

The West Bengal District School Boards Act, 1947

WEST BENGAL

India

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Act 4 of 1947

- Published on 30 December 1947
- Commenced on 30 December 1947
- [This is the version of this document from 30 December 1947.]
- [Note: The original publication document is not available and this content could not be verified.]

The West Bengal District School Boards Act, 1947 West Bengal Act 4 of 1947 [30th December, 1947.] An Act to provide for the dissolution and constitution of certain district school boards. Whereas under the award of the Boundary Commission parts of the districts of Jalpaiguri, Malda, Nadia and Dinajpur have been excluded from the Province of West Bengal; And Whereas the new districts of [Nadia] [Word substituted for the word 'Navadwip' by W.B. Act 34 of 1948.], West Dinajpur, Malda and Jalpaiguri have been constituted comprising respectively the parts of the former district of Nadia, Dinajpur, Malda and Jalpaiguri which have been included within West Bengal under the said award; And Whereas it is expedient to provide for the dissolution and constitution of certain District School Boards; It is hereby enacted as follows :-

1. Short title and commencement. -

(1) This Act may be called the West Bengal District School Boards Act, 1947. (2) It shall come into force on the date on which the West Bengal District School Boards Ordinance, 1947, ceases to operate.

2. Definition. -

In this Act, the expression "Boundary Commission" means the Boundary Commission referred to in the Indian Independence Act, 1947.

3. Dissolution of certain district school boards. -

Notwithstanding anything contained in the Bengal (Rural) Primary Education Act, 1930, on in any other law for the time being in force, on and from the date on which the award of the Boundary Commission came into force the District School Boards of the districts of Nadia, Dinajpur, Malda and Jalpaiguri constituted under the said Act shall be deemed to have been dissolved and every member of each such board shall be deemed to have ceased to hold office as such member in so far

as such boards had authority over any area included within West Bengal under the said award.

4. Constitution of certain district school boards. -

(1)Notwithstanding anything contained in the Bengal (Rural) Primary Education Act, 1930, or in any other law for the time being in force, the [State] [Word substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may, by notification in the Official Gazette, constitute District Boards of the districts of [Nadia] [Word substituted for the word 'Navadwip' by W.B. Act 34 of 1948.], West Dinajpur, Malda and Jalpaiguri in such manner and consisting of such number of members as it may determine in this behalf.(2)The district school boards constituted under sub-section (1) shall be deemed to have been constituted on and from the date on which the award of the Boundary Commission came into force.

5. Term of office of members. -

The [State] [Word substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may, by notification in the Official Gazette, fix the term of office of members of the District School Boards constituted under section 4 for such period as the [State] [Word substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may think proper.

5A. [Reconstitution of certain District School Boards in accordance with the provisions of Bengal Act. 7 of 1930. -] [Section 5A inserted by W.B. Act 15 of 1949.] The [State] [Word substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government may, if it so thinks fit, by notification in the Official Gazette, direct that on the expiration of the term of office of members of the District School Boards constituted under section 4, the said District School Boards shall be reconstituted in accordance with the provisions of the Bengal (Rural) Primary Education Act, 1930, and for the purpose of such reconstitution, the members of the said Boards shall be elected and appointed, before the expiry of the term of office of the members of the District School Boards constituted under section 4, in accordance with the provisions of the Bengal (Rural) Primary Education Act, 1930, and the rules framed thereunder and the persons, who ceased to hold their offices under section 3 shall not be deemed disqualified for such election or appointment if they are otherwise qualified therefor :

Provided that such of the provisions of the Bengal (Rural) Primary Education Act, 1930, as are specially applicable to the constitution of the District School Boards for the first or second term shall not apply.

6. Savings. -

Any regulations made or directions issued or anything done or any action taken or any suit instituted or any proceedings commenced by or against the District School Boards dissolved under section 3 in relation to the areas comprised in the districts of [Nadia] [Word substituted for the word 'Navadwip' by W.B. Act 34 of 1948.], West Dinajpur, Malda and Jalpaiguri before the publication of the notification constituting the District School Boards of the said districts under subsection (1) of section 4 shall be deemed to have been made, issued, done, taken, instituted or commenced, as the case may be, by or against the respective District School Boards as so constituted as if such Boards had been constituted and were in existence at the time when such regulations were made, directions issued, thing done, action taken, suit instituted or proceedings commenced.

7. Continuance of action taken under West Bengal Ordinance 12 of 1947. -

Any notification issued or anything done or any action taken in exercise of any power conferred by the West Bengal District School Boards Ordinance, 1947, shall, on the said Ordinance ceasing to be in operation, be deemed to have been issued, done or taken in exercise of the powers conferred by this Act as if this Act had commenced on the 6th day of November, 1947.