

The Sri Ramkrishna Sarada Vidya Mahapitha Act, 1973

WEST BENGAL

India

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Act 19 of 1973

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The Sri Ramkrishna Sarada Vidya Mahapitha Act, 1973 West Bengal Act 19 of 1973 [5th April, 1973.] Assent of the President first published in the Calcutta Gazette, Extraordinary, dated the 5th April, 1973. An Act to make better provision for the control, management and maintenance of the institution known as the Sri Ramkrishna Sarada Vidya Mahapitha at Kamarpukur, Hooghly, with a view to promoting education and to take over for that purpose for a limited period the management of all the property belonging to the said institution or held for the benefit thereof. Whereas it is expedient in the public interest to make better provision for the control, management and maintenance of the institution known as the Sri Ramkrishna Sarada Vidya Mahapitha at Kamarpukur, Hooghly, with a view to promoting education and to take over for that purpose for a limited period the management of all the property belonging to the said institution or held for the benefit thereof; It is hereby enacted as follows :-

1. Short title.

- This Act may be called the Sri Ramkrishna Sarada Vidya Mahapitha Act, 1973.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "appointed day" means the date of the order made under section 3; (b) "the institution" means the Sri Ramkrishna Sarada Vidya Mahapitha at Kamarpukur, Hooghly, and includes all lecture rooms, laboratories, libraries, hostels and boarding houses used in connection with or as accessories to or adjuncts of the said Mahapitha.

3. State Government to take over the management and control of the institution.

- The State Government may, by an order in writing, take over the management and control of the institution.

4. [Power of the Administrator. [[Section 4 Substituted by W.B. Act 27 of 1973, which was earlier as under :-

'4. Transfer. - With effect from the appointed day and for a period of two year thereafter -(1)the institution together with -(a)all lands thereof and appurtenant thereto and all buildings, erections and fixtures on such lands,(b)all furniture, equipments stores, moneys and other assets of the institution, and(c)all other properties of the institution which immediately before the appointed day vested in the Anur Jana Shiksha Samsad, a society registered under the Societies Registration Act, 1860,shall stand transferred to the State Government and shall remain under the control and management of the State Government;(2)any deed of gift, endowment, bequest or trust relating to any of the properties referred to in sub-clause (c) of clause (1) shall be construed as if it was executed in favour of the State Government;(3)all contracts, debts and liabilities of the institution shall be deemed to be contracts, debts and liabilities of the State Government;(4)any power or authority granted to any person either as a trustee or otherwise by any trust or other deed shall vest in the State Government;(5)all persons in charge of the management of institution immediately before the appointed day including the members of the Governing Body of the institution shall be deemed to have vacated their offices;(6)the institution shall be run by the State Government as a State institution.'.] - With effect from the appointed day and for a period of [eight years] thereafter the Administrator appointed under section 6 have all the powers of management and control in relation to the institution together with -(a)all lands thereof and appurtenant thereto and all buildings, erections and fixtures on such lands,(b)all furniture, equipments, stores, moneys and other assets of the institution, and(c)all other properties of the institution which immediately before the appointed day vested in the Anur Jana Shiksha Samsad, a society registered under the Societies Registration Act, 1860.]

5. [Use of properties under the management and control of the State Government. [[Section 5 Substituted by W.B. Act 27 of 1973, which was earlier as under :-

'5. Use of properties transferred to the State Government - All properties transferred to the State Government under this Act shall be used for the purposes for which they were being used immediately before the appointed day.'.] - All properties which remain under the management and control of the State Government under this Act shall be used for the purposes for which they were being used immediately before the appointed day and upon the expiry of the period of [eight years] the management and control of such properties shall revert to the Anur Jana Shiksha Samsad.]

6. Administrator.

- The State Government shall, by an order in writing, appoint an officer not below the rank of a Deputy Collector or a lecturer of not less than five years' standing in any College affiliated either to the Calcutta or to the Burdwan University (hereinafter referred to as the Administrator) for managing the institution in accordance with the provisions of this Act and the rules made thereunder.

7. Removal of 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 this Act as may be necessary for the removal of the difficulty.

8. Power to make rules.

(1)The State Government may 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 -(a)the management of the institution;(b)the terms and conditions of service of the Administrator and other persons employed in the institution.(3)Until such rules are made under clause (b) of sub-section (2), persons employed in the institution shall continue to remain under the terms and conditions of service in force immediately before the appointed day.