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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

Tribal Development Department

Administrative Building, DJ-4, Sector-II, Salt Lake, Kolkata-700 091

Website : www.adibasikalyan.gov.in

RESOLUTION

No. 1039-TDD/6E-29/2014(Pt.I) dated the 7th October, 2015.— Whereas it is considered expedient to establish a Development Board for the Bhutia community of West Bengal, the Governor is hereby pleased to establish a Board by the name '**Bhutia Development Board**' with its **Head Office in Darjeeling**, District Darjeeling, West Bengal, under the administrative control of the **Tribal Development Department**, Government of West Bengal. This '**Bhutia Development Board**' shall be registered under the **West Bengal Societies Registration Act, 1961 (West Ben. Act XXVI of 1961)**.

1. The aims and objects of the Board shall be:

- (a) to undertake all necessary activities for the protection, promotion and safeguarding of the Bhutia language, tradition and culture;
- (b) to undertake activities to protect historical and culturally significant landmarks of the community;
- (c) to provide support to museum, community radio, publishing unit and mass media units;
- (d) to undertake activities to popularize, promote and enhance products of artisans, farmers and other tradition based items and help the artistes and artisans engaged in traditional activities;
- (e) to protect and promote customary rights of the community;
- (f) to establish a centre for the protection of the Bhutia heritage;
- (g) to take up social welfare activities catering to the requirements of the community;
- (h) to promote education among the Bhutia community;
- (i) to publish or cause to be published useful literature, papers, books, research works, magazines of the Bhutia community etc;

- (j) to work in association with all Government agencies for awareness generation regarding various programme of development and social welfare, education, literacy etc;
- (k) to undertake necessary activities for natural resource management, alternative energy, ecology and environment;
- (l) to construct, maintain, improve, develop, any building, houses or other infrastructure and purchase land and other movable and immovable assets for the benefit of the community;
- (m) to set up mobile health unit, village health centres and to promote Bhutia medicinal practices;
- (n) to take up livelihood development of the community;
- (o) to undertake and provide legal assistance to protect assets of the community members;
- (p) to raise loan and credit to fulfill the objectives from national and international financial institution, subject to observation of statutory rules and executive instructions;
- (q) to obtain fund from different Government departments for fulfilment of the aforesaid objectives;
- (r) to undertake activities for the overall development of the Bhutia community throughout West Bengal;
- (s) to do all such acts, deeds, matters and things connected thereto and therewith as may be necessary or deemed to be necessary as well as incidental or conducive to the foregoing objects.

2. The following shall be the authorities of the Board, namely,—

- (a) General Body and (b) Executive Body.

3. **General Body.**—

- (a) The **General Body** shall initially consist of not more than thirty-one (31) members to be nominated in the following manner;—
 - i) Chairperson – (to be nominated by the State Government in the Tribal Development Department from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutia community of West Bengal);
 - ii) Vice-Chairperson – (to be nominated by the State Government in the Tribal Development Department from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutias of West Bengal);
 - iii) Member-Secretary – one officer appointed by the State Government on deputation;
 - iv) ex-officio member – District Magistrate, Darjeeling or his representative;
 - v) ex-officio member – District Welfare Officer, Tribal Development Department, Darjeeling;
 - vi) ex-officio member – Director, Cultural Research institute or his representative;
 - vii) other members to be nominated by the State Government from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutias of West Bengal.

(b) **Meeting of the General Body.**—

The General Body shall ordinarily meet at least twice a year on date, time and place to be fixed by the Secretary in consultation with the Chairperson and shall:

- i) adopt the annual report of the preceding year;
- ii) pass the audited accounts and budget estimates and;
- iii) transact any business as well be placed in the agenda suggested by the executive body.

(c) **Extra-ordinary meeting.**—

An extra-ordinary meeting of the General body may be called by the Secretary, in consultation with the Chairperson and at the advice of the Executive body when needed to transact any special business or at the requisition signed by

at least ten (10) members of the Board. The Chairperson shall convene the requisitioned meeting within thirty (30) days from the date of the receipt of the requisition. If the requisitioned meeting fails to attain quorum, it will not be adjourned and will be treated as failed.

Notice of the place date and hour of any meeting and of the business to be transacted shall be issued to the members of the board at least seven (7) days before the date so fixed for the meeting.

- (d) The following **procedures** shall be applicable to all the **meetings of the General Body**.—
- i) One-fifth of the members shall constitute the quorum. If there be no quorum, the meeting shall stand postponed to a date to be fixed by the Chairperson. A fresh notice shall be issued and if there be no quorum again those present shall be competent to transact business.
 - ii) The Chairperson or in his absence the Vice-Chairperson shall take the Chair. If neither the Chairperson nor the Vice-Chairperson be present the members present shall nominate a President for the meeting from amongst them and transact the business.
- (e) The **power and duties of the General Body** shall be as follows.—
- i) to provide guidelines of the activities of the board in conformity with the objects defined;
 - ii) to consider and adopt annual report of the board;
 - iii) to consider and approve the audited accounts and the budget estimates;
 - iv) to appoint auditor for auditing the annual accounts.

4. Executive Body:

- (a) The Executive body consisting of not more than eleven (11) members shall be constituted as following by the Government from amongst the members of the general body, namely,—
- i) Chairperson – to be nominated by the State Government in the Tribal Development Department from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutias of West Bengal;
 - ii) Vice-Chairperson – to be nominated by the State Government in the Tribal Development Department from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutias of West Bengal;
 - iii) Member Secretary – one officer (senior IAS officer) appointed by the State Government on deputation;
 - iv) ex-officio Member – District Magistrate, Darjeeling or his representative;
 - v) remaining 7 (Seven) members to be nominated by the State Government from among the Bhutia community to be decided on the basis of recommendation of the largest recognised society or organization of the Bhutias of West Bengal).

Provided that the State Government in the Tribal Development Department may nominate such other persons, as it may consider necessary for smooth and proper functioning of the Board as members of the Executive body, who will also be members of the General Board.

(b) Meeting of the Executive body:

- i) the executive body shall ordinarily meet four times in a year and the quorum of such meeting shall be six (6);
- ii) an extra-ordinary meeting of the executive body may be called at the requisition of at least six (6) members of the Executive body to transact any special business. The requisitioned meeting shall be convened within fifteen (15) days from the date of receipt of the requisition. If the requisitioned meeting fails to attain quorum, it will not be adjourned and will be treated as failed;
- iii) notice of all meetings of the executive body shall be issued at least seven (7) days before the date fixed for such meeting.

(c) **The power and duties of the Executive body** shall be as follows.—

- i) to manage the affairs of the body and for this purpose to constitute committees and / or sub-committees consisting of the members of the body and to frame and adopt such regulations, bye-laws and pass such orders as may appear conducive to and necessary for the efficient administration of the board and the attainment of these objects provided that such regulations shall not be repugnant to these regulations and shall be reported to the general body, the executive body will constitute a committee or sub-committee to be headed by the chairperson or the vice-chairperson for overall development of the Bhutia community;
 - ii) to prepare and place before the general body and annual report, the audited accounts and the budget estimates;
 - iii) to manage all the moveable and immoveable properties belonging to the board;
 - iv) to acquire and accept in the name of the board any property (movable and immovable), articles, donations and gifts;
 - v) to keep accounts audited and the budget estimate prepared, to do all other acts and deeds as shall be necessary and relevant in furtherance to the objects of the board;
 - vi) to pay out of funds belonging to the board or out of any particular part of such fund, the expenses incurred by the board from time to time including expenses for the formation of the board and management of administration of the foregoing objects, including all rent, rates and taxes, outgoing and salaries, allowances including fringe benefits of the employees. The fringe benefit of the employees will be fixed in consultation with the Government.
- (d) The Executive body shall exercise the power as mentioned above subject to the directives as may be issued by the State Government in Tribal Development Department from time to time.
- (e) All the properties belonging to the Board shall be deemed to be vested in the Executive body but should be referred to as the properties of the Board.
5. The State Government in the Tribal Development Department shall make provision of fund for providing financial assistance to the Board.
6. **Term of Office.—**
The non-Government members may be nominated for a period of five years and their term will automatically expire on completion of five years. However, there is no bar to re-nominate any or all members for a further term or more.
7. Any member who is not a member in the ex-officio capacity shall cease to be a member of the Board if he or she fails to attend three consecutive meetings of the General Board.
8. **Dissolution of Board.—**
The Board may be dissolved in accordance with the provisions under section 24 and 27 of the West Bengal Societies Registration Act, 1961. In the event of dissolution after satisfaction of all liabilities, all the assets including movable and immovable properties whatsoever that remain, shall vest in State Government who shall decide the future usage of them.
9. The **West Bengal Societies Registration Act, 1961 (West Ben. Act XXVI of 1961)** shall apply to this Board.
10. All matters related to Governing, the Board will be governed and guided by terms and conditions as laid down in the "Articles and Memorandum of Association" of the Board.

Ordered that the Resolution be published in the "Kolkata Gazette" and be circulated to all concerned.

By order of the Governor,

S. K. THADE

Pr. Secy. to the Government of West Bengal.