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PART III—Acts of the West Bengal Legislature.

**GOVERNMENT OF WEST BENGAL**

**LAW DEPARTMENT**

**Legislative**

**NOTIFICATION**

No. 431-L.—17th April, 2017.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

**West Bengal Act XVIII of 2017**

**THE WEST BENGAL SCHOOL SERVICE COMMISSION  
(AMENDMENT) ACT, 2017.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Kolkata Gazette,  
Extraordinary, of the 17th April, 2017.]*

*An Act to amend the West Bengal School Service Commission Act, 1997.*

WHEREAS it is expedient to amend the West Bengal School Service Commission Act, 1997, for the purposes and in the manner hereinafter appearing;

West Ben. Act  
IV of 1997.

It is hereby enacted in the Sixty-eighth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and  
commencement.

1. (1) This Act may be called the West Bengal School Service Commission (Amendment) Act, 2017.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

*The West Bengal School Service Commission  
(Amendment) Act, 2017.*

(Sections 2-4.)

Amendment of  
section 9 in West  
Ben. Act IV of  
1997.

2. In sub-section (1) of section 9 of the West Bengal School Service Commission Act, 1997 (hereinafter referred to as the principal Act), for the words "appointments to the posts of Teachers and non-teaching staff in a school shall be made by the Managing Committee, by whatever name called, or by the *ad-hoc* committee, or by the administrator, if any (where there is no managing committee), of that school", the words "appointments to the posts of the Teachers and non-teaching staff in school shall be made by the Board or the *ad-hoc* committee or the administrator of the Board" shall be substituted.

Substitution of  
new section for  
section 9A.

3. For section 9A of the principal Act, the following section shall be substituted:—

"Power of State Government in case of wilful failure to issue appointment to the post of Teacher and non-teaching staff by the Board etc.

9A. If the State Government is of the opinion that the Board or the *ad-hoc* committee or the administrator, wilfully fails to discharge its function to issue appointment to the post of teachers and non-teaching staff in such school on the recommendation of the Commission or any other recommendation made by the Commission, the State Government may take such action as it deems fit."

Insertion of new  
section 10C after  
section 10B.

4. After section 10B of the principal Act, the following section shall be inserted:—

"State Government to issue guidelines to the Commission.

10C. Notwithstanding anything contained in any other law for the time being in force or in any contract to the contrary, the State Government in the interest of education or in the interest of public service for administrative reasons may direct the Commission through guidelines or general instructions to make recommendation for placing the service of any teacher including the Assistant Headmaster or the Assistant Headmistress or any non-teaching staff from one school to another school against any sanctioned post."

By order of the Governor,

MADHUMATI MITRA,  
Secy. to the Govt. of West Bengal,  
Law Department.