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NOTIFICATION

No. H. 12018/24/91-LJD, the 19th April, 1996. The following Act of the Mizoram Legislative Assembly, which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Act No. 1 of 1996.

The Mizoram Board of School Education (Amendment) Act, 1996.

Received the assent of the Governor of Mizoram on the 5th April, 1996.

AN

ACT

to amend the Mizoram Board of School Education Act, 1975

(No. 2 of 1976)

Be it enacted by the Legislative Assembly of Mizoram in the Forty-seventh Year of the Republic of India as follows :

Short title, 1. (1) This Bill may be called the Mizoram Board of School
Extent and Education (Amendment) Bill, 1996.
Commencement.

(2) It shall extend to the whole of the State of Mizoram.

(3) It shall come into force on such date as the Government may, by Notification in the Official Gazette, appoint-

Amendment 2. In the Mizoram Board of School Education Act, 1975 (hereinafter
of Section 2 referred to as the principal Act), for section 2, the following
section shall be substituted, namely,-“2. In this Act, unless the
context otherwise requires,

(a) “Board” means the Mizoram Board of School Education established under this Act;

b) “Central Rules” means the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the Central Civil Services (Conduct) Rules, 1972, the Central Civil Services (Temporary Service) Rules, 1965, and the Fundamental Rules and the Subsidiary Rules and such other Rules of the Central and the State Governments, as may be applicable to the employees of the Government of Mizoram;

(c) “Centre Superintendent” means a person appointed by the Board to conduct and supervise examinations of the Board and includes an Additional Superintendent, Associate Superintendent and Assistant Superintendent;

(d) “Committee or Sub-Committee” means any Committee or Sub-Committee constituted under this Act or in accordance with any rules, regulations or bye-laws made thereunder;

(e) “Controlling Authority” means any authority designated as the Controlling Authority of the Board by the Government under sub-section (2) of section 3;

(f) “Director of Education” means the Director of School Education and shall include any other officer authorised by him to perform all or any of the functions of the Director;

(g) “District Council” means an Autonomous District Council established by law within Mizoram;

(h) “Education Department” means the Department of Education and Human Resources of the Government;

- (i) "Employee" means an employee working under the Board;
- (j) "Funds" means the Mizoram Board of School Education Funds constituted under this Act;
- (k) "Government" means the State Government of Mizoram;
- (l) "High School" means a school where general education is imparted to the students of Classes VIII, IX and X and prepares students for Matriculation or High School Leaving Certificate Examination of the Board held at the end of Class X;
- (m) "Higher Secondary School" means a School where general, professional or vocational education is imparted to the students of classes VIII, X, XI and XII and prepares students, for High School Leaving Certificate Examination at the end of Class X and Higher Secondary School Leaving Certificate Examination or Proficiency Certificate Examination of the Board held at the end of Class XII;
- (n) "Institution" means any Primary School, Middle School, Middle English School, High School or Higher Secondary School and it shall include the District Institutes of Education and Training in Mizoram;
- (o) "Invigilator" means a person who assists the Centre Superintendent in conducting and supervising the Examination at an examination centre;
- (p) "Managing Committee" used in reference to any institution means a duly constituted Managing Committee and recognised by the Government;
- (q) "Middle English School" means a school where general education is imparted through English language medium to the pupils of kindergarten and Classes I to VII and prepares pupils for the Middle English School Leaving Certificate Examination of the Board held at the end of Class VII;
- (r) "Middle School" means a school where general education is imparted to the pupils of Classes V, VI and VII and prepares pupils for the Middle School Leaving Certificate Examination of the Board held at the end of Class VII;

- (s) "Notification" means a notification published in the Official Gazette of Mizoram;
- (t) "Prescribed" means prescribed by rules or regulations made under this Act;
- (u) "President" means the President of the Board;
- (v) "Primary School" means any school where primary education in general subjects is imparted to the pupils of Classes I, II, III and IV and prepares pupils for the Primary Scholarship Examination of the Board held at the end of Class IV;
- (w) "Professional or Vocational School" means a school or an institution imparting technical or trade or craft education and vocational instruction below Diploma level;
- (x) "Examination" means an examination conducted by the Board;
- (y) "Recognised" means recognised by the Board or by the Government;
- (z) "Regulations" means regulations made by the Board under this Act;
- (za) "Rules" means rules made under this Act;
- (zb) "School Education" means education imparted to the pupils in the Primary Schools, the Middle Schools, the Middle English Schools, the High Schools and the Higher Secondary Schools in Mizoram;
- (zc) "Secretary" means the Secretary to the Board;
- (zd) "State" means the State of Mizoram;
- (ze) "University" means the University exercising jurisdiction over educational institutions in Mizoram;

**Amendment 3.
of section 4**

In section 4 of the principal Act, for the sub-section (1), the following sub-section shall be substituted, namely -
"4. (1) The Board shall consist of the following members, namely,-

- (a) the President;
- (b) the Director of Higher and Technical Education, Mizoram
- Ex-Officio;

- (c) the Director of School Education, Mizoram – Ex-Officio;
- (d) the Director of Art and Culture, Mizoram – Ex-Officio;
- (e) the Director of Sports and Youth Services,
Mizoram – Ex-Officio;
- (f) the Director of Agriculture, Mizoram – Ex-Officio;
- (g) the Director of Health Services, Mizoram – Ex-Officio;
- (h) the Chief Engineer, Public Works Department,
Mizoram – Ex-Officio;
- (i) the Joint Director, State Council of Educational
Research and Training, Mizoram – Ex-Officio;
- (j) the Principal, Pachhunga University College, Mizoram
– Ex-Officio;
- (k) the Principal, College of Teacher Education, Mizoram
– Ex-Officio;
- (l) one of the Principals of the District Institutes
of Education and Training in Mizoram, to
be nominated by the Director of Education – Ex-Officio;
- (m) the Secretary – Ex-Officio;
- (n) one of the District Education Officers in
Mizoram, to be nominated by the Director
of Education – Ex-Officio;
- (o) members to be nominated by the Government, out of which
at least one shall be a woman, in addition to sub-clause
(viii) below namely, –
 - (i) one Head Teacher of a Primary School;
 - (ii) One Headmaster of a Middle School;
 - (iii) One Headmaster of a High School;
 - (iv) One Principal of a Higher Secondary School;
 - (v) a representative of the University, on
recommendation of the Vice Chancellor or the
Pro-Vice Chancellor of the University;
 - (vi) one representative from each of the District Coun-
cils in Mizoram;

(vii) one member of the Mizoram Legislative Assembly, on the recommendation of the Speaker of the Legislative Assembly;

(viii) one lady educationist;

(ix) one Principal of a recognised College in Mizoram.

Renumbering of sub-clause (xv) of sub-section (1) of section 4

4. In section 4 of the Principal Act, the sub-clause (xv) of sub-section (1) shall be re-numbered as sub-section (1A).

Amendment 5. In section 11 of the principal Act, —
of section 11.

(a) in clause (i), the words "Pre-Primary" shall be deleted and for the words "Professional or Vocational Schools and Under graduate Teachers' Training Institutions", the words "Higher Secondary Schools and the District Institutes of Education and Training" shall be substituted;

(b) between clauses (iiia) and (iv), a clause (iiia) shall be inserted as follows :

"(iiia) to register students and issue them Registration Cards on payment to the Board of such fees as may be prescribed;

(c) in clause (x), for the words "High, Middle, Primary, Pre-Primary Schools, under-graduate teachers' training institutions in Mizoram and Professional and Vocational Schools", the words "Higher Secondary School, High School, Middle School, Middle English School, Primary School and District Institutes of Education and Training" shall be substituted;

(d) in clause (xiv), for the words "under-graduate teachers' training Institutions", the words "District Institutes of Education and Training" shall be substituted;

(e) between clauses (xx) and (xxi), a clause (xxa) shall be inserted as follows :

"(xxa) to take such disciplinary actions as it thinks fit against the employees of the Board as may be prescribed;

(f) in clause (xxvii), for the words "under-graduate teachers' training institutions", the words "District Institutes of Education and Training" shall be substituted.

Amendment of section 14 6. In section 14 of the principal Act, the figure "(1)" and the clause (iv) shall be deleted, and the clause (v) shall be re-numbered as clause (iv).

Amendment of section 15 7. In section 15 of the principal Act, for the sub-section (2), the following sub-section shall be substituted, namely,-

"(2) The President shall be appointed for a term of two years at the first instance. extend
the contract if mutually agreed upon, for a further period of one year but not more :

Provided that the Government may, at any time, terminate the services of the President if he violates any provisions of this Act, Rules or Regulations made under this Act."

Amendment of section 17 8. In section 17 of the principal Act, -

(a) for sub-section (1), the following sub-section shall be substituted, namely, -

"(1) the Secretary shall be a whole-time officer appointed by the Government on such terms and conditions as it may decide".

(b) in sub-section (7), the words "and Controller of Examinations" shall be deleted.

Repeal of section 18 9. The section 18 of the principal Act, shall be deleted.

Amendment of section 22 10. In section 22 of the principal Act, in sub-section (2),-

(a) between clauses (iii) and (iv), a clause (iiia) shall be inserted as follows :

"(iiia) the conditions under which the students shall be registered by the Board",;

(b) for clause (v), the following clause shall be substituted, namely,-

"(v) the courses of study to be followed in the Higher Secondary School, High School, Middle School, Middle English School and Primary School classes and the courses of study for other examinations that may be conducted by the Board,"

(c) in clause (x), after the clause, a proviso shall be inserted as follows :

“Provided that until such regulations are made, the Board shall have the power to adapt, extend and apply any Central or State Rules to the employees of the Board as it may think necessary.”

Amendment 11.
of section
30.

In section 30 of the principal Act, after clause (iii), a proviso shall be inserted as follows:

“Provided that until such rules are made, the Board shall have the power to adapt, extend and apply any Central or State Rules to the employees of the Board as it may think necessary.”

P.Chakraborty,
Secretary to the Govt. of Mizoram,
Law & Judicial Department.

CERTIFICATE

This Bill was passed by the Mizoram Legislative Assembly on 19th March, 1996. The Bill is a Money Bill.

Dated Aizawl
the 1996

Vaivenga,
Speaker,
Mizoram Legislative Assembly.