

**GOVERNMENT OF WEST BENGAL
HIGHER EDUCATION DEPARTMENT
(INTEGRATED LAW CELL)
BIKASH BHABAN, SALT LAKE
KOLKATA-700091**

No. 20-ILC/OM-6L/16

Date: 17.02.2016

From: Joint Secretary to the Govt. of West Bengal,

To: The Director of Public instruction, West Bengal

Subject: Extension of the tenure of service of the Principals beyond the notified age of superannuation from service.

Sir,

In reference to the above mentioned subject, I am directed to say that the question of extension of the tenure of service beyond the date of retirement of the Principals of minority-administered Government-aided Colleges in West Bengal which have obtained "Autonomous" status from the University Grants Commission was under active consideration of the State Government.

After careful consideration of this issue, and considering the fact that the minority-administered Government-aided colleges enjoy Constitutionally-granted freedom in regard to their administration by framing their own rules and procedures of business, including the procedure regarding appointment of Principals, teachers and non-teaching staffs of the college, within the scope of the right guaranteed under Article 30 of the Constitution of India, and also considering the fact that colleges with "Autonomous" status enjoy some special rights and privileges and enhanced autonomy with regard to, inter alia, the constitution, powers and functions of their Governing Body/ Managing Committee, the Governor is hereby pleased, in partial modification of the Department's Order No. 373-Edn (CS) dated 29.05.1995, to direct that the tenure of service of the Principals of such colleges (institutions enjoying minority status and having "Autonomous" status) may be extended by the Governing Body/ Managing Committee for a maximum period of five years beyond the date of retirement from service, on the following terms and conditions, namely, -

- (i) That the Principal concerned shall retire from his substantive post / service on completion of 60 years of age;
- (ii) The admissible pensionary and other retirement benefits of such Principal will be released by the State Government as usual;
- (iii) The Governing Body/ Managing Committee of the concerned college, in consultation with the sponsoring trust/society/body, may adopt an appropriate resolution allowing extension

of the tenure and specifying the duration of such extended tenure of the Principal concerned;

- (iv) The salary and allowances of the Principal concerned for the extended period shall not exceed the last pay drawn, i.e. which he had received immediately preceding the date of his retirement. The pension amount shall be borne by the State Government and the balance amount (last pay drawn minus pension) shall be borne by the Governing Body/ Sponsoring Society/ Trust/ Body of the college, as the case may be;
- (v) During the period of such extended tenure, the Principal concerned shall exercise the same powers and functions of the Principal of the concerned college in the same manner as he was enjoying immediately preceding the date of his retirement;
- (vi) Other terms and conditions of service including leave, discipline etc. for such extended period shall be framed by the Governing Body/ Sponsoring Society/ trust/ body with due regard to the rules of the State Government, the affiliating University and the University Grants Commission, as applicable.

Yours faithfully,



Joint Secretary