



The West Bengal District School Boards Act, 1947

Act 4 of 1947

Keyword(s):

Boundary Commission, Dissolution, Constitution, District School

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West Bengal Act IV of 1947¹

THE WEST BENGAL DISTRICT SCHOOL BOARDS ACT, 1947.

AMENDED	..	West Ben. Act XXXIV of 1948. West Ben. Act XV of 1949.
ADAPTED	..	The Adaptation of Laws Order, 1950.

[30th December, 1947.]

An Act to provide for the dissolution and constitution of certain district school boards.

WHEREAS under the award of the Boundary Commission parts of the districts of Jalpaiguri, Malda, Nadia and Dinajpur have been excluded from the Province of West Bengal;

AND WHEREAS the new districts of ²[Nadia], West Dinajpur, Malda and Jalpaiguri have been constituted comprising respectively the parts of the former districts of Nadia, Dinajpur, Malda and Jalpaiguri which have been included within West Bengal under the said award;

AND WHEREAS it is expedient to provide for the dissolution and constitution of certain District School Boards;

It is hereby enacted as follows:—

West Ben.
Ord. XII of
1947.

1. (1) This Act may be called the West Bengal District School Boards Act, 1947.

Short title
and commen-
cement.

(2) It shall come into force on the date on which the West Bengal District School Boards Ordinance, 1947, ceases to operate.

10 & 11,
Geo. VI. c.
30.

2. In this Act, the expression "Boundary Commission" means the Boundary Commission referred to in the Indian Independence Act, 1947.

Definition.

Ben. Act VII
of 1930.

3. Notwithstanding anything contained in the Bengal (Rural) Primary Education Act, 1930, or in any other law for the time being in force, on and from the date on which the award of the Boundary Commission came into force the District School Boards of the districts of Nadia, Dinajpur, Malda and Jalpaiguri constituted under the said Act shall be deemed to have been dissolved and every member of each such board shall be deemed to have ceased to hold office as such member in so far as such boards had authority over any area included within West Bengal under the said award.

Dissolution
of certain
district
school
boards.

¹For Statement of Objects and Reasons, see the *Calcutta Gazette, Extraordinary*, dated the 20th November, 1947, Part IVA, page 313; for proceedings in the West Bengal Legislative Assembly, see the proceedings of the meeting of the West Bengal Legislative Assembly held on the 26th November, 1947.

²This word was substituted for the word "Navadwip" by the West Bengal District School Boards (Amendment) Act, 1948 (West Ben. Act XXXIV of 1948).

(Sections 4-6.)

Constitution of certain district school boards.

4. (1) Notwithstanding anything contained in the Bengal (Rural) Primary Education Act, 1930, or in any other law for the time being in force, the ¹[State] Government may, by notification in the *Official Gazette*, constitute District School Boards of the districts of ²[Nadia], West Dinajpur, Malda and Jalpaiguri in such manner and consisting of such number of members as it may determine in this behalf.

Ben. Act VII of 1930.

(2) The district school boards constituted under sub-section (1) shall be deemed to have been constituted on and from the date on which the award of the Boundary Commission came into force.

Term of office of members.

5. The ¹[State] Government may, by notification in the *Official Gazette*, fix the term of office of members of the District School Boards constituted under section 4 for such period as the ¹[State] Government may think proper.

Reconstitution of certain District School Boards in accordance with the provisions of Ben. Act VII of 1930.

³5A. The ¹[State] Government may, if it so thinks fit, by notification in the *Official Gazette*, direct that on the expiration of the term of office of members of the District School Boards constituted under section 4, the said District School Boards shall be reconstituted in accordance with the provisions of the Bengal (Rural) Primary Education Act, 1930, and for the purpose of such reconstitution, the members of the said Boards shall be elected and appointed, before the expiry of the term of office of the members of the District School Boards constituted under section 4, in accordance with the provisions of the Bengal (Rural) Primary Education Act, 1930, and the rules framed thereunder and the persons, who ceased to hold their offices under section 3 shall not be deemed disqualified for such election or appointment if they are otherwise qualified therefor:

Provided that such of the provisions of the Bengal (Rural) Primary Education Act, 1930, as are specially applicable to the constitution of the District School Boards for the first or second term shall not apply.

Savings.

6. Any regulations made or directions issued or anything done or any action taken or any suit instituted or any proceedings commenced by or against the District School Boards dissolved under section 3 in relation to the areas comprised in the districts of ²[Nadia], West Dinajpur, Malda and Jalpaiguri before the publication of the notification constituting the

¹This words was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

²See foot-note 2 on page 5, *ante*.

³This section was inserted by s. 2 of the West Bengal District School Boards (Amendment) Act, 1949 (West Ben. Act XV of 1949).

IV of 1947.]

(Section 7.)

District School Boards of the said districts under sub-section (1) of section 4 shall be deemed to have been made, issued, done, taken, instituted or commenced, as the case may be, by or against the respective District School Boards as so constituted as if such Boards had been constituted and were in existence at the time when such regulations were made, directions issued, thing done, action taken, suit instituted or proceedings commenced.

7. Any notification issued or anything done or any action taken in exercise of any power conferred by the West Bengal District School Boards Ordinance, 1947, shall, on the said Ordinance ceasing to be in operation, be deemed to have been issued, done or taken in exercise of the powers conferred by this Act as if this Act had commenced on the 6th day of November, 1947.

West Ben.
Ord. XII of
1947.

Continuance
of action
taken under
West Bengal
Ordinance
XII of 1947.