

GOVERNMENT OF WEST BENGAL
Education Department
(Secondary Branch)

No. 79-Edn. (s) Dated, Calcutta, the 28th Jan, 1994

NOTIFICATION

In exercise of the power conferred by sub-section (1) and, in particular, by Clause (d) of sub-section, (2) of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Bengal, Act V of 1963), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Management of Recognised Non-Government Institutions (Aided and un-aided) Rules, 1969 (hereinafter referred to as the said Rules);

AMENDMENTS

In the appendix to the said rules,—(1) for rule 3, substitute the following rule: -

“3. Leave on half average pay:

(1) A teacher or a non-teaching employee of an institution may be granted 15 days' leave on half-pay for each completed year of service:

Provided that the total period of leave on half-pay which may accumulate to the credit of the teacher or non-teaching employee shall not exceed 60 days at a time.

(2) Commuted leave, not exceeding half the amount of half-pay leave, may be granted on private affair or on medical certificate to a teacher or a non-teaching employee, subject to the following conditions:

(a) when commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due;

(b) commuted leave on medical certificate may be granted only when no medical leave is due to the credit of a teacher or non-teaching employee;

(c) half-pay leave upto maximum of 60 days may be allowed to be commuted during the entire period of service in school or schools”;

(2) for rule 5, substitute the following rule;—

“5. Special leave in exceptional circumstances:

(1) Special leave on medical ground may be granted to a teacher or non-teaching employee of a school for a period not exceeding eighteen months, provided the case is reported to the Board with a concrete proposal which shall have to be approved by the Board. Leave under this rule may be granted with the approval of the Board to a teacher or non-teaching employee of any school suffering from prolonged illness such as tuberculosis, injury to limbs requiring plastering, cancer,

heart trouble or any other serious ailment making him or her bed-ridden for a long time, when he or she has exhausted all other leave admissible to him or her under these rules.

(2) Special leave on full pay may be granted to a teacher or non-teaching employee of an institution who intends to appear at any of the examinations noted below, for the period of examination and a week prior to its commencement and also the period of journey to enable him/her to resume his/her duties after completion of examination.

(a) For teachers' examination for obtaining B. Ed. (not deputed) Hons, or Master degree in his/her subject.

In case of a teacher intending to appear at the B. Ed. Examination as a deputed candidate such leave may be granted by the school authority without referring the matter to the Board.

(b) For non-teaching employees—any of the examination—Madhyamik, H. S., Madrasah, Bachelors, B. Ed. or a Master degree.

Such leave shall not be granted more than once for the same level of examination in the total period of service of a teacher or non-teaching employee.

Note For the purpose of sub-rules (1) and (2) determination of leave salary, namely, half-pay or full pay, shall be made by the Managing Committee with the approval of the Board.

(3) For rule 8 substitute the following rule

"8. Maternity leave

(1) A female teacher or non-teaching employee may be granted maternity leave on full average pay for a period of 120 days from the date of its commencement.

(2) Maternity leave may also be granted in the case of miscarriage, including abortion, subject to the following conditions

(a) the period of leave shall not exceed six weeks;

(b) the application for leave shall be supported by a certificate from a registered medical practitioner Government Hospital.

(3) Maternity leave may be combined with leave of any kind. Commuted leave, for a period not exceeding thirty days, applied for in continuation of maternity leave may be granted without production of medical certificate.

(4) Maternity leave in continuation of leave granted under sub-rule (3) may be sanctioned on production of medical certificate for illness of a female teacher or non-teaching employee. Such leave may also be granted in the case of illness of a newly born baby, subject to the production of a medical certificate to the effect that the condition of the baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.

(4) After rule 12, insert the following rule:—

"13. Lien:

(1) A teacher or non-teaching employee of an institution on confirmation in a permanent post shall acquire a lien on the post.

(2) Such teacher or non-teaching employee seeking permission to serve in higher post in another recognised institution or college within West Bengal or to accept other service within West Bengal where teaching experience is essential, may be granted extraordinary leave, referred to in rule 12, without pay for a period, not exceeding two years, with permission to retain lien.

(3) The lien shall automatically terminate if such teacher or non-teaching employee—

(a) is permanently absorbed in his/her post in the other institution,

(b) leaves the post for which the lien was granted, or

(c) does not return after completion of two years, whichever is earlier.

Note:- Conditions relating to the filling up of such deputation vacancies shall apply if consequential vacancies are filled up and the teacher or the non-teaching employee, appointed to the post so vacated temporarily shall forthwith have to quit in the event of the holder of line reverts.”

By order of the Governor,

Sd/- J. R. Saha

Dy. Secy. to the Govt. of West Bengal