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NOTIFICATION

No.H. 12018/118/2003-LJD, the 17th July, 2014. The following Act is hereby published for general information.

The Mizoram Board of School Education (Amendment) Act, 2014

(Act No. 3 of 2014)

{Received the assent of the Governor of Mizoram on the 11th July, 2014}

Zahmingthanga Ralte,
Deputy Secretary to the Govt. of Mizoram.

ACT 3 OF 2014
THE MIZORAM BOARD OF SCHOOL EDUCATION (AMENDMENT) ACT, 2014

AN ACT

to amend the Mizoram Board of School Education Act, 1975

It is enacted by the Legislative Assembly of Mizoram in the sixty fifth year of the Republic of India as follows :

Short title, Extent and Commencement	1	(1) This Act may be called the Mizoram Board of School Education (Amendment) Act, 2014. (2) It shall extent 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 of Section 1	2	In the Mizoram Board of School Education Act, 1975 (Act No.2 of 1976) as amended from time to time (hereinafter referred to as the Principal Act), in sub-section 1,

- (1) Section (2) along with the provision shall be substituted by the following, namely :-
 “(2) It extends to the whole of the State of Mizoram. Provided that the provisions of this Act relating to the education in the secondary and higher secondary stages shall not be applicable to any institution which affiliates itself to the Council for the Indian School Certificate Examination or the Central Board of Secondary Education so permitted under section 11 of this Act.”
- (2) Sub-section (4) of section 1 along with the proviso shall be deleted.

**Amendment of
Section 2**

- 3 Section 2 of the Principal Act shall be substituted by the following, namely -
- “2. In this Act, unless the context otherwise requires,
- (a) “Affiliated” means affiliated by the Board for the admission of privilege of the Board.
- (b) “Affiliation” means affiliation of schools by the Board;
- (c) “Board” means the Mizoram Board of School Education established under this Act;
- (d) “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 of the Subsidiary Rules and such other Rules of the Central and the State Government, as may be applicable to the employees of the Government of Mizoram;
- (e) “Centre Superintendent” means a person appointed by the Board to conduct and supervise examinations of the Board and includes Assistant Superintendent;
- (f) “Chairman” means the Chairman of the Board;
- (g) “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;
- (h) “Controller of Examinations” means an officer so designated under the Board;
- (i) “Controlling Authority” means any authority designated as the Controlling Authority of the Board by the Government under sub-section(2) of section 3;
- (j) “Director (Academic)” means an officer so designated under the Board;
- (k) “Director of School Education” means the Director of School Education and shall include any other officer authorized by him to perform all or any of the functions of the Director;
- (l) “District Council” means an Autonomous District Council established by law within Mizoram;
- (m) “Education Department” means the School Education Department of the Government;
- (n) “Employee” means an employee working under the Board;
- (o) “Examination” means an examination conducted by the Board;
- (p) “Funds” means the Mizoram Board of School Education funds constituted under this Act;
- (q) “Government” means the State Government of Mizoram.
- (r) “High School” means a school where general education is imparted to the students of Classes IX and X and prepares students for

- Matriculation or High School Leaving Certificate Examination of the Board held at the end of Class X;
- (s) "Higher Secondary School" means a school where general, professional or vocational education is imparted to the students of Class XI and XII and prepares students, for Higher Secondary School Leaving Certificate Examination of the Board held at the end of Class XII;
 - (t) "Institution" means any High School or Higher Secondary School and it shall include the District Institute of Education and Training in the State of Mizoram;
 - (u) "Invigilator" means a person who assists the Centre Superintendent in conducting and supervising the examination at an examination Centre;
 - (v) "Managing Committee" means a duly constituted Managing Committee and recognized by the Board or Government;
 - (w) "Notification" means a notification published in the Official Gazette of Mizoram;
 - (x) "Prescribed" means prescribed by rules or regulations made under this Act;
 - (y) "Professional or Vocational School" means a school or an institution imparting technical or trade or craft education and vocational education;
 - (z) "Regulations" means regulations made by the Board under this Act;
 - (za) "Rules" means rules made under section 30 of this Act;
 - (zb) "School Education" means education imparted to the students in the High Schools and Higher Secondary Schools in the State of Mizoram;
 - (zc) "Secretary" means the Secretary of the Board;
 - (zd) "State" means the State of Mizoram;
 - (ze) "University" means the Mizoram University."

Amendment of Section 4

- 4 Section 4 of the Principal Act shall be substituted by the following, namely :-
- "4.(1) The Board shall consists of the following members namely
- (a) The Chairman Chairman
 - (b) The Secretary Member Secretary
 - (c) The Director of Higher and Technical Education Ex-officio Member
 - (d) The Director of School Education Ex-officio Member
 - (e) The Director of SCERT Ex-officio Member
 - (f) The Director of Sports & Youth Services Ex-officio Member
 - (g) One Principal of a Govt.College to be nominated by the Controlling Authority Ex-officio Member
 - (h) The Principal, Institute of Advanced Studies in Education Ex-officio Member
 - (i) One of the Principals of the District Institute of Education & Training in Mizoram to be nominated by the Director of SCERT Ex-officio Member
 - (j) One of the District Education Officers in the State to be nominated by the Director of School Education Ex-officio Member

- (k) Registrar, Mizoram University Ex-officio Member
- (1) Members to be nominated by the Controlling Authority:
- (i) One member of the Mizoram Legislative Assembly on the recommendation of the Speaker of the Legislative Assembly;
 - (ii) One Principal of Higher Secondary School;
 - (iii) One Headmaster of High School; and
 - (iv) One lady educationist.
- (2) The Director (Academic) and the Controller of Examinations shall be entitled to attend and speak at any meeting of the Board but shall not be entitled to vote there at.
- (3) The Board shall have power to co-opt not more than two from amongst the distinguished or eminent educationists.
- (4) The Board as constituted in sub-section (1), except the co-opted members in sub-section (3), shall function as Governing Body of the Board.
- (5) If by such date as may be prescribed, any of the concerned authorities fail to nominate member or members as provided in sub-section (1), the Chairman shall have power to appoint such member or members:

Provided that in the case of the Legislative Assembly, if the said Assembly has been dissolved, the Controlling Authority shall appoint a suitable person to be a member to hold office until the said Assembly is reconstituted and regular representative is recommended and a person appointed under this sub-section shall be deemed to be a member of the Board.

**Amendment of
Section 9**

5. In section 9 of the Principal Act, sub-section (I)(i) shall be substituted by the following, namely -
“(I)(i) The Board shall meet at least once a year and may be convened to meet more than once in the year.

**Amendment of
Section 11**

6. Section 11 of the Principal Act shall be substituted by the following, namely -
“11. The Board shall have, subject to any general or special order of the Government, the provision of this Act and any rules made thereunder, the power to regulate, supervise and control school education in Mizoram, and in particular the Board shall have the following powers and duties namely -
- (i) to prescribe courses of instruction including practice teaching, practical work and the like, where necessary, for High Schools, Higher Secondary Schools, the District Institutes of Education and Training and Professional and Vocational Schools;
 - (ii) to conduct and supervise examinations based on such courses mentioned in (i) above and to conduct and supervise such other examinations as may be decided by the Board from time to time;
 - (iii) to admit to its examination on conditions that may be prescribed by regulations, candidates, who have pursued the prescribed courses of instruction whether at a school or privately, who may be eligible as per regulations, framed under this Act and also to take such disciplinary action against candidates as may be prescribed by regulations;
 - (iv) to register students and issue them Registration Cards on payment to the Board of such fees as may be prescribed;
 - (v) to demand and receive such fees as may be prescribed by regulations;
 - (vi) to publish the results of its examinations;

- (vii) to grant certificates to person who:
 - (a) have pursued and passed a course of study in an institution admitted to the privilege of affiliation by the Board;
 - OR
 - (b) are teacher in affiliated schools in Mizoram and have passed the examinations of the Board
 - OR
 - (c) have studied privately under conditions laid down by the Board and have passed the examinations of the Board;
- (viii) to institute and award scholarships, prizes and the like;
- (ix) to prescribe, prepare, publish and select text books and supplementary books or to cause to prepare or publish selected text books for any or all of its prescribed courses for its various examination;
- (x) to lay down conditions for affiliation of schools which are preparing candidates for various school courses and such other courses including District Institute of Education and Training as may be prescribed by regulations;
- (xi) to affiliate High Schools, Higher Secondary Schools, and District Institute of Education and Training in Mizoram and to withdraw such affiliation on grounds considered reasonable by the Board subject to the provision of the regulations made under this Act;
- (xii) to issue permission, in the form of a no-objection certificate, to any educational institutions, in Mizoram, desirous of seeking affiliation to any other Board or Council other than Mizoram Board of School Education;
- (xiii) to take such disciplinary action as it thinks fit against institutions as prescribed by regulations;
- (xiv) to adopt measures for study and examinations of problems in the field of school education and teacher's training and professional and vocational schools;
- (xv) to advise government on physical, moral and social welfare of students in affiliated institutions and to prescribe conditions for their residence and discipline;
- (xvi) to organize seminars, trainings, workshops and provide in-service teacher training courses;
- (xvii) to receive grants from the Government and donations from private individuals and other Non-Government or Semi-Government Bodies or Central Government for specific or general purposes;
- (xviii) to seek for report from the Director of School Education on the conditions of affiliated institutions or other institutions applying for affiliation;
- (xix) to advise Government on re-organisation and development of school education, pre-service and in-service teacher training courses under the District Institutes of Education and Training and Professional or Vocational School courses;
- (xx) to advise the Government relating to any matter within the provisions of this Act on which the Government may consult the Board;
- (xxi) to appoint officers and other employees of the Board except the Chairman and the Secretary who shall be appointed by the

- Government and prescribe, by regulations, the terms and conditions of their service;
- (xxii) to take such disciplinary actions as it thinks fit against the officers and employees of the Board as may be prescribed;
 - (xxiii) to enter into agreement with any financial institution or any scheduled bank to enable its officers and employees enjoy the facility of house building and other advances.
 - (xxiv) to institute by regulations for the benefits of its officers and other employees such as pension, gratuity and provident fund as it may deem fit, in such manner, and subject to such conditions, as may be prescribed by regulations;
 - (xxv) to delegate all or any of its powers to any Committee or Sub-Committee constituted under this Act, and to any of its officers;
 - (xxvi) to administer the funds;
 - (xxvii) to cause an inspection, to be made by such person or persons as the Board may nominate, of non-affiliated institutions applying for affiliation as also of any of its affiliated institutions if and as considered necessary;
 - (xxviii) to invest surplus funds of the Board in Government securities or Defence Bonds or in fixed deposits in approved Scheduled Banks or Reserve Bank;
 - (xxix) to receive, purchase and hold any property moveable or immovable which may become vested in it, and to dispose of all or any of the property, moveable or immovable belonging to it, and also do all other acts incidental or appertaining thereto;
 - (xxx) to do all such acts and things as may be necessary in order to further the objects of the Board as a body established to regulate, supervise and maintain the standard of school education, professional or vocational schools and District Institutes of Education and Training;
 - (xxxii) to issue order to all heads of its affiliated institutions and demand compliance thereof to render such cooperation and help as may be asked for by a Centre Superintendent in conducting Board's Examinations.
 - (xxxiii) to cause an assessment of insitutions and to give accreditation accordingly,
 - (xxxiii) to set up or close Regional Office or offices and delegate by regulations functions and powers to such office or offices for better and easier conduct of the Board's work within the region covered by it".

**Amendment of
Section 15**

- 7 The first proviso to sub-section (1) of section 15 of the Principal Act shall be substituted by the following, namely -
"Provided that the person to be appointed as Chairman shall be atleast a Master Degree holder from a recognised University and must have at least twenty years of experience in the field of education out of which at least 5 years shall be in educational administration or the Board".

**Amendment of
Section 17**

- 8 Sub-section (1) of section 17 along with proviso of the Principal Act shall be substituted by the following, namely -
"17.(1) The Secretary shall be a whole-time officer appointed by the Government on such terms and conditions as may be prescribed by regulations".

**Amendment of
Section 21**

- 9 In section 21 of the Principal Act, sub-section (1) shall be substituted by the following, namely -
"21. (1) As soon as may be after the Board is established it shall appoint the following committees, namely:-
(i) the Examination Committee;
(ii) the Finance Committee;
(iii) the Syllabus Committee;
(iv) the Affiliation Committee;
(v) such other Committees or Sub-committees as it may deem necessary for the proper execution of its business".

**Amendment of
Section 22**

- 10 In section 22 of the Principal Act, sub-section (2) and (3) shall be substituted by the following, namely -
"22. (2) In particular, and without prejudice to the generality of the foregoing powers, the Board may make regulations for all or any of the matter, namely :-
(i) laying down the procedure to be observed for the conduct of its meetings and to fix the number of the members required to form a quorum in meetings of its committees;
(ii) the conduct of examination including the appointment of paper-setters, moderators, coders, examiners, scrutinizers, tabulators, centre-superintendents, invigilators and their duties, powers and remunerations;
(iii) the conditions under which candidates shall be admitted to the examinations of the Board;
(a) the conditions under which the students shall be registered by the Board;
(iv) the conditions under which the Board may affiliate institutions for the purposes of its examinations;
(v) the courses of study to be followed in the higher secondary schools and high schools and the courses of study for other examinations that may be conducted by the Board;
(vi) the conditions for the award of the certificates and diplomas of the Board;
(vii) the institution of scholarship and prizes;
(viii) the selection or co-option of member of the Board and its committees;
(ix) the constitution, powers and duties of committees set up by the Board;
(x) the creation of posts and appointment of employees of the Board and the conditions of their services;
(xi) the provision of provident fund and other retirement benefits for the employees of the Board; and
(xii) all matters which, by this Act, are to be, or may be, provided for by regulations;
provided that the regulations made by the Board or any amendments thereto shall not take effect until they have received the approval of the Government.
(3) The Board and its committees may make bye-laws, consistent with Act, and rules and regulations made thereunder for the following purposes, namely: -
(i) laying down the procedure to be observed at their meetings;
(ii) providing for all other matters solely concerning the Board and its committees and not provided for by this Act, and rules and regulations made thereunder;

(iii) laying down conditions and guidelines followed in the conduct of public examination”

Repeal of clause (iv) of sub-section (2) of Section 30

12 In section 30 of the Principal Act, clause (iv) of sub-section (2) shall be deleted.

Secretary,
Law & Judicial Department,
Govt. of Mizoram.