

**GOVERNMENT OF WEST BENGAL**  
**West Bengal Council of Higher Secondary Education**

*NOTIFICATION*

No. 184/SE(HS)/8C-2/99, the 11th October, 2006. - In exercise of the power conferred by clauses (g), (h), (i), (j) and (k) of sub-section (2), *read* with sub-section (3), of Section 21 of the West Bengal Council of Higher Secondary Education Act, 1975 (West Ben. Act VIII of 1975), the West Bengal Council of Higher Secondary Education, with the approval of the State Government, hereby makes the following regulations :—

*REGULATIONS*

**1. Short title and commencement.**

(1) These regulations may be called the West Bengal Council of Higher Secondary Education (Examination) Regulations, 2006.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

**2. Definitions.**

(1) In these regulations, unless there is anything repugnant in the subject or context –

(a) “Act” means the West Bengal Council of Higher Secondary Education Act, 1975 (West Bengal Act VIII of 1975);

(b) “Annual Examination” means the examination instituted by the Council on the basis of curriculum of Higher Secondary Course covered in Class XI and conducted by the institution;

- (c) “answer-script” means the answer-script supplied by the Council bearing facsimile of the Centre-in-Charge, on which the candidate writes his answers in the examination hall at the time of Higher Secondary Examination;
- (d) “candidate” means a student who is registered and subsequently enrolled by the Council to appear in the examination conducted by it in accordance with the provisions of these regulations after pursuing a study in Higher Secondary Course;
- (e) “centre” means an examination centre approved by the Council for holding examination;
- (f) “compulsory elective subject” has the same meaning as in the West Bengal Council of Higher Secondary Education (Admission and Allied Matters) Regulations, 2006;
- (g) “compulsory subject” means, –
- (i) two language subjects and three compulsory elective subjects, as specified in Schedule II and Schedule III, respectively, of the West Bengal Council of Higher Secondary Education (Admission and Allied Matters) Regulations, 2006, and
  - (ii) one subject on Environmental Education;
- (h) “Continuing candidate” means a regular candidate who fulfils the conditions specified in regulation 7 or a special candidate, who opt to sit in the Higher Secondary Examination as a continuing candidate;
- (i) “Council” means the West Bengal Council of Higher Secondary Education established under section 3 of the Act;
- (j) “examination” means, –
- (i) the Annual Examination, and
  - (ii) the Higher Secondary Examination;
- (k) “examination personnel” means the examination personnel appointed by the Council under regulation 14;



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- (l) "fee" means the fees specified in regulation 11;
- (m) "Higher Secondary Examination" means the Higher Secondary Examination instituted by the Council at the end of Class XII on the basis of curriculum of Higher Secondary Course covered in Class XII and conducted by it at different centres;
- (n) "Higher Secondary Course" has the same meaning as in the West Bengal Council of Higher Secondary Education (Admission and Allied Matters) Regulations, 2006;
- (o) "optional elective subject" has the same meaning as in the West Bengal Council of Higher Secondary Education (Admission and Allied Matters) Regulations, 2006;
- (p) "recognised Institution" means an Institution recognised by the Council under the provisions of the Act;
- (q) "regular candidate" means a candidate who fulfils the conditions specified in regulation 6;
- (r) "registration number" has the same meaning as in the West Bengal Council of Higher Secondary Education (Admission and Allied Matters) Regulations, 2006;
- (s) "remuneration" means such amount of money as may be payable to examination personnel for services rendered by such personnel individually or jointly with others and includes honorarium;
- (t) "special candidate" means a regular candidate who fulfils the conditions specified in regulation 8;
- (u) "Test Examination" means the qualifying examination to be held by a recognised Institution at the end of academic session of Class XII which a student is to pass in order to sit for the Higher Secondary Examination;
- (v) "Venue" means an Institution or any other place allocated by the Council within a centre, where a candidate sits to write his examination.

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(2) The words and expressions used in these regulations but not defined shall have the same meanings as assigned to them in the Act.

**3. Examination.**

(1) The Council shall conduct –

(a) the Annual Examination to be held at the end of academic sessions of Class XI of the Higher Secondary Course; and

(b) the Higher Secondary Examination to be held at the end of academic sessions of Class XII of the Higher Secondary Course.

(2) The schedule for examination shall be prepared and circulated by the Council in such form and through such medium as the Council may determine from time to time.

(3) The examination shall be held within such centre and at such venues as may be allocated by the Council for the purpose:

Provided that the Council may, if it considers necessary, change the venue for examination.

**4. Annual Examination.**

(1) A candidate shall have to appear and pass each and every subject in the Annual Examination.

(2) The question papers of the Annual Examination shall be prepared by the Council.

(3) The assessment of answer scripts of the Annual Examination and the result thereof shall be published by the respective institution in accordance with the provisions of these regulations.

**5. Higher Secondary Examination.**

(1) The Higher Secondary Examination shall be conducted by the Council in accordance with the provisions of these regulations.

(2) The results of the Higher Secondary Examination shall be published in such form, and through such mode, as may be considered necessary from time to time by the Council.

**6. Eligibility to appear in Higher Secondary Examination as regular candidate.**

A candidate must fulfil the following conditions to be eligible for appearing in the Higher Secondary Examination as regular candidate :-

- (a) he must have obtained the registration number from the Council after fulfilling the conditions laid down in the West Bengal Council of Higher Secondary Education (Admission and Allied matters) Regulations, 2006;
- (b) he must have passed the Annual Examination at the end of academic sessions of Class XI of the Higher Secondary Course;
- (c) he must have passed the Test Examination corresponding to the Higher Secondary Examination;
- (d) he must have attended not less than seventy *per centum* of the total Classes in Class XI and Class XII separately held during that course prior to commencement of the examination;

Provided that the Council, upon payment of such fee as may be determined by it, may condone any deficiency not exceeding twenty *per centum* in the attendance on the ground of illness or any other sufficient reason:

Provided further that a student, whose attendance falls below fifty *per centum*, shall not be eligible under any circumstances to appear at the examination in that year and shall have to attend Classes in Class XI or Class XII, as the case may be, till he obtains minimum percentage of attendance required for the purpose in respective classes.

**7. Eligibility to appear in Higher Secondary Examination as continuing candidate.**

- (1) A candidate, who fulfils the conditions specified in sub-regulation
- (2) shall be entitled to appear in the Higher Secondary Examination as a continuing candidate till he passes such Examination or in four subsequent Higher Secondary Examinations, whichever is earlier :



Provided that a continuing candidate, who has offered a subject consisting of theoretical and practical paper should attend practical classes on the subject in the Institution from where he has passed the Test Examination, for a period of not less than three months before appearing at the Higher Secondary Examination:

Provided further that a continuing candidate offering four elective subjects may interchange any one of the three compulsory elective subjects with the optional elective subject at the time of submission of his enrolment form as continuing candidate.

(2) A candidate must fulfil the following conditions to be eligible for appearing in the Higher Secondary Examination as continuing candidate :-

(a) he must have enrolled for the Higher Secondary Examination of previous years as regular candidate, but did not appear or failed in more than two compulsory subjects;

(b) he must have submitted the enrolment form to sit in the subsequent Higher Secondary Examination as continuing candidate and paid the necessary fees thereof to the Council through his institution on or before the last date as may be announced from time to time by the Council.

**8. Eligibility to appear in Higher Secondary Examination as special candidate.**

(1) A candidate, who fulfils the conditions specified in sub-regulation (2) shall be entitled to appear in the Higher Secondary Examination as a special candidate till he passes in such Examination or in four subsequent Higher Secondary Examination, whichever is earlier:

Provided that a special candidate may, if he desires to do so, enroll himself, and appear in the examination, as a continuing candidate by choosing the same subjects, which he had offered in the previous examination:

Provided that a special candidate, who has offered a subject consisting of theoretical and practical paper should attend practical classes on the subject in the institution from where he was first sent up, for a period of not less than three months before appearing at the Higher Secondary Examination.



(2) A special candidate must fulfil the following conditions to be eligible for appearing in the Higher Secondary Examination :-

(a) he must have enrolled for any Higher Secondary Examination of previous years, but appeared in maximum of two compulsory subjects or failed in maximum of two compulsory subjects;

(b) he must have submitted the enrolment form to sit in the subsequent Higher Secondary Examination as special candidate and paid the necessary fees thereof to the Council through his institution on or before the last date as may be announced from time to time by the Council.

(3) Notwithstanding anything contrary contained in any other provisions of these regulations, for finalising the result of a special candidate, the pass marks obtained by a special candidate in a subject, in the Higher Secondary Examination in which he is appearing, shall be taken into account along with the marks obtained by him in the subjects, in which he has already passed in the previous Higher Secondary Examination.

**9. Option of changing compulsory elective subject as compulsory optional subject etc.**

(1) If a candidate fails to obtain minimum pass marks in any compulsory subject excepting Environmental Education for the reasons of deficiency of less than five *per centum* of full marks, he shall, to make up the deficiency in the compulsory subject, be given credit by transfer of marks from the highest marks obtained by him in a compulsory subject excepting Environmental Education.

(2) Notwithstanding anything contained in regulations 6, 7 and 8, a regular candidate or continuing candidate or special candidate who cannot be declared passed in the examination by reason of his -

(a) not appearing in the examination of a compulsory elective subject, or

(b) failure in obtaining the minimum pass marks in a compulsory elective subject, but has obtained the minimum pass marks in the

optional elective subject, shall be declared passed by giving him the benefit of interchanging the compulsory elective subject as the optional elective subject and *vice versa* :

Provided that if a candidate does not, for any reason, intend to take the benefit of interchanging the subjects, he shall, through his institution, intimate his intention as such, and surrender his mark-sheet for necessary correction therein, to the Council within thirty days from the date of publication of results.

**10. Enrolment of student in Higher Secondary Examination.**

(1) A student shall be eligible to enrol himself as a candidate for Higher Secondary Examination after he obtains the registration number from the Council through a recognised Institution :

Provided that a regular candidate may also be eligible to enrol himself as continuing candidate or a special candidate for Higher Secondary Examination after declaration of the results of the Higher Secondary Examination, in which he has appeared.

(2) A student must submit the enrolment form, supplied by the Council for the purpose, together with the necessary examination fee to the Council through his Institution on or before the last date of submission of application forms as may be announced and intimated to all concerned through such medium as the Council may determine.

(3) Every Head of a recognised Institution or, in his absence, the Teacher-in-charge shall verify with its records, the signature and other particulars of a regular candidate, or continuing candidate, or special candidate, given in the enrolment form.

(4) Every Head of a recognised Institution or, in his absence, the Teacher-in-charge shall, within the last day of submission of enrolment form, remit to the Council through a bank draft favouring "West Bengal Council of Higher Secondary Education" payable at "Kolkata", or "Burdwan", or "Medinipore" or "Siliguri", as the case may be, a consolidated sum representing total examination fee received from the students accompanied with the enrolment form of the candidate under certification as to eligibility and other related paper specified for the purpose by the Council.



## **11. Fees.**

(1) The candidate shall pay such examination fee as may be determined by the Council from time to time with the concurrence of the State Department of School Education and the Council shall announce the rates of fee through circulars or notifications:

Provided that a sightless candidate shall be exempted from payment of the examination fee as aforesaid, as also the fee for payment to the amanuensis, if any, appointed by the Council to assist the candidate.

*Explanation I.* – For the purpose of this regulation “sightless candidate” means a candidate who has been certified by the Head of the Department of Ophthalmology of a Government hospital as totally sightless.

*Explanation II.* – For the purpose of this regulation “amanuensis” means, –

(a) in case of Annual Examination, a person having qualifications not higher than Class X, who has been appointed by the respective head of the Institution, and

(b) in case of Higher Secondary Examination, a person having qualification not higher than Class XI, who has been appointed by the Council,

to write answers in the examination on behalf of a candidate declared by the Council to be eligible for taking as amanuensis because of his physical incapacity;

(2) The head of recognised Institution shall collect a centre fee from the candidate appearing at the examination at such rates as may be determined by the Council from time to time.

## **12. Admit card.**

The Council shall, on receipt of the duly filled in application for enrolment along with the examination fees under sub-regulation (3) of regulation 10 and upon satisfied with the eligibility of the candidate pertaining to the Higher Secondary Examination, issue, through his Institution, an admit card enabling him to appear in the Higher Secondary Examination.

**13. Refusal or withdrawal of permission.**

Where the Council is of the opinion that any candidate intending to appear, or appearing, at the examination –

(a) has not fulfilled any condition necessary for the purpose of the examination, or

(b) has suppressed any material fact in relation to the examination,

it may, after giving the candidate an opportunity of being heard, refuse to grant permission to appear in the examination or may withdraw, at any time, the permission granted to such candidate.

**14. Examination personnel.**

(1) The Council may appoint following examination personnel for conduct of examination, namely :-

(i) Centre-in-charge;

(ii) Centre Secretary;

(iii) Venue Supervisor;

(iv) Invigilator;

(v) Head examiner;

(vi) Examiner;

(vii) Custodian of confidential papers;

(viii) Moderator;

(ix) Paper setter;

(x) Scrutineer;

(xi) Tabulator; and

(xii) such other personnel as the Council may consider necessary.



(2) The examination personnel shall discharge such duties and perform such functions as may be determined by the Examination Committee of the Council in its meeting.

(3) Names of the examination personnel so appointed shall be a matter of strict confidence and shall not be disclosed to any candidate, his parents and his Institution.

(4) The Council shall have right to cancel the appointment of any examination personnel at any time in the interest of smooth conduct of examination or publication of results thereof.

(5) The Council shall pay remuneration and conveyance charges to the examination personnel at such rates as may be determined by it from time to time.

**15. Centre Team and Centre Grant.**

(1) The Council may constitute a Centre Team for performing such duties for holding examinations in the centre as the Council may decide from time to time.

(2) The Council shall release to the centre a fund to be known as Centre Grant at such rate as may be approved by the Council for theoretical and practical examination.

**16. Hour of examination.**

(1) Each examination in theoretical paper shall be of three hours duration:

Provided that the examination of theoretical paper in Environmental Education, Music or Fine Arts and Crafts shall be of one and half hours duration.

(2) Each examination in practical paper shall be of such duration as may be determined by the Council.

**17. Bar to use electronic device.**

No digital diary, mobile or pager may be allowed during an examination.

**18. Misconduct or malpractices.**

A candidate shall be held guilty of misconduct, if he –

- (a) is found to be in possession inside the examination hall, of any book page or pages of book or scribbling or written notes or any other incriminating papers that may have bearing on the subject, in which a candidate is appearing irrespective of whether such books, papers or notes or scribbling are used or not;
- (b) is found to be in possession of any question paper or any other paper containing relevant answer or answers written on it;
- (c) helps any other candidate by writing the answers on his answer script or allows another candidate to write answer in his own answer script;
- (d) helps in any manner or tries to obtain any help in any manner from any other candidate or any other person;
- (e) communicates with another candidate or any other person whether inside or outside the examination hall for helping him in answering questions;
- (f) falsely writes his name, roll and number in his answer scripts, or distorts his name, roll and number or registration number in his answer scripts;
- (g) by any manner obstructs the Venue Supervisor or any other examination personnel engaged by him or any other person in the discharge of their functions and duties or visiting team appointed by the Council to supervise the examination;
- (h) offers illegal gratification to the invigilator or other persons connected with the examination;
- (i) indulges in any kind of misbehavior or misdemeanour or intimidates, or assaults or attempts to intimidate or assault an invigilator or any other person connected with the examination, either inside or outside the examination hall or refuses to comply with the orders of the centre superintendent or invigilator regarding seating arrangements or with any other requirements in the examination hall, including destruction or damage of property of the examination hall or the institution concerned;



- (j) leaves the examination hall without submitting the answer papers to the invigilator of the room or any other authorised person or submits mutilated answer script;
- (k) leaves the examination hall with the answer scripts or carries from the examination hall the question paper during the hours of examination or possesses the question paper out of the examination hall during the hours of examination;
- (l) leaves the examination hall before the expiry of an hour from the commencement of the examination;
- (m) leaves the examination hall without recording his attendance on the attendance roll;
- (n) allows himself to be impersonated by another person in the examination hall;
- (o) discloses his identity in any manner other than that provided in the answer script;
- (p) encloses a currency note with an answer script with the intention of offering illegal gratification or inducements to the invigilator or other persons connected with the examination or, in any way tries to take illegal or unfair advantages;
- (q) is found indulging in indecorous writings or indecorous drawings or political slogans in the answer book of the candidate;
- (r) attempts to violate any other provisions of these regulations.

**19. Constitution and function of Malpractice and Misconduct Enquiry Committee.**

(1) The Council shall constitute a Malpractice and Misconduct Enquiry Committee (hereinafter referred to as the Enquiry Committee) consisting of not more than three members.

(2) Where a candidate is reported to the Council to be guilty of committing any misconduct specified in regulation 18 or breach of discipline in connection with the examination, the President may, after taking into account the gravity and circumstances of the case, take such action as he thinks fit or refer the case for enquiry by the Enquiry Committee.

(3) The Enquiry Committee shall enquire into the case so referred to it by giving the candidate an opportunity of being heard, and after considering his reply to the charge against him take such evidence as it may deem necessary.

(4) The Enquiry Committee shall submit its report to the President containing its findings and recommend actions on the basis of its findings which may include cancellation of the examination at which the candidate appeared or withholding of permission for appearing at any subsequent examination or examinations, or any other punishment.

(5) On receipt of the report against the candidate, the President of the Council shall place the findings of the Enquiry Committee before the Council at its next meeting.

(6) The decision of the Council thereon shall be final and binding on the candidate.

## **20. Method of assessment.**

(1) The method of assessment of answer scripts shall be numerical, that is to say, the assessment shall be made in terms of marks to be awarded by examiners.

(2) Examination on practical papers of any subject shall be assessed by the examiners appointed for the purpose of practical examination, but such scripts shall be finally assessed by the concerned head examiners, who shall confirm the marks.

(3) The Council shall award the grade and classification thereof to the candidate on the basis of marks obtained by him corresponding to the range of marks shown in the Table below :-

TABLE

Range of Marks	Grade	Classification
(1)	(2)	(3)
80 to 100	A+	Excellent
60 to 79	A	Very good
45 to 59	B	Good
30 to 44	C	Satisfactory
below 30	D	Disqualified



(4) In order to be declared pass in any examination, a candidate must obtain a minimum of thirty *per centum* marks in compulsory subjects :

Provided that if the examination on any subject consists of theoretical paper and practical paper or project work thereon, the candidate shall, in order to be declared pass in the subjects, have to score thirty *per centum* marks in theoretical paper and practical paper or project work thereon separately :

Provided also that notwithstanding anything contained in the first proviso, a candidate shall, in order to be declared pass in the subject on Environmental Education, have to score thirty *per centum* marks in theoretical paper and project work thereon taken together.

#### **21. Provision for post publication scrutiny.**

(1) A candidate may, within fifteen days from the date of publication of results under regulation 21, apply through the Head of his Institution for post publication scrutiny of one or more of his answer scripts of the particular examination.

(2) The duly filled in applications for post publication scrutiny along with the fee, as may be determined by the Council for the purpose, must be forwarded by the Head of his Institution to the Council as soon as it has received from the candidate so as to reach the same to the Council within twenty days from the date of publication of the result.

(3) An incomplete or incorrect application for post publication scrutiny shall summarily be rejected by the Council and no enquiry or correspondence shall be entertained in this behalf.

(4) The scope of post publication scrutiny shall be confined to the following matters only :-

- (a) to checking whether all the pages of the answer script, including the loose sheet or additional sheet attached thereto, are intact ;
- (b) whether all the answers in the answer script have been assigned marks (being one denoted as zero or otherwise); and
- (c) whether there has been any mistake in striking sub-total, total and grand total of the marks, including in transferring or quoting such sub-total and grand total.

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(5) Neither the candidate, nor his parents or guardian or representative, shall be entitled to be present during the post publication scrutiny or have any right to inspect the answer script.

(6) The result of the post publication scrutiny shall be final and binding on the candidate.

(7) The post publication scrutiny shall be carried out by such person as may be specified by the Council.

(8) A communication regarding alteration, if any, in the marks by virtue of the post publication scrutiny shall be intimated to the candidate through his Institution.

**22. Mark-sheet.**

(1) The Council shall issue a mark-sheet to individual candidate through the Head of the recognised Institution after publication of result of the Higher Secondary Examination.

(2) The mark-sheet of a candidate shall contain marks obtained by him in each subject and in each paper of the examination and the grade awarded to him in accordance with regulation 17.

(3) The mark-sheet of the Higher Secondary Examination shall reveal subjectwise marks and grades thereof obtained by the candidate in the Higher Secondary Examination.

**23. Certificate.**

The Council shall issue a pass certificate to each successful candidate for the Higher Secondary Examination.

**24. Duplicate documents.**

(1) The Council shall issue a duplicate copy of the admit card, mark-sheet or any other certificate issued by the Council to any candidate, on application made through his Head of Institution in such form and on payment of such fee as may be determined by the Council.

(2) In case of loss or theft of original documents referred to in sub-regulation (1), the candidate shall, in order to obtain the duplicate



document, required to lodge a general diary to the nearest police station stating therein the loss or theft of the document and enclose the acknowledgment of such diary with the application.

(3) In case of damage of original document referred to in sub-regulation (1), the candidate shall, in order to obtain the duplicate document, required to attach the remaining portion of the document with the application.

(4) The duplicate copy of the documents referred to in sub-regulation (1) shall ordinarily be sent to the recognised Institution from where the candidate passed the Higher Secondary Examination for onward transmission of the same to the candidate.

## **25. Correction of documents.**

(1) Any error or discrepancy in the mark-sheet shall have to be reported to the Council by the candidate within thirty days from the date of receipt of mark-sheet by the candidate through the Head of his Institution for necessary correction failing which no such report shall be entertained.

(2) In case of any error or discrepancy in any certificate issued by the Council, the Head of his Institution may, within six months from the date of receipt of such document or certificate, as the case may be, bring such error or discrepancy to notice of the Secretary of the Council and the Secretary shall take measures to correct such error or remove such discrepancy :

Provided that if such application is made beyond six months, a correction fee, as may be determined by the Council, shall be required to be paid along with the application.

## **26. Preservation of records.**

The Council shall preserve all answer scripts, marks foils in respect of the Higher Secondary Examination of a year for a period of six months from the date of publication of the results of such Examination of that year and on the expiry of the said period all such documents connected with the Examination, other than the tabulation record, shall be disposed of and no demand for production of the same shall thereafter be entertained:



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Provided that the answer scripts of post publication scrutiny shall be preserved for three months from the publication of the post publication scrutiny results of that year or a period of six months from the date of publication of the results of Higher Secondary Examination, whichever is later.

**27. Language for examination.**

(1) The question paper on all subjects other than language subjects shall be set in Bengali and English.

(2) Save as otherwise provided in the question paper of a particular subject, a candidate shall be eligible to write his answer at the examination in any of the following languages :—

- (a) Bengali; or
- (b) English; or
- (c) Hindi; or
- (d) Nepali; or
- (e) Urdu.

**28. Constitution of District Advisory Board.**

(1) The Council may constitute a Board, to be known as the District Advisory Board, for a district with the members nominated by it from amongst the Government official and persons interested in education.

(2) Every Board constituted under sub-regulation (1) shall have the tenure of two years.

(3) The District Advisory Board shall maintain liaison between the Council and the Centre team in respect of the examination conducted under these regulations and shall discharge such other functions as may be entrusted upon it by the Council.

**29. Powers of President.**

(1) If the President shall, during the process of finalisation of the results of the Higher Secondary Examination, finds that the percentage of failure in any particular examination is abnormally high due to any

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unforeseen reason, he may, if he considers necessary and expedient to do so, for the reasons to be recorded in writing, take such steps which may reduce the percentage of failure.

(2) Subject to section 22 of the Act, all the powers exercisable under these regulations by the Council may be exercised by the President.

**30. Repeal and saving.**

(1) The West Bengal Council of Higher Secondary (Examination) Regulations, 1999 is hereby repealed.

(2) Notwithstanding such repeal, –

(a) a candidate who has appeared in the Higher Secondary Examination held in 2006 or before, or

(b) a candidate who is registered as such by the Council on or before the academic session of 2004-2005.

shall, until the said candidate passes the Higher Secondary Examination or until he exhausts his chance for appearing in the Higher Secondary Examination, whichever is earlier, continue to be governed by the provisions of the West Bengal Council of Higher Secondary (Examination) Regulations, 1999, so repealed, as if these regulations have not been brought into force.

**31. Interpretation.**

If any question arises relating to the interpretation of any provisions of these regulations, it shall be referred to the Council and the decision of the Council, thereon, shall be final.

By order of the Governor,

GOPA DATTA,

*President,*

*West Bengal Council of Higher Secondary Education*