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PART III—Act of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 233-L.—1st March, 2011.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXXVI of 2010

**THE WEST BENGAL SCHOOL SERVICE COMMISSION
(SECOND AMENDMENT) ACT, 2010.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 1st March, 2011.]

An Act to amend the West Bengal School Service Commission Act, 1997.

WHEREAS it is expedient to amend the West Bengal School Service Commission Act, 1997, for the purposes and in the manner hereinafter appearing;

West Ben. Act
IV of 1997.

It is hereby enacted in the Sixty-first Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and
commencement.

1. (1) This Act may be called the West Bengal School Service Commission (Second Amendment) Act, 2010.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

*The West Bengal School Service Commission
(Second Amendment) Act, 2010.*

(Sections 2, 3.)

Insertion of new section 10A in West Ben. Act IV of 1997.

2. After section 10 of the West Bengal School Service Commission Act, 1997 (hereinafter referred to as the principal Act), the following section shall be inserted:—

“Mutual transfer on joint application.

10A. (1) Notwithstanding anything contained in any other law for the time being in force or in any contract to the contrary, the Central Commission may, on the basis of joint application made to it in the prescribed proforma by two confirmed Teachers of same category, make recommendation for placing their services from one school to another on mutual transfer basis, in such manner, on such condition and within such period, as may be prescribed:

Provided that only the two Teachers who have been appointed against the same category of vacancies, holding the same category of post and teaching same subject shall be eligible for such transfer.

(2) Notwithstanding anything contained in any other law for the time being in force or in any contract to the contrary, the Central Commission may, on the basis of joint application made to it in the prescribed proforma by two confirmed non-teaching staff, make recommendation for placing their services from one school to another on mutual transfer basis, in such manner, on such condition and within such period, as may be prescribed:

Provided that only the two non-teaching staff who have been appointed against the same category of vacancies and holding the same category of post shall be eligible for such transfer.”.

Amendment of section 17.

3. In sub-section (2) of section 17 of the principal Act, after clause (d), the following clause shall be inserted:—

“(da) the proforma of joint application, the manner and other condition, for mutual transfer under section 10A;”.

By order of the Governor,

B. K. SRIVASTAVA,
Secy.-in-charge to the Govt. of West Bengal,
Law Department.