It is therefore necessary to ensure that persons recruited as teachers possess the essential aptitude and ability to meet the challenges of teaching at the primary and upper primary level.

2. In accordance with the provisions of sub-section (1) of section 23 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, the National Council for Teacher Education (NCTE) has laid down the minimum qualifications for a person to be eligible for appointment as a teacher in class I to VIII, vide its Notification dated August 23, 2010. A copy of the Notification is attached at Annexure 1. One of the essential qualifications for a person to be eligible for appointment as a teacher in any of the schools referred to in clause (n) of section 2 of the RTE Act is that he/she should pass the Teacher Eligibility Test (TET) which will be conducted by the appropriate Government.

3. The rationale for including the TET as a minimum qualification for a person to be eligible for appointment as a teacher is as under:

- i. It would bring national standards and benchmark of teacher quality in the recruitment process;
- ii. It would induce teacher education institutions and students from these institutions to further improve their performance standards;
- iii. It would send a positive signal to all stakeholders that the Government lays special emphasis on teacher quality

4. The TET examination may be conducted by a suitable professional body designated by the appropriate Government for the purpose. It will be conducted in accordance with the Guidelines hereunder.

Eligibility

5. The following persons shall be eligible for appearing in the TET:

- i. A person who has acquired the academic and professional qualifications specified in the NCTE Notification dated 23rd August 2010.
- ii. A person who is pursuing any of the teacher education courses (recognized by the NCTE or the RCI, as the case may be) specified in the NCTE Notification dated 23rd August 2010.
- iii. The eligibility condition for appearing in TET may be relaxed in respect of a State/UT which has been granted relaxation under sub-section (2) of section 23 of the RTE Act. The relaxation will be specified in the Notification issued by the Central Government under that sub-section.

Structure and Content of TET

6. The structure and content of the TET is given in the following paragraphs. All questions will be Multiple Choice Questions (MCQs), each carrying one mark, with four alternatives out of which one answer will be correct. There will be no negative marking. The examining body should strictly adhere to the structure and content of the TET specified below.

7. There will be two papers of the TET. Paper I will be for a person who intends to be a teacher for classes I to V. Paper II will be for a person who intends to be a teacher for classes VI to VIII. A person who intends to be a teacher either for classes I to V or for classes VI to VIII will have to appear in both papers (Paper I and Paper II).

**Paper I (for classes I to V); No. of MCQs - 150;
Duration of examination: one-and-a-half hours**

Structure and Content (All Compulsory)

1. Child Development and Pedagogy	30 MCQs	30 Marks
2. Language I	30 "	30 "
3. Language II	30 "	30 "
4. Mathematics	30 "	30 "
5. Environmental Studies	30 "	30 "

Nature and standard of questions

While designing and preparing the questions for Paper I, the examining body shall take the following factors into consideration:

- The test items on Child Development and Pedagogy will focus on educational psychology of teaching and learning relevant to the age group of 6-11 years. They will focus on understanding the characteristics and needs of diverse learners, interaction with learners and the attributes and qualities of a good facilitator of learning.
- The Test items for Language I will focus on the proficiencies related to the medium of instruction, (as chosen from list of prescribed language options in the application form).
- The Language II will be from among the prescribed options other than Language I. A candidate may choose any one language from the available language options and will be required to specify the same in the application form. The test items in Language II will also focus on the elements of language, communication and comprehension abilities.
- The test items in Mathematics and Environmental Studies will focus on the concepts, problem solving abilities and pedagogical understanding of the subjects. In all these subject areas, the test items shall be evenly distributed over different divisions of the syllabus of that subject prescribed for classes I-V by the appropriate Government.
- The questions in the tests for Paper I will be based on the topics of the prescribed syllabus of the State for classes I-V, but their difficulty standard, as well as linkages, could be upto the secondary stage.

**Paper II (for classes VI to VIII); No. of MCQs - 150;
Duration of examination : one-and-a-half hours**

Structure and Content

- | | | |
|--|---------|----------|
| 1. Child Development & Pedagogy (compulsory) | 30 MCQs | 30 Marks |
| 2. Language I (compulsory) | 30 " | 30 " |
| 3. Language II (compulsory) | 30 " | 30 " |
| 4. (a) For Mathematics and Science teacher : Mathematics and Science - 60 MCQs of 1 mark each (b) For Social studies teacher : Social Studies - 60 MCQs of 1 mark each (c) for any other teacher - either 4(a) or 4(b) | | |

While designing and preparing the questions for Paper II, the examining body shall take the following factors into consideration:

- The test items on Child Development and Pedagogy will focus on educational psychology of teaching and learning, relevant to the age group 11-14 years. They will focus on understanding the characteristics, needs and psychology of diverse learners, interaction with learners and the attributes and qualities of a good facilitator of learning.
- The test items for Language I will focus on the proficiency related to the medium of instruction, as chosen from list of prescribed options in the application form.
- The Language II will be a language other than Language I. The person may choose any one language from among the available options and as in the specified list in the application form and attempt questions in the one indicated by the candidate in the application form by him. The Test items in Language II will also focus on the elements of language, communication and comprehension abilities.
- The test items in Mathematics and Science, and Social Studies will focus on the concepts, problem solving abilities and pedagogical understanding of these subjects. The test items of Mathematics and Science will be of
- 30 marks each. The test items shall be evenly distributed over different divisions of the syllabus of that subject as prescribed for classes VI-VIII by the appropriate government.
- The questions in the tests for Paper II will be based on the topics of the prescribed syllabus of the State for classes VI-VIII but their difficulty standard as well as linkages could be upto the senior secondary stage.

8. The question paper shall be bilingual - (i) in language(s) as decided by the appropriate Government; and (ii) English language.

Qualifying marks

9. A person who scores 60% or more in the TET exam will be considered as TET pass. School managements (Government, local bodies, government aided and unaided)

- a) may consider giving concessions to persons belonging to SC/ST, OBC, differently abled persons, etc., in accordance with their extant reservation policy;
- b) should give weightage to the TET scores in the recruitment process; however, qualifying the TET would not confer a right on any person for recruitment/

employment as it is only one of the eligibility criteria for appointment.

Applicability

10. a) TET conducted by the Central Government shall apply to all schools referred to in sub-clause (i) of clause (a) of section 2 of the RTE Act.

b) TET conducted by a State Government/UT with legislature shall apply to :

i) a school of the State Government/UT with legislature and local authority referred to in sub-clause (i) of clause (n) of section 2 of the RTE Act; and

ii) a school referred to in sub-clause (ii) of clause (n) of section 2 of the RTE Act in that State/UT.

A school at (i) and (ii) may also consider eligibility of a candidate who has obtained TET Certificate awarded by another State/UT with legislature. In case a State Government/UT with legislature decides not to conduct a TET, a school at (i) and (ii) in that State/UT would consider the TET conducted by the Central Government.

c) A school referred to in sub-clause (iv) of clause (n) of section 2 of the RTE Act may exercise the option of considering either the TET conducted by the Central Government or the TET conducted by the State Government/UT with legislature.

Frequency of conduct of TET and validity period of TET certificate

11. The appropriate Government should conduct a TET at least once every year. The Validity Period of TET qualifying certificate for appointment will be decided by the appropriate Government subject to a maximum of seven years for all categories. But there will be no restriction on the number of attempts a person can take for acquiring a TET Certificate. A person who has qualified TET may also appear again for improving his/her score.

Procedure for conduct of the Test

12. The examining body shall formulate a detailed procedure and lay down instructions for conduct of the TET. Candidates should be informed that a very serious view will be taken of any malpractice or impersonation.

Legal Disputes

13. All legal disputes with regard to conduct of TET shall be subject to the jurisdiction of the appropriate Government.

Award of TET Certificate

14. The appropriate Government conducting the Test shall award a TET Certificate to all successful candidates. The certificate should contain the name and address of the candidate, date of birth, Registration No. year/month of award of Certificate, marks obtained in each Paper, class level of its validity (Class I to V, class VI to VIII or both), and, in case of classes VI to VIII, the subject area (Science and Mathematics, Social Studies, etc.). The certificate may be

electronically generated with adequate security features. Appropriate may consider utilizing the services of specialized agencies for issuing de-materialized (demat) TET certificates as a security feature to avoid any kind of malpractice.

Monitoring

15. Following measures would be taken for monitoring the quality and administration of the TET:

- a) The appropriate Government shall appoint a Nodal Officer for the purpose of TET.
- b) The NCTE would organize meetings of the Nodal Officers at least once every year.
- c) Every appropriate Government will forward a report of each TET to the NCTE in a format to be prescribed by the NCTE.
- d) The NCTE shall maintain data base and be the repository of experts and resources, including the technological tools for conduct of the TET, and shall share it with the appropriate Government.

Teachers Eligibility Test for Persons with Disabilities

Government of West Bengal
School Education Department
Bikash Bhawan, Bidhannagar
Kolkata-700 091
Tel.No. 033-2334-2228, Fax No. 033-2337-6561

No. 223 -SSE/13,

Dated, Kolkata, the 28th March, 2013

From: Shri Arnab Roy, Secretary to the Government of West Bengal.

To: The President, West Bengal Board of Primary Education.

Sub: Recruitment Test for Primary Teachers on 31.3.2013

Sir,

This refers to discussion you had with me. Please find enclosed copy of guidelines of Government of India for conducting written examination for persons with disabilities. Your particular attention is drawn to the following:

1. Such candidates should be allowed extra compensatory time of 20 minutes per hour who are making use of the scribe / reader. All such candidates should have duly certified disability of 40% or more.
2. All candidates with duly certified disabilities not availing the facility of scribe may also be allowed additional time of 20 minutes for examination of one hour.
3. The scribe if allowed should have qualification of class – X or below and this should be properly checked.

Yours faithfully,

Sd/- Arnab Roy
Secy. to the Govt. of West Bengal

Primary Teacher Eligibility Test 2014 – Further Guidelines

WEST BENGAL BOARD OF PRIMARY EDUCATION
A.P.C. Bhavan, DK-7/1, Sector-II, Salt Lake City, Kolkata – 700 091

NOTICE

Details regarding the application procedure, eligibility, time, venue, fees etc. for the candidates who applied for Teacher Eligibility Test, 2012

In continuation of our Notification, published on 19.02.2014, details regarding the application procedure, eligibility, time, venue, fees etc. are hereby further notified for the candidates who applied for TET, 2012 and are willing to appear at the TET-2014.

Qualification: Same as notified for TET, 2012, (Vide Notification No. F. No. 61 -03/20/NCTE/ (N&S) dated 23.08.2010 of NCTE, MHRD-Memo No. S.O. 1352(E) dtd. 01.06.2011 & MHRD-Memo No. F.No.1-17/2010-EE-4, Dated 10th October, 2011).

Time: 90 minutes: For 150 MCQ [30 x 5 subjects]

Duration: 1.00 p.m – 2.30 p.m;

Venue: Same as allotted for TET, 2012;

Fees: Without fees;

The TET, 2014 will be conducted by the West Bengal Board of Primary Education and the Board shall issue a TET Pass Certificate (period of validity will be declared in due course) which will be one of the minimum eligibility criteria for application for recruitment to the post of Primary School Teachers in terms of the appointment notification to be published by the appropriate authority, in such schools as are described in the clause 'n' of Section-2 of the RFCE Act, 2009. As per NCTE Guidelines vide No. 76-4/2010/NCTE/Acad dated 11.02.2011 (9b), the TET pass candidates will not acquire any claim for appointment as Primary School Teachers. Relevant Guidelines and G.O.No. 146-SE(EE)/10M-6/2009 dtd. 06.02.2014 are available in the website www.wbsed.gov.in.

The candidates who have lost their original Admit Cards for TET, 2012 and have no photocopies with them will follow the instructions to be notified in due course.

Those who have lost their original Admit Cards for TET, 2012, but have photocopies and FIR

<http://wbxpress.com/>

receipt with them will meet the Chairpersons of the concerned District Primary School Council with FIR receipt in original, photocopies of the Admit Card for TET, 2012 and two copies of passport size photograph for having fresh Admit Card, the same Roll No. and the same venue allotment.

Application Procedure: The candidates are required to enter into the website www.wbresults.nic.in and to press nine digit Roll No. Thereafter, they are to give certain information compulsorily. After that they will get an Acknowledgement Receipt which is a token of confirmation of acceptance of his/her candidature and allotment of venues for TET, 2014. In all such cases their Roll Nos. the venue of Examination and the documents, particulars, testimonials and declarations in support of candidature will remain the same.

It is compulsory for all such candidates to have a print out of the **Acknowledgement Receipt** and keep the same carefully till the publication of the result and photocopy of the same be submitted at the examination hall.

The last date for confirmation: **04-03-2014**

In case of failure to get details about venue/centre after pressing in the Roll/Form No., a candidate should bring the matter to the notice of the concerned District Primary School Council.

All such measures are subject to the orders of the Hon'ble High Court, Kolkata/Supreme Court of India.

Sd/- Secretary

Date: 25.02.2014

Notification regarding TET 2014 – Payment of Application Fees


WEST BENGAL BOARD OF PRIMARY EDUCATION
A.P.C. Bhavan, DK-7/1, Sector-II, Salt Lake City, Kolkata – 700 091

NOTIFICATION

In continuation of our notification regarding TET 2014 published on 19.02.2014 and 26.02.2014 this is further to notify that the candidates having qualifications and other eligibility criteria, as per Notification No. F.No. 61-03/20/NCTE/(N&S) dated 25.08.2010 of NCTE, MHRD-Memo No. S.O. 1352(E) dtd. 01.06.2011 & MHRD-Memo No. F.No. 1-17/2010-EE4, Dated 10th October, 2011, and who had not applied for TET 2012 may apply for TET 2014 to be conducted as per NCTE guidelines vide No. 764/2010/NCTE/Acad dated 11.02.2011 and deposit fees as fresh candidates.

Procedure for payment of application fees:

- The applicants shall have to pay Rs. 100/- (Rupees one hundred) only (Rs. 25/- for SC/ST) to all the Bank Branches of United Bank of India by cash only in the A/c no. given below.
- They have to fill up a challan / deposit slip, mentioning the A/c no. for his district given in the table below for deposit of the required fees.
- The candidates must keep the counter foil of the bank challan with the Transaction Id no. for obtaining admit cards.
- The applicants will also have to write the full name in BLOCK LETTERS in the space provided against 'Deposited by' as given in the example below.

 युनाइटेड बैंक ऑफ इंडिया UNITED BANK OF INDIA शाखा/Branch XB	दिनांक/Date 07-03-2014	पैन/जीआईआर नं०/PAN/GIR No.		
	सम्रत खाता सं. / SAVINGS A/C. NO. 0143010332849	श्री / of TET-2014 NORTH 24 PARGANAS (09)	बचत बैंक खाता में जमा करें / CREDIT SAVINGS A/C. NO. 0143010332849	श्री / of TET-2014 NORTH 24 PARGANAS (09)
चेक/Cheque ₹/Rs. 100/=	₹/Rupees. One hundred only.	₹/Rupees. One hundred only.	दिनांक/Date 07-03-2014	चेक / Cheque ₹/Rupees 100/=
नकदी/समाशोधन/अन्तरण चेक के लिए अलग-अलग पर्ची का व्यवहार करें Use Separate Slip for Cash, Clearing, Transfer Cheque	प्राप्तकर्ता / लिपिक / खजांची / Receiving Clerk / Cashier (RAJAT KUMAR BASU)	नकदी / समाशोधन / अन्तरण चेक के लिए अलग-अलग पर्ची का व्यवहार करें Use Separate Slip for Cash, Clearing, Transfer Cheque	प्राप्तकर्ता / लिपिक / खजांची / Receiving Clerk / Cashier	जमाकर्ता / Deposited by RAJAT KUMAR BASU.

- The process of such deposit will begin right from the date of publication of this advertisement on 07.03.2014 and the last date of deposit of fees: 14.03.2014.

District Code	Name of the district	Districtwise A/c name with district code	SB A/c No.
01	DARJEELING	TET-2014 DARJEELING (01)	0143010333733
02	JALPAIGURI	TET-2014 JALPAIGURI (02)	0143010333771
03	COOCHBEHAR	TET-2014 COOCHBEHAR (03)	0143010333788
04	UTTAR DINAJPUR	TET-2014 UTTAR DINAJPUR (04)	0143010333856
05	DAKSHIN DINAJPUR	TET-2014 DAKSHIN DINAJPUR (05)	0143010333900
06	MALDA	TET-2014 MALDA (06)	0143010333863
07	MURSHIDABAD	TET-2014 MURSHIDABAD (07)	0143010333832
08	NADIA	TET-2014 NADIA (08)	0143010333818
09	NORTH 24-PARGANAS	TET-2014 NORTH 24 PARGANAS (09)	0143010333849
10	KOLKATA	TET-2014 KOLKATA (10)	0143010333825
11	SOUTH 24-PARGANAS	TET-2014 SOUTH 24 PARGANAS (11)	0143010333801
12	HOWRAH	TET-2014 HOWRAH (12)	0143010333795
13	HOOGHLY	TET-2014 HOOGHLY (13)	0143010333887
14	PURBAMEDINIPUR	TET-2014 PURBA MEDINIPUR (14)	0143010333870
15	PASCHIM MEDINIPUR	TET-2014 PASCHIM MEDINIPUR (15)	0143010333894
16	BANKURA	TET-2014 BANKURA (16)	0143010333917
17	PURULIA	TET-2014 PURULIA (17)	0143010333740
18	BURDWAN	TET-2014 BURDWAN (18)	0143010333757
19	BIRBHUM	TET-2014 BIRBHUM (19)	0143010333764

- Age Restriction: No age restriction for TET candidates. However age restriction in terms of the notification relating to the relevant recruitment by several Govt. and Non Govt. Agencies shall apply.
- Candidates who have lost their TET 2012 Admit Cards and have no photocopies of the same with them, may deposit fees in the district under which they have applied in TET 2012 and must produce the FIR/GDE at the Examination Hall.
- The candidates who have already confirmed their candidature online in terms of our notification on 26.02.2014 must not deposit fees. In case they are found out as depositors, both the candidatures shall be cancelled without assigning any reasons.
- Details about the allotment of venues etc. and about how to download the Admit Card will be published shortly.
- No candidate without the bank deposit challan will get the Admit Card and no duplicate Bank Deposit Challan will be issued.

Sd/- Secretary

Date: 06.03.2014

Instructions to the Centre-in-Charge for TET of Primary Teachers

West Bengal Board of Primary Education
Acharya Prafulla Chandra Bhavan
DK 7/1, Sector II, Salt Lake City, Kolkata 700 091

Date: 15.03.2013

1. Candidates will be allowed to enter the venue 30 minutes prior to the scheduled starting time of the examination. Candidates will need to be seated in their pre-assigned seats not later than 15 minutes before the scheduled starting time.
2. The Centre-in-Charge will make seating arrangements of the candidates in the centre/venue for not more than 2 (two) candidates on a bench and will engage at least 2 (two) Invigilators for not more than 50 candidates.
3. The candidates whose Form No/Roll No is within the allotted range of roll no's should be allowed on production of both the parts of the original Admit Cards with photographs, properly stamped by the designated Bank Branches.
4. The Centre-in-Charge will allow a candidate whose Roll No. falls within the allotted roll no range but is not found in the Attendance Sheet or in the Allotment Register, if he/she appears at the centre/venue with proper Admit Cards in all parts.
5. No candidate should be allowed on the basis of an FIR/Photocopy of Admit Cards.
6. Calculators, Mobile Phones or any other electronic device are not allowed in the examination hall. Any candidate found using or in possession of such device will be immediately disqualified. The devices are to be seized and handed over to the Centre-in-Charge.
7. Centres/Venues assigned are not transferable and any request to this effect should not be entertained.
8. Any candidate found guilty of any unfair practice during the examination will be immediately disqualified and will be debarred from appearing at any future examinations for recruitment under this Board.
9. The Centre-in-Charge should allow the candidates, Invigilators, Staff-members of the centre/venue and other authorized persons only.
10. Any unauthorized person should not be allowed to enter the venue.
11. Candidates are not allowed to leave the examination hall till the examination is over, and the OMR sheets and question booklets are collected and counted, and the Invigilator has given consent.

12. OMR Answer sheets and Question Booklets are packed in equal number in each sealed packet.
13. The Centre-in-Charge should distribute the OMR sheets and the question booklets serially from Packet No. 1, 2, 3 onwards till the last candidate's OMR sheet and question booklet are distributed.
14. The OMR sheets and Question Booklet will be distributed 15 minutes before the commencement of the examination, and the candidates will need to fill up the relevant information in the space provided in the OMR sheet. No other marking should be allowed till the starting of the examination. If done, that will lead to cancellation of the candidature and immediate expulsion.
15. The packet with last serial number contains the extra OMR sheets to be used for any additional requirements only.
16. The Centre-in-Charge will ignore if there is any OMR sheet which is not in continuous serial number, or missing according to serial number, and is also requested to make the deficiency in the OMR packet which does not contain full 100 sheets from the last packet containing the extra OMR sheets if required. In case of any defects in the OMR sheet i.e. printing mistake/damage/serial number not printed, the same should not be distributed to the candidates and in case distributed the same should be changed forthwith.
17. The candidate should be instructed to fill-up the attendance sheet properly and put their signatures accordingly. In case a candidate's Roll No. does not appear in the Attendance Sheets, the Centre-in-Charge should allow the candidate to put his/her signature in the blank column(s) provided at the end of the attendance sheet. The necessary details (as mentioned in the prescribed format) of such candidates should be filled in by the candidate and should be authenticated by the Invigilator.
18. The Centre-in-Charge should instruct the Invigilators to verify the signature of the candidates in the attendance sheet with the signature given in the Admit Cards and also, the photograph pasted with the appearance of the candidate. He/she should also instruct the Invigilators to put their signatures on the back of the duplicate part of the Admit Cards for authentication, which shall be collected by the Invigilators and send to the Custodian by the Centre-in-Charge in sealed packets.
19. The candidate should be instructed not to start answering till the bell for commencement of the examination rings out.
20. At the end of the Examination the Centre-in-Charge will collect the used OMR sheets and the Question Booklet separately.
21. Centre-in-Charge will then pack all the used OMR sheets serially (Roll No. sequence) in polythene packet/packets (100 OMR Sheets in one packet) and should label it properly.
22. Thereafter the packet/packets of OMR Answer Sheets shall be put into the carton/cartons

used for sending the same. Then the carton/cartons shall have to be sealed with Brown Adhesive Tape (Cello tape). Duly filled in Top Sheets as sent should be prepared in triplicate. The original should be pasted on the carton/cartons. A copy of the same should be sent along with the dispatch report.

23. The unused OMR sheets, cancelled OMR sheets, Attendance Sheets and Duplicate Admit Cards are to be packed separately and put into the carton/cartons. Specimen Signatures of the Invigilators will also be packed separately and sealed. All such packets should be labeled properly.

24. Then the Centre-in-Charge should put together: (a) the sealed carton/cartons of the used OMR sheets with Top Sheets pasted on it, (b) the sealed unused OMR sheets on it, (c) the sealed cancelled OMR sheets on it, (d) thereafter the sealed carton/cartons of the Duplicate Admit Cards, collected from the candidates (e) thereafter the sealed envelope of the Specimen Signatures of the Invigilators and the attendance sheets.

25. Thereafter all the above mentioned items should be wrapped all together with markin cloths and stitched properly and gala sealed with a sticker pasted on it which will contain the name of the Centre/Venue with Code No. and District Name & Code No. and the total No. of the used OMR sheets.

26. The Center-in-Charge will pack the used question booklets and unused question booklets separately in carton/cartons, sealed with brown cello tape or otherwise with brown paper.

27. The Centre-in-Charge should deposit all the packets to the Custodian on completion of the examination with Police escorts along with a Despatch Report.

28. A copy of the Top Sheet and dispatch report should be retained by the Centre-in-Charge.

29. Necessary seals and stamps of the Centre-in-Charge are to be made out of the Centre Grants to be placed in due course. A lump grant of Rs. 1,000/- (Rupees One thousand) only for the Centre expenses in addition to Rs. 10/- (Rupees Ten) only per candidate will be placed through the D.I./s of the respective districts.

N.B. As per the order of the School Education Department, Govt. of West Bengal (No. 15-SE(E)/Samity-46/12 dtd. 04.01.2013, the visually handicapped candidates shall be allowed to use writers in the TET, 2012, who would be students of class IX and X on recommendation and certification of competent District Level Officers.

Sd/- Dr. R.C. Bagchi
Secretary

Age for Admission of Children in Pre-Primary Class

GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
(ELEMENTARY EDUCATION BRANCH)
BIKASH BHAWAN, SALT LAKE CITY, KOLKATA-91

No. 792(76)-SE(EF)/10M-186/2010, Dated: 20.11.2012

From: A. Roy, Secretary to the Govt. of West Bengal

To: 1-19) The District Magistrate,..... (all districts)
20-38) The District inspector of Schools (PE),..... (all districts)
39-57) The Chairman, District Primary School Council, (all districts)
58-76) The District Inspector of Schools (SE),..... (all districts)

Subject: Admission of Children in Pre-Primary Class.

This is to inform that it has been decided by the State Government in School Education Department that admission of children will be started from Pre Primary class in place of class-1 from the academic Session-2013. The minimum age of admission of such children shall be 5 yrs+ as on 01.01.2013. This is further to inform you that the State Government is committed to provide universal elementary education to all children of the age of 6-14 yrs free of cost and they shall be admitted to their age appropriate classes as below:-

- (i) For Class I, the age of 6 years and above but less than 7 years of age:
- (ii) For Class II, the age of 7 years and above but less than 8 years of age:
- (iii) For Class III, the age of 8 years and above but less than 9 years of age:
- (iv) For Class IV, the age of 9 years and above but less than 10 years of age:
- (v) For Class V, the age of 10 years and above but less than 11 years of age:
- (vi) For Class VI, the age of 11 years and above but less than 12 years of age:
- (vii) For Class VII, the age of 12 years and above but less than 13 years of age:
- (viii) For Class VIII, the age of 13 years and above but less than 14 years of age.

Now, procedure of admission of the children of the aforesaid classes viz. Pre Primary class to class-VIII shall be guided by the norms as circulated vide this Deptt. No. 745-SE(EF)/10M-186/2010 dt. 06.11.2012 & 1114-SE(Law)/1A-01/09 dt. 03.07.2012

It is mentionable in this connection that all pre primary children shall be provided mid-day meal. Separate sitting arrangement should be made for them as far as practicable. If owing to paucity of space they are not accommodated separately they may sit with class-1 students. Teaching- learning process of such pre primary children shall be done by the existing teachers now and after mid-day meal they may be allowed to leave school.

However children who have completed any class at a lesser age in the same school may be allowed to proceed to the next class.

The aforesaid policy be followed in all Govt. run/ Govt. aided Schools across the State of West Bengal.

Sd/- Secretary
School Education Department

Admission of Children in Elementary Classes for Academic Session 2014

GOVERNMENT OF WEST BENGAL
ELEMENTARY EDUCATION BRANCH
BIKASH BHAWAN, SALT LAKE CITY
KOLKATA-700 091

Memo No. 1133-SE(E)/10M-186/2010

Date: 29.11.2013

MEMORANDUM

The following methodology shall be followed for admission of children in elementary classes including Pre-Primary Class in all Government Sponsored / aided Primary / Upper Primary/High/ Higher secondary schools including Model schools for the academic session-2014.

i) As per provision of RTE Act, 2009, no child or his/her parents or guardian will be subjected to any kind of screening procedure. All children from 6-14 years shall be admitted to their age appropriate classes in neighbour-hood schools and elementary education including preprimary education shall be provided to them free of cost.

ii) It has been decided that admission in elementary classes including pre-primary class shall be done through draw of lots if number of candidates seeking admission to a class is more than the number of seats available for admission.

Mode of conducting draw of lots shall be as follows:

(a) At first a general draw of lots from amongst all applicants praying for admission irrespective of category [viz. SC/ST/OBC(A)/OBC(B) etc.] is to be done to select the unreserved candidates.

(b) Thereafter a series of draw of lots from the left over applications are to be arranged category-wise to fill up the reserved seats.

Category-wise percentages of reserved seats are as below:

Scheduled Caste – 22%, Scheduled Tribe – 6%, OBC(A) – 10% OBC(B) – 7% and Children with Special Need – 3%.

It may be mentioned here in this connection that if seats reserved for SC remain unfilled by SC

candidates they may be filled by ST candidates and vice versa. However, after completion of the aforesaid exercise if more seats are available which could not be filled up due to non-availability of SC/ST candidate they should be taken in the unreserved pool. Moreover seats meant of OBC(A) & OBC(B) candidates if could not be filled up due to non-availability of OBC(A) & OBC(B) candidates will also be taken in the unreserved pool. Such unreserved seats shall be filled by candidates as per norm. For this a waiting list may be maintained in the first draw of lots as at (ii) (a) above.

iii) Children seeking admission for pre-primary class shall be 5 years of age or above and below 6 years as on 01.01.2014: All children of the age of 6-14 years shall be admitted to their age appropriate classes as below:

- (a) For Class I, the age of 6 years and above but less than 7 years of age.
- (b) For Class II, the age of 7 years and above but less than 8 years of age:
- (c) For Class III, the age of 8 years and above but less than 9 years of age:
- (d) For Class IV, the age of 9 years and above but less than 10 years of age:
- (e) For Class V, the age of 10 years and above but less than 11 years of age:
- (f) For Class VI, the age of 11- years and above but less than 12 years of age:
- (g) For Class VI, the age of 12 years and above but less than 13 years of age:
- (h) For Class VIII, the age of 13 years and above but less than 14 years of age.

However children who have completed any class at a lesser age as per prevalent rule in force at the material point of time in any school may be allowed to proceed to the next class.

iv) It has been decided that the beneficiaries of Anganwadi Centres shall be admitted to Pre-primary class/ class-1 in the Primary Schools located within a distance of one kilometre in rural areas and within half of a kilometre in urban area from the Anganwadi Centre directly and no draw of lots is required for admission of such children in Pre-primary class or class-1.

v) In case a Primary school and Upper Primary/High /Higher Secondary Schools run in the same building/premises, class-IV students of Primary School shall automatically be admitted to class-V of the Upper Primary/High /Higher Secondary School as the case may be. No draw of lots is required to be done in case of admission of such children. After admission of all such interested candidates in class-V the rest seats shall be filled up through the process of draw of lots.

vi) If however, any parent/guardian fail to get his/her ward admitted to any school through the process of draw of lots he/she may apply to the District Inspector of Schools (PE)/District Inspector of Schools (SE) as the case may be for admission of his/her ward in neighbourhood school. District Inspector (PE)/ District Inspector (SE) will arrange for admission of such children in a neighbourhood school.

vii) Sub-Inspector of Schools shall ascertain the names of students of class-IV who failed to get admission in any school through the process of draw of lots and ensure admission of all such students in class-V in neighbourhood school and send compliance report to the District Inspector of Schools (PE) within 7th February, 2014.

This may be communicated to all concerned for strict compliance.

Sd/- A. Roy
Secretary
School Education Department

Rate of New Text Books published by WBBPE for 2014

GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
(ELEMENTARY EDUCATION BRANCH)
BIKASH BHAWAN, SALT LAKE CITY, KOLKATA-91

No. 61(3)-SE(EE)/3T-4/2013

Date: 17.01.2014

From: S. C. Ghosh,
Joint Secretary, School Education Deptt.

To: 1) The Administrator, West Bengal Board of Secondary Education, Nivedita Bhawan, Korunamayee, Bidhan Nagar, Kol-91. Fax No: 2321-3812

2) The President, West Bengal Board of Primary Education, Acharya Prafulla Chandra Bhawan, DK-7/1, Sector-II, Salt Lake, Kolkata-700 091, Fax No. 2321-1202

3) The Managing Director, Saraswaty Press Ltd., 11, B.T. Road, Kolkata- 700 056, Fax: 2564-8886

Sir,

You are hereby informed that the price of books published by the WBBSE and WBBPE for the academic session, 2013 has been revised/fixed as below:-

Rate of N.T. Books for the academic year, 2014

Sl. No	Title	Price	Sl. No	Title	Price
1	Sahaj Path-I	Rs. 8.00	20	Sahitya Mela-VI	Rs.44.00
2	Araar Boi-I	Rs.80.00	21	Bloosom-VI	Rs.34.00
3	Sahai Path-II	Rs. 8.00	22	Ganit Prabha-VI	Rs.83.00
4	Amar Boi-II	Rs. 65.00	23	Bigyan-O-Paribesh-VI	Rs.52.00
5	Pata Bahar-III	Rs.36.00	24	Othit-O-Oithihyo-VI	Rs.44.00
6	AmarGanit-III	Rs. 46.00	25	Amader Prithibi-VI	Rs.39.00
7	Butter Fly-III	Rs.32.00	26	Ha-Za-Ba-Ra-La-VI	Rs.10.00
8	Amader Paribesh-III	Rs.36.00	27	Sahitya Mela-VII	Rs.34.00
9	Pata Bahar-IV	Rs.38.00	28	Bloosom-VII	Rs.30.00
10	Amar Ganit-IV	Rs.55.00	29	Ganit Prabha-VII	Rs.68.00
11	Butter Fly-IV	Rs.30.00	30	Bigyan-O-Paribesh-VII	Rs.70.00
12	Amader Paribesh-IV	Rs.38.00	31	Oth it-O-Oithjhyo-VII	Rs.40.00
13	Bhasha Path -IV	Rs.22.00	32	Amader Prithibi-VII	Rs.30.00
14	Pata Banar-V	Rs.33.00	33	Maku-VII	Rs.16.00
15	AmarGanit-V	Rs.55.00	34	Sahitya Mela-VIII	Rs.45.00
16	Butter Fly-V	Rs.32.00	35	Bloosom-VIII	Rs.30.00

17	Amader Paribesh-V	Rs.42.00	36	Ganit Prabha-VIII	Rs.55.00
18	Katum-Kutum (Pre-Pry)	Rs. 10.00	37	Bigyan-O-Paribesh-VIII	Rs.67.00
19	Bihan (Pre-Pry)	Rs. 23.00	38	Othit-O-Oithjhyo-VIII	Rs.38.00
			39	Amader Prithibi-VIII	Rs.43.00
			40	Pahter Panchali VIII	Rs.24.00

I am therefore, directed to request you to sell the aforesaid books from your sales-counter and through your authorized distributors as per rate stated above.

A notification may be issued by you immediately in this regard for wide publicity.

Yours faithfully,

Sd/- S. C. Ghosh
Joint Secretary

Modification of Curriculum and Syllabus of 2 year D. El. Ed Course

West Bengal Board of Primary Education

Acharya Prafulla Chandra Bhavan, DK-7/1, Sector-II, Salt Lake City, Kolkata – 700091

No. 923(174)/BPE/2013

Date: 26.06.2013

NOTICE

I am directed to draw the attention of all concerned to the modification of marks given under in respect of the Compulsory Optional Subjects, namely Pre-Primary Education, Social Education & Evaluation and Measurement in Primary Education in the “CURRICULUM AND SYLLABUS OF THE PRIMARY TEACHERS’ TRAINING TWO-YEAR COURSE UNDER THE ELEMENTARY TEACHER EDUCATION PROGRAMME (NCTE) LEADING TO DIPLOMA-IN EDUCATION” of the Board.

Subjects	Full Marks	Distribution of Marks as it is	Distribution of Marks after modification	
PPE Part-II	Theoretical-40 Internal-10	Teaching of Basic Skill (Page 68 in the Syllabus)		
		I	15	10
		II	6	5
		III	10	10
		IV	12	10
		V	7	5
SE Part-I	Theoretical-40 Internal-10	Concept of Society (Page-69 in the Syllabus)		
		I	14	10
		II	12	10
		III	12	10
		IV	12	10
SE Part-II	Theoretical-40 Internal-10	Concept of Society (Page-70 in the Syllabus)		
		I	6	6
		II	12	10
		III	8	6
		IV	12	10
		V	12	8
PPE Part-I	Theoretical-40 Internal-10	Nature and Important (Page-67 in the Syllabus)		

		I	8	8
		II	7	7
		III	10	10
		IV	20	10
		V	0	5
EM Part-II	Theoretical-40 Internal-10	Concept of Measurement and Evaluation (Page 72 in the Syllabus)		
		I	12	10
		II	5	5
		III	8	5
		IV	10	10
		V	15	8
EM Part-I	Theoretical-40 Internal-10	Characteristic of good test (Page 71 in the Syllabus)		
		I	8	6
		II	10	8
		III	10	10
		IV	12	10
		V	8	6

Facility of using Scribes in D.El.Ed Exam 2013

West Bengal Board of Primary Education

“Acharya Prafulla Chandra Bhavan”, DK 7/1, Sector – II, Bidhannagar, Kolkata 700091

No. 1189(19)/BPE/2013

Dated: 06.08.2013

To

The D.I/s (PE) All Districts.

Sub: Allowance of scribes to the examinees of D.El.Ed Part – I and Part – II Examinations, 2013 to be conducted by the West Bengal Board of Primary Education.

Sir,

I am directed to inform you that visually challenged and otherwise disable candidates to D.El.Ed Part – I & Part – II Examinations, 2013 who have lost completely their individual capacity of writing shall be allowed the facility of using scribes from among the persons who are currently students of class – X or below.

In such case you are hereby authorized to allow such facilities of using scribes on proper verification of the documents below:-

- 1) Admit Card
- 2) Valid PH certificate issued by the competent authority
- 3) Proof/Proofs of having enjoyed such facilities on previous occasions.
- 4) The academic standard of the scribe, duly certified by the head of the Institutions where the candidate has been studying. A passport size photograph, duly attested by the Head of the Institution shall also pasted on the certificate.

Hope, you will exercise your authority under adequate justifications.

With thanks,

Yours faithfully

Sd/- Dr. R. C. Bagchi
Secretary

ON DUTY Leave - Teachers pursuing B.Ed through ODL Mode

GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
(ELEMENTARY EDUCATION BRANCH)
BIKASH BHAWAN, SALT LAKE CITY, KOLKATA-91

No. 1042-SE(EE)/PTTI-7/2011(Pt-I)

Date: 30.10.2013

NOTIFICATION

The undersigned is directed by the order of the Governor to state that the Governor is pleased to grant "ON DUTY" to the teachers of Schools/ Madrasahs, who are pursuing B. Ed. Course through Open and distance Learning (ODL) mode conducted by Netaji Subash Open University, for their attending personal contact programme (PCP) and other academic programmes as per schedule notified by the Netaji Subash Open University provided the teacher produces certificate from the study centre as to his/her attendance to the programmes.

By order of the Governor

Sd/- S. C. Ghosh
Joint Secretary

B. Ed Training of Inservice Teacher appointed to another School

GOVERNMENT OF WEST BENGAL
ELEMENTARY EDUCATION BRANCH
BIKASH BHAWAN, SALT LAKE CITY
KOLKATA-700 091

Memo No.: 1156-SE(EE)/PTTI-7/2011(Pt-1)

Date: 06.12.2013

From: S.C. Ghosh,
Joint Secretary to Govt. of West Bengal

To: The District Inspector of Schools(SE),
Paschim Medinipur, Siksha Bhavan, 1st Floor,
PO. Medinipur, Dist: – Paschim Medinipur
PIN : 721101

Subject: Instruction for the continuance of B. Ed. Training through ODL Mode of the inservice Assistant Teacher selected for appointment to the post of Assistant Teacher in another school through S. S. C.

Ref.: Your Office memo No. 2216-S, dt. 25/11/2013

Sir,

With reference to the above I am directed to convey the following decision of the State Government in School Education Department for your compliance:

The in-service Upper Primary/High/ Higher Secondary School Teacher now undergoing B. Ed Course through ODL mode conducted by Netaji Subash Open University if appointed to another School as Assistant Teacher through Selection Test conducted by West Bengal Central School Service Commission shall be released immediately to enable him/ her join to his / her new place of posting.

It has further been decided that such teachers shall continue to pursue the training course (B.Ed.) through ODL mode till it is completed in the same institute with which he/she has been tagged by Netaji Subash Open University.

Yours faithfully,

Sd/- S. C. Ghosh
Joint Secretary

Release of Inservice Teacher pursuing B.Ed on Deputation

GOVERNMENT OF WEST BENGAL
ELEMENTARY EDUCATION BRANCH
BIKASH BHAWAN, SALT LAKE CITY
KOLKATA-700 091

No.: 7(20)-SE(E)/PTTI-7/2011 (Pt-I)

Date: 03.01.2014

From : S.C. Ghosh,
Joint Secretary to Govt. of West Bengal

To:
The District Inspector of School (SE), _____ (all districts)

In continuation of this Department No. 1156/1(24)-SE(E)/PTTI-7/2011(Pt-1) dt. 06.12.2013 I am directed to state that in-service Upper Primary/High/Higher Secondary school teachers now undergoing B. Ed. Course on deputation if appointed to another School as Assistant Teacher through selection test conducted by West Bengal Central School Service Commission, shall be released immediately to enable him/her join to his/her new place of posting. I am further directed to say that such in-service teachers shall continue to pursue the normal teacher training course (B. Ed) in their respective training institute till it is completed.

This is in supersession of all earlier orders of this Department in this regard.

Sd/- Joint Secretary

An appeal to the Reader

Your suggestion to improve this eBook is highly solicited.

Email: admin@wbxpress.com

Thank You.