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PART IV

GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 26th April, 2006

No.LL(B)88/88/138.—The Meghalaya Board of School Education (Amendment) Act, 2006 (Act No. 5 of 2006) is hereby published for general information.

MEGHALAYA ACT NO. 5 OF 2006.

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 25th April, 2006

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THE MEGHALAYA BOARD OF SCHOOL EDUCATION (AMENDMENT) ACT, 2006

An

Act

to amend the Meghalaya Board of School Education Act, 1973. [Act 10 of 1973]

Be it enacted by the Legislative Assembly of Meghalaya in the Fifty Seventh Year of the Republic of India as follows :-

- Short title and commencement** 1. [1] This Act may be called the Meghalaya Board of School [Amendment] Act 2006.
[2] It shall be deemed to have come into force on and from 19th September, 2005.
- Amendment of Section 2 of the Act 10 of 1973** 2. For clause [b] and [n] of Section 2 of the Principal Act, 1973 the following shall be substituted viz.,
- 2 [b] "Executive Chairman" means the Executive Chairman of the Board;
2 (n)(i) "Principal Director" means the Principal Director of the Board;
- 2 [n][ii] "Director Administrative Wing" means the Director in-charge Administrative Wing of the Board;
- 2 [n][iii] "Director, Accreditation and Controller of Examination", means the Director in-charge Accreditation and Controller of Examination of the Board;
- 2 [n][iv] "Director, [Regional] Shillong Office" means the Director in-charge [Regional] Shillong MBOSE Office of the Board;
- 2 [n][v] "Chief Accounts Officer", means the Chief Accounts Officer in-charge Finance Wing of the Board;

2 [n][vi] "Chief Academic Officer"/ means the Chief Academic Officer in-charge Academic Wing of the Board;

3. In Section 2 of the Principal Act 1973, the following Clause [p] shall be added as follows :-

[p] "Regional Shillong MBOSE Office" means the Regional Office of the Board at Shillong.

Insertion of new Section 3A

4. After Section 3 of the Principal Act, a new Section 3A shall be inserted namely;

"Headquarter" 3A. The Headquarter of the Board shall be located at Tura".

Amendment of Section 4 of the Act 10 of 1973 "Constitution of the Board".

5. For Section 4 of the Principal Act, 1973 the following shall be substituted, namely;

"4. [i] The Board shall consist of the following members namely;

[i] The Executive Chairman to be appointed by the State Government from amongst Academicians/Educationists of reputed or senior Civil Service Officer, with adequate experience and proven ability in administration,

[ii] Principal Director to be appointed by the Government Ex-Officio-Members:

[iii] Principal Secretary/Commissioner and Secretary, Government of Meghalaya, Education Department, Meghalaya.

[iv] Principal Secretary/Commissioner and Secretary, Finance Department, Meghalaya.

[v] Director of Higher and Technical Education, Meghalaya.

[vi] Director, Educational Research and Training, Meghalaya.

[vii] One representative of the North Eastern Hills University who should be 'reputed and experienced academician.

[viii] Members to be nominated by the Government:

[a] One Principal of a Higher Secondary School.

[b] One Principal of a College which provides +2 level of Education.

[c] Two Head Masters/Head Mistresses of Secondary Schools.

[d] Four Teachers, one each from Arts, Science, Commerce and Vocational Education Streams, of which two teachers shall be drawn from Secondary School, one from Higher Secondary School, and one from College which provides +2 level education, provided that at least two of the four teachers, thus nominated, are women.

[e] Two persons from amongst distinguished Educationists or Social Workers, one of whom shall be a woman.

(ix) Co-opted member :- The Board shall have the power to co-opt not more than one member from amongst distinguished/ Academicians and Educationists".

Amendment of Section 9 of the Act 10 of 1973 "Meetings of the Board"

6. For Section 9 of the Principal Act, 1973 the following shall be substituted, namely:-

"9[1] (i) Ordinary Meetings: The Board shall meet at least once every three months or more frequently, if necessary.

[ii] Special Meetings : The Executive Chairman, may at anytime "and shall upon the requisition made by not less than one-third of the member of the Board and on a date, not more than twenty one days of the receipt of such requisition, call a Special Meeting of the Board.

(iii) Convener of the Board's Meeting : The Principal Director shall service the Board and act as the Convener of its meetings.

[2] Twenty one days Notice shall be given for Ordinary Meetings of the Board and seven days Notice for Special Meetings".

Amendment of Section 11 of the Act 10 of 1973 "Officers of the Board"

7. For Section 11 [1] of the Principal Act, 1973 the following shall be substituted namely;

"11 [1] The following shall be the Officers of the Board who shall be appointed by the Government namely,

- [i] The Executive Chairman,
- [ii] The Principal Director,
- [iii] The Director Administration,
- [iv] The Director Accreditation and Controller of Examinations,
- [v] The Director Regional Shillong MBOSE Office,
- [vi] The Chief Accounts Officers,
- [vii] The Chief Academic Officer.

[2] The Board may appoint such other Officers and employees as it considers necessary for efficient discharge of its functions under this Act on such terms and conditions as may be determined by regulations".

Amendment of Section 13 of the Act 10 of 1973 "Power of the State Government"

[8]. For sub-section [3] of Section 13 of the Principal Act, 1973 the word "after consultation with the Board" shall be deleted.

Amendment of Section 18 of the Act 10 of 1973 "Powers and Duties of the Executive Chairman"

[9]. For Section 18 of the Principal Act, 1973 the following shall be substituted namely;

"18[1] The Executive Chairman shall be the Chief Executive Officer of the Board. ,

[2] It shall be the duty of the Executive Chairman to see that the provisions of this Act and Regulations made under it are faithfully observed and the decisions of the Board are duly implemented and he shall have all powers necessary for this purpose.

[3] The Executive Chairman shall have powers to convene meetings of the Board.

[4] When any emergency arising out of the administrative business of the Board requires, in the opinion of the Executive Chairman, that immediate action should be taken, the Executive Chairman shall take such action as he deemed necessary and report his action to the Board as at its next meeting.

(5) The Executive Chairman shall exercise all other powers as may be prescribed by Regulations".

Amendment of Section 19 of the Act 10 of 1973 "Powers and Duties of the Officers of the Board"

10. In Section 19 of the Principal Act, 1973 the following shall be substituted namely;

"19. The Principal Director, the Director Administration, the Director Accreditation and Controller of Examinations, the Director Regional Shillong MBOSE Office, Shillong, the Chief Accounts Officer, the Chief Academic Officer, shall, subject to the control of the Executive Chairman, perform such duties as may be prescribed by the Regulations".

Amendment of Section 21 of the Act 10 of 1973 "Committees of the Board"

11. In Section 21 of the Principal Act, of 1973 the following shall be substituted namely;

"21(1) The Board shall, for the purpose of carrying out its duties and functions imposed under this Act, appointed the following Committee namely;

- [i] Executive Committee [ii] Academic Committee [iii] Examination Committee [iv] General Education Committee [v] Professional and Vocational Committee and [vi] such other

Committees as may be found necessary.

[2] Every such Committee shall consist of such members of the Board and of such persons as the Board may appoint;

Provided that the Executive Committee of the Board shall consist of the following members namely;

[i] The Executive Chairman;

[ii] The Principal Director;

[iii] A representative of the State Education Department not below the rank of a Secretary

[iv] A representative of the State Finance Department not below the rank of a Secretary.

[v] The Director of Higher and Technical Education, Meghalaya.

[vi] The Director of Educational Research and Training, Meghalaya.

[vii] Two members to be nominated by the Executive Chairman from amongst

Heads of Educational Institutions which provides +2 level of Education or

Higher Secondary or Secondary Education one of which is a woman;

Provided further that any or all the Heads of the four Wings of the Board at Tura and the Regional Shillong MBOSE Office, Shillong may be invited to the meeting[s] of the Executive Committee, at the direction of the Executive Chairman"

Amendment of Section 27 of the Act 10 of 1973 "Powers of the State Government to make rules"

12. In Section 27 of the Principal Act, 1973 the following shall be substituted namely;

"27(1) The State Government may make rules for carrying out of the purpose of this Act.

[2] Notwithstanding anything contained under Section 27(1) the State Government may make rules for performance of Examination related duties by all persons appointed by the Board to perform such duties and functions".

Repeal

13. The Meghalaya Board of School Education (Amendment] Ordinance 2005 is hereby repealed.

L. M. SANGMA,

Joint Secretary to the Govt. of Meghalaya,
Law (B) Department.