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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Department of Technical Education, Training and Skill Development
(Polytechnic Branch)

Karigori Bhavan, Action Area-III
New Town, Kolkata-7000160.

NOTIFICATION

No. 1107-FET(Poly):10M-101-2018, Dated 24th October, 2019. In exercises of the power conferred by sub-section (1) of section 33, read with sub-section (2), sub-section (6), sub-section (7) and sub-section (8) of section 9, section 12, sub-section (3) of section 13, section 15, clause (x), clause (xi), clause (xii) and clause (xv) of sub-section (1) and sub-section (2) of section 16, sub-section (3) of section 17, sub-section (1) of section 22, section 25, section 26, section 27 and section 29 of the West Bengal State Council of Technical and Vocational Education and Skill Development Act, 2013 (West Ben. Act XXVI of 2013), the Governor is pleased hereby to make, with immediate effect, the following rules, namely:-

The West Bengal State Council of Technical and Vocational Education and Skill Development (Transaction of Business and Finance, Accounts and Audit) Rules, 2019

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CHAPTER-I

1. **Short title and commencement.**—(1) These rules may be called The West Bengal State Council of Technical and Vocational Education and Skill Development (Transaction of Business and Finance, Accounts and Audit) Rules, 2019.

(2) These rules shall come into force on the date of their publication in the *Official Gazette*.

Definitions. (1) In these rules, unless there is anything repugnant in the subject or context—

- (a) "Act" means the "West Bengal State Council of Technical and Vocational Education and Skill Development Act, 2013 (West Ben. Act XXVI of 2013)";
- (b) "Appointing Authority" in relation to all the employees (other than Group A employees) of the Council shall mean the Chief Administrative Officer and for Group A employees, the Chairperson of the West Bengal State Council of Technical and Vocational Education and Skill Development;
- (c) "Cadre" means the strength of a group of posts or service or part of service sanctioned as a separate unit;
- (d) "Chairperson" and "Vice-Chairperson" means the Chairperson and Vice-Chairperson of the Council;
- (e) "Chief Administrative Officer" means the Chief Administrative Officer and Member-Secretary of the Council;
- (f) "Competent Authority" means any authority to whom power is delegated by the Council for the purpose of these rules;
- (g) "Council" means the "West Bengal State Council of Technical and Vocational Education and Skill Development" established under the Act;
- (h) "Disciplinary Authority" shall mean the Chairperson in respect of Group-A employees of the Council and the Chief Administrative Officer in respect of other than Group-A employees of the Council;
- (i) "Employee" means a person appointed to a post in connection with the affairs of the Council but does not include person or persons engaged under temporary capacity, or a part-time employee, or a person engaged under daily rate;
- (j) "Financial Year" means a year beginning on the 1st day of April and ending on the 31st day of March of the following year;
- (k) "Fund" means the West Bengal State Council of Technical and Vocational Education and Skill Development Fund;
- (l) "Governing Body" means a body constituted by a recognized Institution, and approved by the Government;
- (m) "Institution" means a Polytechnic, Industrial Training Institute, Industrial Training Centre, Schools having Vocational Training and includes such non-Government Institute, Private Vocational Training or Skill Providers, in which instruction is provided for courses in technical education or vocational training or skill development as the Government may, by notification, specify;
- (n) "Managing Committee" used in reference to a school and includes the Governing Body of that school approved by the School Education Department, Government of West Bengal;
- (o) "notification" means a notification published in the *Official Gazette*;
- (p) "Pay" means the basic pay in the time scale of pay to which an employee is appointed substantively or on officiating basis;
- (q) "Permanent Post" means a post carrying a definite rate of pay sanctioned without limit of time;
- (r) "Polytechnic" means an institution in which instruction is provided for courses of study in technical education leading to a diploma of the Council;
- (s) "Post" means any post sanctioned by the Government for the establishment of the Council;
- (t) "Provident fund" means fund instituted and administered by the Council in accordance with the regulations made under this rules for that purpose;
- (u) "Recognized" in relation to an affiliated institution, means recognized by the Council;

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- (v) "Regulations" means a regulation made by the Council under these rules;
- (w) "Secretary" means the Member-Secretary of the Council;
- (x) "State Government" means the Government of West Bengal in the Department of Technical Education, Training and Skill Development, Government of West Bengal;
- (2) All such words and expressions used and not defined in these rules shall have the same meaning respectively assigned to them in The West Bengal State Council of Technical and Vocational Education and Skill Development Act, 2013.

CHAPTER-II

TERMS AND CONDITIONS OF SERVICE OF CHAIRPERSON AND OTHERS

3. **Other terms and conditions of service of the Chairperson, Chief Administrative Officer and other members; (other than *ex officio* member).**—(1) The Chairperson and the Chief Administrative Officer (CAO) and the members of the Council (other than *ex officio* members) shall be entitled to travelling allowances as admissible to a Group 'A' officer of the State Government.

- (a) The Chairperson, Chief Administrative Officer and other Member (other than *ex-officio* Member) shall be appointed as per provision of the Act referred to in section -5 and sub-section (1) and (2) of section-6;
- (b) Pay or remuneration, Allowances and other benefits of the Chairperson and other Members shall have to be fixed in consultation with the Finance Department from time to time;
- (2) The Chairperson, the Chief Administrative Officer and members of the Council (other than the *ex officio* members) may enjoy leaves as per the provisions of the West Bengal Service Rules and the Department of Technical Education, Training and Skill Development shall have the authority to sanction his leave.
- (3) The Chairperson and the Chief Administrative Officer may draw, at his option, the pay drawn by him in his previous employment immediately preceding his employment in the Council with benefit of usual increment in the relevant scale of pay as may be determined under sub-rule (3) above, as the case may be, whichever is higher.
- (4) The post of Chief Administrative Officer shall be not below the rank of Joint Secretary to the Government in the appropriate scale of pay.
- (5) The rules of the parent organisation or department as applicable to the person appointed as Chairperson of the Council shall be applicable to him in respect of all service matters including disciplinary action:

Provided that in the case of disciplinary action, the Council shall report the allegations against the Chairperson to his or her parent organisation or department with the request to take appropriate action and shall abide by the advice of the parent organisation or department.

- (6) In the case of an officer appointed as Chief Administrative Officer or member (other than the *ex officio* members) otherwise than on deputation, all rules applicable to the officer while he was in service of the State Government shall continue to be applicable and shall be similarly administered by the Government.
- (7) The terms and conditions of service in case of deputation of a person appointed as Chief Administrative Officer or member (other than the *ex-officio* member) shall be determined by his or her parent organisation or department in consultation with the Council.

4. **Disqualification of the Chairperson, Chief Administrative Officer and other members (other than *ex-officio* members) of the Council.**— (1) The Chairperson or the Chief Administrative Officer and any other member (other than *ex officio* members) of the Council shall be disqualified if he-

- (a) has been adjudged by a competent Court to be of un-sound mind;
- (b) is un-discharged insolvent;

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- (c) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune not by reason of any misconduct on his part;
- (d) has been convicted by any Court of an offence which is declared by the Government to be an offence involving moral turpitude, unless –
- such disqualification is condoned by the State Government;
 - the terms of his imprisonment, or a period of five years from the date of his conviction, whichever is longer, has expired;
- (e) directly or indirectly, by himself or his partner or through his assignees has any interest in any work done by order of or any contract entered into by or on behalf of the Council;
- (f) refuses to implement Government Orders or Policy of the Government, or causes wilful and unnecessary delay in implementing the same;
- (g) absents himself from duty for 2(two) months without prior approval of the Government;
- (h) has been proved to be guilty of criminal breach of trust or gross financial irregularity or impropriety or gross negligence of duty;
- (2) The Chairperson, the Chief Administrative Officer and any other member (other than *ex-officio* member) shall not be removed from his office for disqualification on any ground referred to in clause (a) to (h) of sub-rule (1) without any inquiry ordered by the State Government and without giving the person concerned an opportunity of making his representation against such removal.

5. Officers and employees of the Council.–

| Sl. No. | Name of the Post |
|---------|--|
| 1 | Secretary (Technical Education) |
| 2 | Secretary (Vocational Education and Skill Development) |
| 3 | Controller of Examinations (Technical Education) |
| 4 | Controller of Examinations (Vocational Education and Skill Development) |
| 5 | Registrar (Technical Education) |
| 6 | Registrar (Vocational Education and Skill Development) |
| 7 | Deputy Secretary (Administration) |
| 8 | Deputy Secretary (Vocational Education and Skill Development) |
| 9 | Assistant Secretary (Administration) |
| 10 | Assistant Secretary (Vocational Education and Skill Development) |
| 11 | Assistant Registrar (Technical Education) |
| 12 | Assistant Registrar (Vocational Education and Skill Development) |
| 13 | Finance Officer |
| 14 | Law Officer |
| 15 | Programmer-Cum-Data Entry Operator |
| 16 | Head Assistant, Head Clerk |
| 17 | Upper Division Assistant, Upper Division Clerk, Accountant, Cashier-Cum-Accountant |
| 18 | Stenographer-B |
| 19 | Steno-typist |
| 20 | Lower Division Clerk, Lower Division Assistant, Cashier, Computer Operator, Typist |
| 21 | Group - D. Peon, Night Guard |

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Note 1.--(a) Finance Officer: Cadre post of WBA&AS, FD Gr. "T" may be consulted;

(b) Law Officer: Cadre post of West Bengal Legal Service, Law Department may be consulted.

(c) The mode of recruitment, Scale of Pay and service conditions of the Officers and staff of the Council shall have to be notified from time to time in consultation with the Finance Department and as per existing rules or orders of the State Government.

CHAPTER-III

POWERS AND FUNCTIONS OF THE COUNCIL.

6. **Power and functions of Chairperson, Vice-Chairperson and Chief Administrative Officer (CAO) as Member Secretary.**— (1) The Chairperson shall preside over all the meetings of the Council.

(2) The Member-Secretary shall convene a meeting of the Council by mentioning time, date and venue, in consultation with the Chairperson, but, in case the Member-Secretary fails to convene a meeting of the Council for discussion on any urgent issue, the Chairperson may convene such meeting issuing a clear seven days' notice for such urgent issue with intimation to the Member-Secretary:

Provided that the Chairperson shall not convene such a meeting when the Member-Secretary is on leave or out of station for urgent official work or when the post of Member-Secretary is vacant:

Provided that when the post of Member-Secretary is vacant the Chairperson may convene meeting with the prior approval of the State Government.

(3) The Chairperson is generally empowered to co-ordinate amongst the members of the Council and with the Directorates under the Department of Technical Education, Training and Skill Development for public interest.

(4) The resolutions of the meetings of the Council shall be signed jointly by the Chairperson and Member-Secretary.

(5) If any decision in the meeting is taken by vote, but with the dissent of either the Chairperson or the Member-Secretary, the same shall be forwarded to the Government within 15 days by any of them and the decision of the State Government shall, in this regard, be final and binding upon the Council:

Provided that such decision shall be executed by the Council only after the final decision is taken by the State Government.

(6) The Chairperson shall implement all the decisions taken in the Meetings of the Council without dissent and also the final decision of the State Government as referred to in sub-rule (5).

(7) The Chairperson shall implement all the policy decisions taken by the State Government to promote, excel and expand the scope of technical and vocational education for the benefit of the people.

(8) The Chairperson shall preside over the meeting of the Executive Committee constituted by the Council in terms of sub-section (1) of section 18.

(9) In case the Member-Secretary is unable to convene a meeting of the Executive Committee, the Chairperson may, in writing, inform the Member-Secretary to do so and on his failure the Chairperson may himself convene such meeting after a lapse of one week from the date of such intimation.

(10) All meetings of the Executive Committee shall be convened by the Member-Secretary with the approval of the Chairperson.

(11) Agenda for discussion in the Executive Committee meeting shall be prepared by the Member-Secretary.

(12) The proceedings of the Executive Committee meeting shall be prepared by the Member-Secretary in consultation with the Chairperson and signed by both the Chairperson and Member-Secretary.

- (13) The Vice-Chairperson shall be responsible for exercising the power and functions of Chairperson in absence of the Chairperson or by way of delegation by the Chairperson or by the State Government.
- (14) The Chief Administrative Officer (CAO) of the Council shall be responsible for carrying out and giving effect to the decisions of the Council and of any Committee or body constituted by it under the Act, rules framed thereunder and he or she shall –
 - (a) exercise general supervision over all the Group-A employee(s) and members of the staff appointed by the Government or the Council and shall post and transfer of Group-A employee(s) or the members of the staff;
 - (b) take such other action(s), not inconsistent with any decision of the Council, as he may consider necessary for the purpose of proper functioning of the Council in furtherance of the Act or this rules or regulations made under this rules.

7. Affiliation and Governing Body of Diploma Engineering or Technology Institution of diploma or post diploma in engineering or technology institute or polytechnic.— (1) Affiliation of different courses of studies will be awarded by the Council to the diploma Engineering or Technology Institution approved by the All India Council of Technical Education for this purpose and other short term skill development training centres.

- (2) The Governing body of the institutes will be constituted in line with the guidelines provided by the All India Council for Technical Education (AICTE) for this very purpose.
- (3) The Governing Body of the Government or Government Sponsored and Public Private Partnership (PPP) model institutions, will be constituted as per the order issued by the Government from time to time.
- (4) The composition of Governing Body of AICTE approved institute shall be in the manner as specified in the guidelines of All India Council for Technical Education (AICTE), as modified from time to time.
- (5) The Council being solely authorized and responsible for the conduct of the Diploma Engineering or Technology Education in West Bengal, shall have a control in the management and functioning of the Governing Bodies of such Institutions.
- (6) For proper functioning of the Diploma Engineering or Technology Institutions the Council shall lay down certain duties, obligations and responsibilities upon the Governing Bodies of those Institutions, which shall include the following—
 - (a) The Governing Body of an institute shall have the power to supervise the activities of the Diploma Engineering or Technology Institutions for its smooth functioning;
 - (b) For the purpose as mentioned above the Governing Bodies can introduce a range of procedures with approval of the Council;
 - (c) The Governing Bodies shall meet at least twice in a year;
 - (d) The Governing Bodies must maintain a register of the business of the Institutions;
 - (e) The Governing Bodies shall work according to the basic directions given by the Council;
 - (f) The Governing Body shall have general responsibility for conduct of the Institutions with a view of promoting high standard of educational achievement.

8. Inspection and other measures for Diploma Engineering or Technology Institution of diploma or post diploma in engineering or technology institute or polytechnic.— (1) For affiliation and proper functioning of the Diploma Engineering or Technical education of the State, the Council will inspect or cause inspection of any Diploma Engineering or Technology Institutions as per the provisions below –

- (a) The institutions may be inspected at pre-affiliation as well as post-affiliation stage by the members of Recognition Committee of the Council or a committee may be comprised of experts from different field of specialization by Council;

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- (b) The institutes may be inspected at any time with or without giving prior intimation to the institutions;
 - (c) The inspection team will be formed by the council which may be comprised of experts from different fields of specialization;
 - (d) The inspection team will look after the available infrastructure and other details of the institute in comparison with the laid down norms and standard of AICTE or the Council;
 - (e) Inspection may be done to take necessary steps, to prevent commercialization of affiliated institutions;
 - (f) The Inspection Committee may submit their report to the Recognition Committee of the Council for granting or refusing recognition to Institutions, and to withdraw such recognitions in accordance with such regulations as may be made in this behalf.
- (2) The Council may impose penultimate measures as recommended by the Recognition Committee in case of affiliated institutes in the following cases—
- (a) In case of violation of norms or orders regarding the admission of student by the institutions;
 - (b) In case of complains against collection of irregular fees from the students;
 - (c) In case of complains related to members of the teaching or non-teaching staff against the decision of the Governing body of the affiliated institutions in relation with any matter which will affect the normal educational affair of the institute:
- Provided that the penalty may be financial, and may be up to the extent of de-affiliation of an affiliated institution.
- (3) The Council may setup State board of Accreditation on the basis of guidelines, norms and standards specified by the AICTE or NBA and to make necessary recommendations for appropriate action *in this regard*.
 - (4) The Council may evolve suitable performance appraisal systems for affiliated institutions imparting technical education, incorporating norms and mechanism for enforcing accountability.
 - (5) The Council may delegate by notification to any recognized institution such of its powers, and on such conditions, as it may think fit.
 - (6) The Council may institute and award fellowships (including travelling fellowship) scholarships and studentships, and to award prizes and distinction certificates to the students or faculties or persons related with the diploma engineering or technology education of the State.

9. **Admission of students, Curriculum, Examination and conduct and disciplines for Diploma Engineering or Technology Institution.**— (1) The Council may provide guidelines for admission of students to diploma engineering or technology institutions as per the guideline issued by the Government from time to time.

- (2) The Council may allow transfer of student from one polytechnic to another after being satisfied of cogent reasons.
- (3) The Council shall lay down norms and standards for courses, curriculum, physical and academic facilities as per the provisions below:
 - (a) The syllabus will be prepared, keeping parity with the all India standard of Diploma engineering or technology education.
 - (b) The syllabus will be prepared by the syllabus Committee to be constituted by the Council on the basis of recommendation of the board of Studies and Skilling to be made for each discipline, comprising participants from industries, institutions and an expert in that discipline.
 - (c) The Committee will work under the guidance of Board of Studies and Skilling (BOSS), who will provide the necessary gross guideline regarding the curricular structure for preparation of the syllabus.
 - (d) The syllabuses of all the disciplines along with the list of major equipment required for the same will be approved by the BOSS as well as Council.

- (e) This syllabuses and list of major equipment will act as the guiding standard for the affiliated institutes.
- (4) The Council will lay down norms and standards for Examination and certification as per the provisions below:
- (a) The Examinations of the Council will be commensurate with the one as provided in the curricular structure or syllabus of individual disciplines for the promotion of students belonging to affiliated institutions from lower to higher classes, and also to conduct final diploma or post diploma examinations.
- (b) The methodology of evaluation or examination for all disciplines are to be approved by the Board of Assessment, Examination and Certification as well as Council.
- (c) The methodology of evaluation or examination will be issued by necessary regulations or bye-laws or circulars by the Controller of Examinations (Technical Education) of the Council.
- (d) The Council will arrange for publication of results of examinations and for the grant of certificates and diploma to students on completion of course of study in any recognized polytechnic or institution and have passed the examination conducted for the purpose.
- (e) Fees for different examinations will be collected from the candidates, as per the approve rate of Board of Assessment, Examination and Certification and Council.
- (f) The Council may exercise disciplinary jurisdiction over the students with regard to any matter pertaining to the conduct of examination for award of certificates in diplomas. The extent of penultimate measures will be decided by the appropriate committee formed by the Council for this purpose.
- (g) The Council may grant or refuse permission to candidates to appear at examinations instituted by the council and may withdraw such permission, if it thinks fit, in accordance with regulations or bye-laws of the council.
- (h) The rates of remunerations to be paid to paper setters, moderators, tabulators, examiners, invigilators, supervisors and others employed in connection with the examinations will be fixed after considering the recommendations of Board of Assessment, Examinations and Certification and the same will have to be paid by the Council.

10. Affiliation and Governing Body, Higher Secondary (H.S.) (Vocational X+2 level) and other Vocational Education or Skill Development Training (class VIII+ level short term Vocational and Skill Development) Courses of Vocational Education and Skill Development.—(1) The Council being solely authorized for awarding affiliation of Higher Secondary (vocational) [X-2 level] and different courses of studies VIII+ short terms vocational or skill development training to the approved polytechnic or institute or school for the purpose.

- (2) The Council being solely authorized and responsible for the conduct of the examinations of H.S(Vocational) Education and all other certificate Courses of vocational training in West Bengal, shall have a control over the management and functioning of the Governing Bodies of such of Institutions.
- (3) The Government or Government Aided or Government Sponsored and PPP Model training centre or school shall have an approved Managing Committee which was constituted as per School Education Department's Act or Rules or Orders.
- (4) For proper functioning of the Government or Government Sponsored or PPP Model or Government Aided polytechnic or institute or school, the Council shall lay down certain duties, obligations and responsibilities upon the Governing Bodies or Managing Committee of the Institutions or schools, which shall include the following:
- (a) Shall have the power to supervise the activities of the polytechnic or institutions or school for its smooth functioning;
- (b) For the purpose as mentioned above, the Governing Bodies or Managing Committees can introduce a range of procedures with approval of the Council;

(12)

- (c) The Governing Bodies or Managing Committee shall meet at least twice in a year;
- (d) The Governing Bodies or Managing Committees must maintain a register of the business of the Institutions or polytechnics or schools;
- (e) The Governing Bodies or Managing Committees shall work according to the basic directions given by the Council for this purpose; and
- (f) General responsibility for conduct of the Institutions or polytechnics or schools with a view of promoting high standard of educational or training achievement.

11. Inspection of Higher Secondary (H.S.) (Vocational X+2 level) and other Vocational Education or Skill Development Training (class VIII+ level short term Vocational and Skill Development) Courses of Vocational Education and Skill Development.— (1) For affiliation and proper functioning of the H.S.(Vocational) education or vocational training courses (VII+ level) of the state the Council will inspect or cause inspection of any Institutions or polytechnics or schools where the courses are conducting as per the provisions below:—

- (a) The institutions or polytechnics or schools may be inspected at pre-affiliation as well as post-affiliation stage by the members of Recognition Committee of the Council or a committee may be comprised of experts from different field of specialization by the Council;
 - (b) The institutes or polytechnics or school may be inspected at any time with or without giving prior intimation to the institutions;
 - (c) The inspection team will be formed by the council which may be comprised of experts from different fields of specialization;
 - (d) The inspection team may will look after the available infrastructure and other details of the polytechnic or institute or school as per laid down norms and standard of Council;
 - (e) Inspection may be done to take necessary steps, to prevent commercialization of affiliated institutions;
 - (f) The Inspection Committee may submit their report to the Recognition Committee of the Council for granting or refusing recognition to Institutions, polytechnics or school, and to withdraw such recognitions in accordance with such regulations as may be made in this behalf.
- (2) The Council may impose penultimate measures as recommended by the Recognition Committee, as the case may be, in case of affiliated institutes or polytechnics or Colleges or schools as per the provisions below:
- (a) In case of violation of norms or orders regarding the admission of student by the institutions or polytechnics or school.
 - (b) To dispose complains against collection of irregular fees from the students.
 - (c) To dispose complains related to members of the teaching or non-teaching staff against the decision of the Governing body of the affiliated institutions or polytechnics or school in relation with any matter which will affect the normal educational or training affair of the institute;

Provided that the penalty may be financial, and may be up to the extent of de-affiliation of an affiliated institution.

12. Admission of students, Curriculum, Examination and conduct and disciplines of H.S. (Vocational) and VIII+ level Short terms Course (vocational) Institutions or Polytechnics or Schools.— (1) The Council may provide guidelines for admission of students to institutions or polytechnics or Colleges or schools for H.S.(Vocational) or STC(Vocational) as per the guideline issued by the Government from time to time.

- (2) The Council may allow transfer of student from one training centre to another training centre as a very special case.
- (3) The Council may promote innovation, research, development in established and new technologies to meet development requirement for overall improvement of Vocational educational and Skill Development processes.

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- (4) The Council will lay down norms and standards for courses, curricula, physical and instructional facilities as per the provisions below;
- (i) The syllabus will be prepared, keeping parity with the all India standard of vocational education or training.
 - (ii) The syllabus will be prepared by the syllabus Committee to be constituted by the Council on the basis of recommendation of the Board of Studies and Skilling to be made for H.S.(Vocational) and each trade of short terms course, comprising participants from industries, institutions and an expert in that trade.
 - (iii) The Committee will work under the guidance of Board of Studies and Skilling (BOSS), who will provide the necessary gross guideline regarding the curricular structure for preparation of the syllabus.
 - (iv) The syllabuses of all the trades along with the list of major equipment required for the same will be approved by the BOSS as well as Council.
 - (v) This syllabuses and list of major equipment will act as the guiding standard for the affiliated institutes.
- (5) The Council will lay down norms and standards for Examination and certification as per the provisions below:
- (i) The Examinations of the Council will be commensurate with the one as provided in the curricular structure or Syllabus of individual discipline or trade for the promotion of students belonging to affiliated institutions from lower to higher classes, and also to conduct examinations for short terms (vocational) courses.
 - (ii) The methodology of evaluation or Examination for all discipline or trades are to be approved by the Board of Assessment, Examination and Certification as well as Council.
 - (iii) The methodology of evaluation or Examination will be issued by necessary regulations or bye-laws or circulars by the Controller of Examinations (Vocational Education and Skill Development) of the Council.
 - (iv) The Council will arrange for publication of results of examinations and for the grant of certificates to students on completion of course of study in any recognized polytechnic or institution or school and have passed the examination conducted for the purpose.
 - (v) Fees for different examinations will be collected from the candidates, as per the approved rate of Board of Assessment, Examination and Certification and Council.
 - (vi) The Council may exercise disciplinary jurisdiction over the students with regard to any matter pertaining to the conduct of examination for award of certificates in H.S.(Vocational) and Short Term Vocational or Training Courses. The extent of penultimate measures will be decided by the appropriate committee formed by the Council for the purpose.
 - (vii) The Council may grant or refuse permission to candidates to appear at examinations instituted by the council and may withdraw such permission, if it thinks fit, in accordance with regulations or bye laws of the council.
 - (viii) The rates of remunerations to be paid to paper setters, moderators, tabulators, examiners, invigilators, supervisors and others employed in connection with the examinations will be fixed after recommendations of Board of Assessment, Examinations and Certification and the same will have to be paid by the Council.
 - (ix) The Council may issue equivalency certificates for both formal and non-formal courses after recommendation of Board of Assessment, Examination and Certification and subject to approval of the State Government.

13. Promote innovation, research, improvement of quality of teaching in the field of various technical and vocational education and training and to enhance the quality of latest technological knowledge to the students.-

- (1) The Council may undertake survey to various fields of vocational education or Training, collect data on all related matters and make forecast of required growth for coordination and development at all levels of vocational education or Training of the State.

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- (2) The Council may promote an effective link between technical and vocational education or training system and other relevant systems including research and development organizations, industry and community.
- (3) The Council may formulate schemes for initial and in-service training of teachers or instructors or trainers subject to prior approval of the State Government and identify institutions or centres, and setup new centers for staff development programmes including continuing education of teachers or instructors or trainers.
- (4) Council may promote an effective link between technical education system and other relevant systems including research and development organizations, industry and community.
- (5) The Council may formulate schemes for initial and in-service training of teachers subject to prior approval of the State Government and identify institutions or centers, and setup new centers for staff development programmes including continuing education of teachers.

CHAPTER-IV

RULES FOR FINANCE, ACCOUNTS AND AUDIT

14. Preparation of budget. – (1) The Council shall, not later than *15th September* of each financial year, prepare the budget of the following financial year showing details of the estimated receipts and expenditure and also the anticipated opening and closing balance of that year.

- (2) The budget estimate shall be prepared in the form set out in the Appendix-I, and requisite number of copies shall be forwarded to the State Government.
- (3) A copy of the budget shall be endorsed to the auditor or auditors as may be appointed by the State Government under sub-rule (2) of Rule 24.

15. Fund Management, Payment and Accounts of the Council.– (1) The Council shall maintain an account of expenditure done in different heads in the form of receipts and payment, and shall maintain a balance sheet which will be duly placed in the annual meeting of the Council for confirmation and the same will be forwarded to the Department of Technical education, Training and Skill Development for their approval:

Provided that in case of any expenditure arising out of any exigencies has been incurred or is to be incurred then the same will be forwarded to the State Government for approval.

- (2) The Council shall maintain the books of accounts and the registers in the form specified in Appendix-II.
- (3) The manner in which the Fund of the Council will be managed, receipt and expenditure and accounts of the Council will be governed by the Finance, Accounts and Audit Regulations of the Council.

16. Manner in which all the payments and receipts from the funds.–The Council shall maintain an account of expenditure incurred in different heads in the form of receipts and payment, and maintain a balance sheet which will be duly placed in the annual meeting of the Council and the same will be forwarded, along with the observation made in the said meeting, to the Department of Technical Education, Training and Skill Development for approval:

Provided that in case of any expenditure arising out of any exigencies has been incurred or is to be incurred then the same shall also be forwarded to the Government for approval.

17. Manner of maintenance of accounts. –(1) The Council shall maintain the books of accounts and the registers in the form specified in Appendix-II.

- (2) The annual account for each financial year shall be prepared by the Council in the form of (i) Receipt and Payment Account, (ii) Income and Expenditure statement and (iii) Balance sheet in specified form set out in Appendix-III.

18. Manner of re-appropriation of sanction.–In case of any re-appropriation which has been made or is required to be made, in the sanctioned budget, the same is to be sent for prior approval of the State Government.

19. Internal audit and statutory audit.– (1) Annual audit of accounts of the Council shall be performed each financial year and while performing the audit, the Council shall perform both Internal and Statutory Audit.

- (2) For Annual Audit of the accounts of the Council, an auditor or auditors shall be appointed by the Government.
- (3) The Council may appoint auditor for internal audits.
- (4) Report of Annual Audit shall be placed in the Annual Meeting of the Council.
- (5) Annual Audit Report along with the observation made thereon in the Annual Meeting of the Council shall be forwarded to the Government.
- (6) Annual Audit relating to a Financial Year should to be completed and report sent to the Government not later than the next 31st December of every financial year.

20. **Annual report of the Council.**— (1) The annual report giving the true and full account of the activities of the Council during the previous financial year shall be prepared and copies thereof shall be forwarded to the State Government, not later than 31st December following the financial year to which it relates:

Provided that the report may also contain suggestions if any, relating to the Technical Education and Training as well as Vocational Education and Skill Development as the Council deem fit to suggest.

- (2) The State Government may by specific order require the Annual Report of the Council to be submitted in a prescribed Form.

CHAPTER-V

MISCELLANEOUS

21. **Power of the Council to make regulations.**— (1) The Council may, by notification in the *Official Gazette*, make regulations in consultation with the Finance Department and the Law Department and with the approval of State Government for carrying out the purposes of the Act.

- (2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters:—
- rules of procedure in regard to the transaction of business at its meetings referred to in section 10;
 - classifications, method of recruitment and qualifications for different posts, conditions of service, pay and allowances and function, duties and responsibilities of the officers and other employees of the Council referred to in sub-section (4) of section 13;
 - conduct, discipline and appeal, dismissal, removal and suspension in respect of the officers and other employees of the Council referred to in sub-section (4) of section 13 for proper exercise of its power and subject to approval of the State Government;
 - provident fund as well as pension for employees of the Council referred to in clause (xxv) of sub-section (1) of section 16;
 - conduct, discipline and appeal in respect of the members of the staff of the Council referred to in clause (xxvi) of sub-section (1) of section 16, for proper exercise of its power and subject to approval of the State Government;
 - the rates of remunerations to be paid to the paper setters, moderators, tabulators, examiners, invigilators, supervisors and others employed in connection with the examination instituted by the Council, after considering the recommendations of the Board of Examinations, if any and the fees to be paid by the candidates for such examination and rate of center charges referred to in clause (xxviii) of sub-section (1) of section 16;
 - time, place and the rules of procedures in regard to the transaction of business at the meetings of the Executive Committee including the quorum in such meetings referred to in sub-section (4) of section 18;
 - constitution, power, functions and area of the Board of Studies and Skilling of the Council referred to in sub-section (2) of section 19

(8)

- (i) constitution of Board of Assessment, examinations and certifications referred to in sub-section (1) of section 20;
- (j) constitution of the Recognition Committee for granting and refusal of recognition to the institutions and also to withdrawing such recognition referred to in section 21;
- (k) grant scholarships in favour of meritorious students or grant awards of in favour of rank holder students or arrangement of annual sports of students etc. for proper exercise of its power under the Act and these rules;
- (l) any other matter which may be, or is required to be, provided in the regulations by the Council after getting approval of the State Government.
- (m) Power, function and jurisdiction of internal Auditor or Auditors for the purpose of Internal Audit or Statutory Audit of accounts of the Council referred to in sub-section (5) of section-22;

22. Overall supervision of the Chief Administrative Officers (CAO) and appointment of employees.— (1) All Group-A Officers (other than CAO) and other employees of the Council shall be appointed by the Council and shall work under the overall guidance of the Chief Administrative Officer of the Council.

- (2) The Council may, with the previous approval of the State Government, recruit and appoint Group-A officers and other employees on the basis of the regulations made in this behalf.
- (3) The Council shall have the power to make regulations for duties and responsibilities of the Group-A officers and other employees of the Council after approval of the State Government.

23. Repeal and savings.— (1) All rules, orders or notifications corresponding to these rule, in force immediately before the commencement of these rules are hereby repealed.

- (2) Notwithstanding such repeal, anything done or any action taken under the rules, orders or notifications referred in sub-rule (1) prior to commencement of these rules shall be deemed to have been validly done or taken under these rules.

APPENDIX-I

(see rule 14)

Budge Estimate for the financial year..... of West Bengal State Council of Technical and Vocational Education and Skill Development

Receipts

| Serial No. | Head of Receipt | Actual of Receipts of Previous financial year | Budget Estimate for the financial year | Revised Estimate for the financial year | Budget Estimate for next financial year |
|------------|-----------------|---|--|---|---|
| | | | | | |

Expenditure

| Serial No. | Head of Receipt Expenditure | Actual of Expenditure of Previous financial year | Budget Estimate for the financial year | Revised Estimate for the financial year | Budget Estimate for next financial year |
|------------|-----------------------------|--|--|---|---|
| | | | | | |

APPENDIX-II

(see sub-rule (1) of rule 17)

List of Statutory Registers and forms to be used by the West Bengal State Council of Technical and Vocational Education and Skill Development

1. Cash Book (Double Column) General
2. Allotment Register in Treasury Rule (TR) Form No.9 (as per West Bengal Treasury Rules, 2005)

(7)

3. Bill Transit Register in Treasury Rule (TR) Form No.6 (as per West Bengal Treasury Rules, 2005)
4. Bill Register General
5. Advance Payment Register General
6. Ledger Book General
7. Cheque or Cash Receipt Register
8. Cheque Book Register General
9. Cheque Issue Register General
10. Duplicate Carbon Receipt or Money Receipt Book
11. Acquaintance Roll in T.R. Form No.66
12. Stock Register
13. Dead Stock Register.

APPENDIX-III

(see sub-rule (2) of rule 17)

Receipt and Payment Account for the Financial Year.....

| Serial No. | Receipts | Amount in Rupees | Payments | Amount Rupees |
|------------|--------------------|------------------|----------|---------------|
| | To Opening Balance | | | |
| | Cash | | | |
| | Bank | | | |
| | | | | |
| | | | | |

Income and Expenditure Accounts for the Financial Year.....

| Serial No. | Income | Amount in Rupees | Expenditure | Amount in Rupees |
|------------|--------|------------------|-------------|------------------|
| | | | | |
| | | | | |
| | | | | |

Balance sheet of West Bengal State Council of Technical and Vocational Education and Skill Development on.....

| Liabilities | Previous financial year amount | Present financial year Amount | Total Amount | Assets | Previous financial year Amount | Present financial year Amount | Total Amount |
|-------------|--------------------------------|-------------------------------|--------------|--------|--------------------------------|-------------------------------|--------------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

By order of the Governor.

ROSHNI SEN

Principal Secretary to the Government of West Bengal