

Regd. No. NE 907



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

Vol. IX. Aizawl Friday 24.10.1980 Kartika 2, SE 1902, Issue No 53

NOTIFICATIONS

No. ESS/MBSE/19/77/62--73 (A) the 24th Oct., In exercise of the power conferred by sub-section (2) of section 22 of the Mizoram Board of School Education Act, 1975 (Mizoram Act No. 2 of 1976) the Mizoram Board of School Education, with the approval of the Government of Mizoram, is pleased to make the following regulations, namely :—

PART — I

PRELIMINARY

- | | |
|-------------------------------|--|
| Short title and commencement. | 1. (1) These Regulations may be called the Mizoram Board of school Education (Constitution, Powers and Duties of the Committees and Conduct of Meetings of Committees) Regulations, 1979.

(2) They shall come into force at once. |
| Definitions | 2. In these Regulations unless the context otherwise requires;
(i) "Act" means the Mizoram Board of School Education Act, 1975 (Mizoram Act No. 2 of 1976),
(ii) "Board" means the Mizoram Board of School Education established under the Act;
(iii) "Committee" means a committee of the Board constituted under these Regulations;
(iv) "Institution" means any recognised Primary, Middle, High Professional or Vocational School or Teacher's Training Institutes in Mizoram.
(v) "meeting" means a meeting or an adjourned meeting of Committee or sub-committee; |

- (vi) "member" means a member of the Board or committee or sub-committee ;
- (vii) "President" means the President of the Board ;
- (viii) "recognised" with its grammatical variation used with reference to the institutions, means recognised under the Act ;
- (ix) "Secretary" means the Secretary of the Board ;
- (x) "sub-committee" means a sub-committee constituted by a committee in accordance with the provisions of these Regulations.

P A R T – II

GENERAL PROVISIONS

3. The Board shall appoint all or any of the committees as specified under sub-section (1) of section 21 of the Act :

Provided that the Board may, if it thinks necessary, appoint other committees for carrying on, managing and administering the affairs and the business of the Board.

4. In particular and without prejudice to the generality of the provisions referred to in sub-section (1) of section (2) of section 21 of the Act, all or any of the committee shall be constituted by the Board in conformity with the regulations relevant to the respective committees as provided in part III of these Regulations.
5. Save as expressly provided herein the terms of membership of the members of these committees/sub-committees constituted by the committee under these Regulations the cessation of such membership, and the upper limit of co-opted members of each of the committees shall be guided as under sub-sections (3) and (4) of section 21 of the Act.
6. The committees shall meet not less three times in a calendar year.
7. The President shall be the Chairman of all committees and shall preside over the meetings of these committees.
8. The Secretary shall be the Secretary of all committees and shall be responsible for keeping the minutes of all meetings and attending to all follow-up actions.

10. Besides the president, the Secretary and the Director of Education, no person shall be a member of more than two of the following committees

- (a) the Examination Committee ;
- (b) the Finance Committee;
- (c) the Recognition Committee; and
- (d) the Syllabus Committee.

11. (1) The Secretary shall, under the direction of the Chairman, convene a meeting of the committee on such date and at such time and place as the Chairman may direct, after giving not less than seven clear days' notice to each member of the committee :

Provided that in case of an emergency the Secretary may, under the direction of the Chairman, convene a meeting of a committee after giving as far as possible, at least two days' notice to the members.

(2) The Secretary shall send to each member a list of business to be transacted at the meeting along with the notice referred to in sub-section (1) above.

12 No business shall be brought before, or transacted in, any meeting other than the business for which notice has been so given :

Provided that the Chairman may bring or direct to be brought any new business which, in his opinion, is urgent and for which no notice was given.

13. The quorum for any meeting of the committee shall be five or two-thirds of the total number of the members of the committee, whichever is less.

14. (1) If there is not quorum present, thirty minutes after the time fixed for any meeting that meeting shall not be held and the Chairman shall adjourn the meeting to a specified date and time.

- (2) Notice shall be given of such adjourned meeting and such Notice shall be sent in the manner laid down in sub-section (2) of section 11 of these Regulations

15. No quorum shall be necessary at an adjourned meeting.

16. The Chairman, presiding at any meeting of the committee at which required quorum is present, may with the consent of the majority of the members present, adjourn the meeting to a specified date and time.

17. No matter shall be considered at an adjourned meeting other than the matter left over at the meeting from which the adjournment took place.

Provided that the Chairman may bring or direct to be brought any new matter which, in his opinion, is urgent and requires immediate consideration, may be considered.

18. Minutes of the proceedings of each meeting, together with the names of members present shall be recorded and such minutes shall be read and confirmed at the next meeting of the committee and the same shall be open to inspection by any member during office hours on any day.

19. (1) All questions coming before a meeting of the committee shall be decided by the votes of the majority of members present and each member shall have one vote:

Provided that if any member has directly or indirectly any personal or pecuniary interest in any matter or if the matter relates to any Institution of which he is either a teacher or a member of the Managing Committee referred to under the Act and is present in a meeting at which that matter is the subject of consideration, he shall, at the commencement of the meeting, disclose the fact, and shall not be present during the consideration or discussion of, or vote on any question with respect to that matter.

Provided further that in case of equality of votes the Chairman shall have a second or casting vote.

(2) The Chairman shall decide any question arising under the first step to sub-section (1) of this section and his decision thereon shall be final.

(3) On putting any matter to vote the Chairman shall call for an indication of the opinion of the members present by show of hands or any other method he may consider fit for or against any motion or proposal and shall declare the result accordingly, which shall be recorded in the minutes.

(1) Any point of order, other than the interpretation of any provision of the Act and the rules or regulations thereunder, raised at a meeting of the committee by a member shall be decided by the Chairman and his decision thereon shall be final.

(2) All questions raised at a meeting of the committee relating to the interpretation of the provision of :

- (a) the Act or the rules thereunder shall be referred to the Government for decision and the decision of the Government on such questions shall be final ; and
- (b) the regulations framed under the Act shall be referred to the Board for decision and the decision of the Board on such questions shall be final.

21. No act or proceeding of a meeting of committee shall be deemed invalid merely on the ground of :

- (a) non-receipt of a notice and/or list of business of the meeting by any member, if the same has been properly sent ;
- (b) existence of any vacancy in, or defect in the constitution of any committee ;
- (c) any defect or irregularity not affecting the merits of the case ;
- (d) any member having voted on any matter in contravention of the first proviso to sub-section (1) of Section 19 of these Regulations.

22. The Chairman may direct any member whose conduct at the meeting is, in his opinion, disorderly, to withdraw and any such member so directed shall be deemed to have withdrawn from the meeting even though in fact he may not withdraw.

23. (a) If any difficulty arises for the functioning of the committees, the Board may give such directions or such thing, not inconsistent with the Act, the rules made thereunder or, regulations made by the Board, as appears to it to be necessary or expedient for removing the difficulty.

(b) The Board may delegate to the committees any of its powers and functions and may in like manner withdraw from it any such delegated power or function.

(c) Save as herein expressly provided all the duties, powers and functions whatsoever or consequential or incidental to the carrying out of the business of the committee shall be performed or exercised by it from time to time for proper execution of its business and the same shall be deemed to have the authority of the Board.

P A R T — III

REGULATIONS

AND POWERS OF COMMITTEES.

24. (1) The Examination Committee - The Examination Committee shall consist of —

- (a) the President ;
- (b) the Director of Education or his representative not below the rank of Deputy Director of Education.
- (c) one member of the Board to be nominated by the Controlling Authority as required under sub-section (2) of section 21 of the Act ;
- (d) the Secretary ;
- (e) three members of the Board to be elected by the Board ; and

(f) two members to be nominated by the President.

(2) It shall be the duty of the Examination Committee to —

- (a) arrange for the holding of examinations instituted by the Board including the fixing of centres for such examinations etc ;
- (b) fix up criteria for declaring candidates to have passed such examinations and to consider, approve and publish the results of such examinations ;
- (c) disqualify candidates for (i) presenting themselves at examination for any reason considered to be adequate, or (ii) for being declared as having passed any such examination on the ground of mis conduct;
- (d) deal with all complaints relating to
 - (i) questions set ;
 - (ii) conduct of examinations;
 - (iii) publication of results;
 - (iv) any other relevant matter pertaining to examinations and to take decisions thereon, provided that such complaints are made in writing by a member of the Board or at least three headmasters of recognised schools within a period of one month in case of (i) and (ii) and two months in case of (iii) and (iv).

All actions taken under clauses (a), (b), (c) and (d) above shall be reported to the Board at its next meeting;

- (e) lay down the principles for appointments of paper-setters, moderators, examiners, tabulators, invigilators, centre-superintendent etc. required in connection with the conduct of Board's Examination;
 - (f) authorise the President and the Secretary of the Board to make appointment of any or all of these functionaries in keeping with the general principles approved by the examination committee for such appointments.
- (3) The Examination Committee shall, in consultation with the Finance Committee, advise the Board on -
- (a) rates of remuneration to be paid to Paper-setters, Examiners. Head-Examiners, Moderators, Tabulators, Supervisors, Centre-Superintendent, Invigilators etc;
 - (b) rates of fees to be paid by the various categories of candidates for the different examinations of the Board;
 - (c) rates of other fees payable to the Board for all other matters relating to examinations, results etc.

These rates of remunerations and fees etc. once approved by the Board shall remain operative till these are charged by the Board again.

(4) The Examination Committee shall perform any other duties relating to examination which may be specifically entrusted to it by the Board.

(5) The Examination Committee shall have powers to appoint a sub-committee or sub-committees as it may consider necessary to advise it upon any

matter referred to in sub-section (2) and (3) of section 24 of these Regulations or for any other specific-work :

Provided that

- (a) any such sub-committee shall not have more than six members including the Convener of the sub-committee who shall be Secretary or any other Officer of the Board appointed by the President;
 - (b) It shall not be necessary for the other members of such sub-committees to be members of the Board or the Examination Committee;
 - (c) their term of office of those members of a sub-committee shall be like that of members of the committees of the Board as provided under sub-section (4) of section 21 of the Act;
 - (d) any members was absent himself from three consecutive meetings of the sub-committee without due intimation to the sub-committee shall cease to be a member
- (6) The Examination Committee shall not be bound to accept the recommendations made by the sub-committees constituted under sub-section (5) above and shall reserve the right to reject or make additions and alternations to the recommendations of the sub committee if considered necessary by it

25. The Finance Committee :—

(1) The Finance Committee shall consist of the following members —

- (a) the President ;
- (b) the Director of Education or his representative not below the rank of Deputy Director of Education ;
- (c) a nominee of the Controlling Authority as required under sub-section (2) of section 21 of the Act ;
- (d) the Secretary ;
- (e) three members to be elected from amongst the members of the Board; and
- (f) two persons with expert knowledge in financial matters to be nominated by the President.

(2) The functions of the Finance Committee shall be. —

- (a) to manage and regulate the finance, accounts and investments of the Board ;
- (b) to examine the annual budget estimates and revised estimates of the Board prepared by the Secretary and to make recommendations for consideration and approval of the same by the Board ;
- (c) to examine proposals for new expenditure and to advise the Board thereon ;
- (d) to examine and approve proposals for re-appropriation of funds ;
- (e) to arrange for annual audit, consider audit notes and submit report to the Board ;

- (f) to recommend delegation of financial and administrative powers to differ
 - (g) to fix the quantum of permanent advance to be kept by the Board's Secretary or any other officer of the Board ;
 - (h) to lay down principles and guide-lines for purchase of stores, equipments, stationeries etc. of the Board ; and
 - (i) to perform such other duties as may be entrusted to it by the Board.
- (3) The Financial Committee shall as an act Advisory Body in all matters concerning the finances the different categories of the staff of the Board, subject to the provisions of the Act and the Rules thereunder made by the Government and the relevant Regulations made by the Board.

THE SYLLABUS COMMITTEE

26. (1) The Syllabus Committee shall consist of :—
- (a) the President ;
 - (b) the Director of Education or his representative not below the rank of Deputy Director of Education ;
 - (c) the member representative of N.E.H.U. ;
 - (d) the Secretary ;
 - (e) the Principal of the Under Graduate Teachers' Training Institute, Aizawl ;
 - (f) three members of the Board elected by the members of the Board ; and
 - (g) two members with expert knowledge nominated by the President.
- (2) It shall be the duty of the Syllabus Committee —
- (a) to advise the Board on any matter relating to the Syllabus, courses of studies or books to be studied in recognised institutions, as may be referred to it by the Board ;
 - (b) to advise the Board about the syllabus and courses of studies to be followed and the books to be studied in various classes of recognised institutions as well as for the various examinations of the Board ;
 - (c) to fix the total number of compulsory and optional subjects to be taken by the students in the various classes of recognised institutions and for the various examinations of the Board ;
 - (d) to frame detailed curriculum and syllabus in each subject taught in recognised institutions and also for the various examinations of the Board ;
 - (e) to consider proposals for the introduction of new subjects or the exclusion of any existing subjects and made recommendations thereon to the Board ;
 - (f) to consider suggestions regarding the formation of subject groups and made recommendations thereon to the Board ; and
 - (g) to prescribe text books and other reading materials in conformity with the syllabi of the various courses of studies and to arrange for the improvement in quality and content as also in the publication of the same as and when necessary.
- (3) The Syllabus Committee shall have power to set up sub-committees of courses with not more than six members including the convener as provided in clause (b) above, in each sub-committee for any or all of the subjects for the various examinations of the Board. Such sub-committees of courses shall advise the Syllabus Committee upon any matters referred to it ;
- Provided that —

- (a) it shall not be necessary for the members of such sub-committees of courses to be member of the Board or the Syllabus Committee;
- (b) there shall be a Convener for each of the sub-committee of courses and the Secretary or any other Officer of the Board appointed by the President shall hold this office;
- (c) the term of office of those members of a sub-committee shall be like that of members of the Committees of the Board as provided under sub-section (4) and section 21 of Act;
- (d) any member who absents himself from three consecutive meetings of the sub-committee without due intimation to the sub-committee shall cease to be a member.
- (4) The Syllabus Committee shall not be bound to accept the recommendation made by the sub-committees constituted under sub-section (3) above and shall reserve the right to reject or make additions and alternation to the recommendations of the sub-committees if considered necessary.
- (5) In keeping with the generality of provisions of the Act and the Rules made by the Government thereunder and the approved Regulations of the Board may, if it considers necessary, frame additional regulations for the detailed working of the Syllabus Committee or the sub-committees of Courses and the regulations so framed shall be deemed to have been approved by the Government.

THE RECOGNITION COMMITTEE

27. (1) The Recognition Committee shall consist of the following members —
- (a) the President;
 - (b) the Director of Education, or his representative not below the rank of Deputy Director Education
 - (c) one nominee of the Controlling Authority as required under sub-section (2) of section 21 of the Act;
 - (d) the Secretary;
 - (e) the District Education Officer, Aizawl District;
 - (f) members of the Board under sub-clause (h) of clause (xiv) of sub-section (1) of section 4 of the Act;
 - (g) three members of the Board elected by the Board; and
 - (h) two persons with long experience in school education nominated by the President;
- (2) It shall be the duty of the Recognition

- (a) to advise to Board in regard to the conditions and detailed procedure for recognition of Pre-Primary, Primary, Middle and High Schools, Under Graduate Teachers' Training Institute and Professional and Vocational Institutions;
- b) to call for confidential inspection from
renewal of recognition of schools and institutions of all stages.
- (c) to examine such reports in the context of regulations governing grant of recognition or renewal of recognition to Institution and in case an institution fulfills broadly the conditions of recognition as required by the Regulations
recognition or renewal of recognition provisionally subject to the approval of the Board. If however, the conditions are not fulfilled in respect of major items the Recognition Committee shall submit its report incorporating its specific recommendations for consideration of the Board. The Board shall be the competent authority to grant or reject recognition/renewal of recognition after due consideration of the recommendation of the Recognition Committee. The decision of the Board regarding the recognition/renewal of recognition of the Institution of otherwise shall be communicated to the school authority by the Secretary; and
- (d) to cause an inspection
Board may nominate, of any institution.

C. Lalchhuma,
Secretary to the Govt. of Mizoram
Education & S.W. Department.