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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

**(Secondary Branch)**

**NOTIFICATION**

No. 829-SE (P)/P/10M-6/09 (Pt).- 21<sup>st</sup> December, 2011.— 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 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 Teachers Recruitment Rules, 2001, published in the *Kolkata Gazette, Extraordinary*, under notification No. 57-SE (Pry)/10R-1/91, dated the 15th January, 2002 (hereinafter referred to as the said rules), for the purposes of clause (k) of sub-section (1) of section 60 of the said Act, is hereby published, as required by sub-section (1) of section 106 of the said Act, 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 thirty 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 amendment*

In the said rules, —

- (1) in rule 2, omit clause (h);
- (2) for rule 6, substitute the following rule:—

“6. **Qualifications.** — (1) No person shall be appointed by the Council as a teacher unless he -

- (a) is a citizen of India;
  - (b) has completed the age of 18 years and not exceeds the age of 40 years on the first day of the January of the year of recruitment; and
  - (c) possesses the educational qualifications as mentioned in sub-rule (2).
- (2) The educational qualifications for the post of teacher shall be —

- (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); and
- (f) Pass in Teacher Eligibility Test (TET) to be conducted by an authority under the State Government in accordance with Guidelines framed by the NCTE for the purpose.

*Note 1.*—A person with Graduation with at least 50% marks and B Ed. Qualification or Graduation with at least 45% marks and 1-year Bachelor of Education (B.Ed) in accordance with the NCTE (Recognition Norms and Procedure) Regulations issued from time to time in this regard shall also be eligible for appointment upto January, 2012 provided he /she undergoes after appointment, an NCTE Recognised six month special programme in Elementary Education recognised by the National Council for Teacher Education (NCTE).

*Note 2.*—A person with D.Ed. (Special Education) or B.Ed. (Special Education) qualification shall, after appointment, undergo six month special programme in Elementary Education recognised by the National Council for Teacher Education (NCTE).

*Note 3.*—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 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 2 years from the year of appointment.

*Note 4.*—Priority mentioned in sub-rule (7) rule 9, shall be given to the eligible candidates who possess the minimum qualifications as specified in sub-rule (2) of rule 6.

*Note 5.*—For the purposes of this rule, —

- (a) a diploma or degree course 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 6.*—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.

*Note 7.*—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 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 8.*—The equivalent of Madhyamik certificate means the said certificate issuing authority must 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 must 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 candidate must have studied and obtained Madhyamik Pass Certificate or equivalent with Mathematics as a subject.

*Note 10.*—The decision of State Government on the question of equivalence for the purpose of sub-rule (2) of rule 6 shall be final.

*Note 11.*— Candidates belonging to reserved categories SC/ST/OBC/PH shall be allowed relaxation upto 5% in the qualifying marks.

*Note 12.*— 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 academic and professional qualifications for such categories 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 1<sup>st</sup> day January of the year of the advertisement shall be considered.

*Note 13.*— The reservation quota for the candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Exempted categories, ex Service men and for physically handicapped 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 Government order.

Provided that in case the notification as mention in Note 12 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.

*Note 14.*— 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.”;

(3) for rule 8, *substitute* the following rule:—

**“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 also that the Government may direct to notify the vacancies centrally taking together all the vacancies in such manner as it may consider necessary.

(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.”;

(4) for rule 9, substitute the following rule:—

“**Procedure of Selection.** – (1) The Selection Committee shall, after prima facie scrutiny of the duly filled application forms submitted by the eligible candidates having minimum academic qualification as per rule above shall call for Teacher Eligibility Test (TET) in the form of written test;

(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 scores 60% or more in the TET exam shall be considered as TET pass provided relaxation upto 5% marks shall be allowed to the candidates belonging to the reserved categories, such as SC/ST/OBC/PH;

(3) The Selection Committee thereafter shall prepare a merit list of candidates to be called for the interview in the ratio of 1:2 of the total number of vacancies upon giving weightage of 95 marks as per norms of marking:—

(a) there shall be 100 marks in total as full marks;

(b) out of 100 marks, 95 marks shall be computed and allotted in the following manner :—

(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 or its equivalent	25
(iii)	Training as prescribed in sub-rule (2) of rule 6.	20
(iv)	Teacher Eligibility Test (TET)	40
	Total	95
(v)	The remaining 05 (five) marks shall be allotted for interview.	100

(c) marks shall be given for items (i), (ii) and (iii) of clause (b), in the manner mentioned herein below:—

SL No.	Examinations passed	Full Marks 95	Awarded Marks					below 60%
			90% and above	80% and above but below 90%	70% and above but below 80%	60% and above but below 70%	50% and above but below 60%	
1.	Madhyamik pass under the West Bengal Board of Secondary Education or its equivalent	10	10	09	08	07	05	03
2.	Higher Secondary pass under the West Bengal Council of Higher or its equivalent	25	25	20	17	15	10	[in case of the reserved candidates or graduates as the case may be ] 05
3.	Teacher Eligibility Test (TET)	40	40	35	30	25		[55% and above but below 60%] 20  [Only for SC/ST/OBC/PH candidates]
4	Training as prescribed in sub-rule (2) of rule 6.	20	[70% and above] 20			[50% and above but below 70%] 17		Below 50%  15

(4) (a) The Selection Committee thereafter shall prepare a merit list of candidates for interview under Unreserved Category comprising of the names of the candidate of General, Scheduled Castes, Scheduled Tribes, OBC Category – A and OBC Category – B candidates qualifying on merit for appointment against unreserved vacancy and shall be arranged serially according to their merit;

(b) Thereafter, the Selection Committee shall prepare separate merit panels for Scheduled Castes, Scheduled Tribes, OBC Category –A and OBC Category – B candidates in the respective category as per statutory reservation rules, from amongst the remaining candidates of such categories;

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

(5) After interview, all marks (out of 100) obtained by a candidate for academic qualification, training, TET and interview shall be added up and names of candidates shall be arranged in a descending order according to the total marks obtained;

(6) The Final merit list for appointment of primary school teacher shall be prepared by the concerned District Primary School Council in accordance with the provisions of clauses (a) to (c) of sub-rule (4):

Provided that 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 (4):

Provided further that additional panel of Unreserved Category shall not include the candidates belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes category:

Provided also that in case of non-availability of suitable qualified Exempted category, candidates belonging to General, Scheduled Castes, Scheduled Tribes and Other Backward Classes and Physically Handicapped, the said vacancy of Exempted Category candidate shall be filled up by a non-exempted category candidate belonging to General, Scheduled Castes, Scheduled Tribes, Other Backward Classes and Physically Handicapped, 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;

(7) While preparing final merit list for any category for appointment to the post of primary school teachers of the concerned District Primary School Council, the marks of the untrained candidates become equal with that of the trained candidates, the trained candidates shall be given preference to the said untrained candidates having obtained equal marks;

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

By order of the Governor,

VIKRAM SEN  
*Secy. to the Govt. of West Bengal.*