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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**

**School Education Department**

**Primary Branch**

**NOTIFICATION**

No. 269-SE(P)/10M-06/2009 dated 19.05.2009.— The following draft of amendments, which the Governor, in exercise of the power conferred by sub-section (1) and clause (k) of sub-section (2) of section 106, read with clause (k) 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), proposes to make in the West Bengal Primary School Teacher Recruitment Rules, 2001, as subsequently amended (hereinafter referred to as the said rules), is hereby published for the information of persons likely to be affected thereby.

The draft will be taken into consideration on or after the expiry of a period of fifteen days from the date of its publication in the *Official Gazette* and any objection or suggestion with respect thereto, which may be received by the undersigned before the said date, shall be duly considered:—

**Draft amendments**

In the said rules,—

(1) in rule 2, after clause (j), insert the following clause:—

(jj) “non-teaching staff” shall mean the Librarian, or clerk, or peon, or Laboratory attendant, as the case may be;’;

(2) rule 14 shall be renumbered as sub-rule (1) of that rule and in sub-rule (1), so renumbered,—

(b) in the *Explanation*, for the words and figures “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”, substitute the words and figures “and 40% of family pension of the first seven years or upon the attainment of sixty-seven years of age of the deceased teacher or the non-teaching staff, as the case may be, had he been alive”;

(c) after sub-section (4), insert the following sub-section:—

“(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.”

(3) after rule 14, insert the following rule.—

**“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.”;

By order of the Governor,

K JOHN KOSHY,  
Additional Chief Secretary to the Govt. of West Bengal.