No.20261853 Registered No. N. E. 930.

TRIPURA GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Tuesday, October 13, 2026 A. D. Asvina 21, 1948 S. E.

PART--III-- Acts of Tripura Legislature.

Government of Tripura
Law Department
Secretariat: Agartala

No.F.8(13)-Law/Leg-I/2026/ **Dated, Agartala, the 5th Oct. 2026**

NOTIFICATION

The following Act of the Tripura Legislative Assembly received the assent of the Governor of Tripura on the 30th September, 2026 and is hereby published for General information.

05/10/26

(Sopan Chaudhuri)
Joint Secretary, Law
Government of Tripura

THE TRIPURA ACT NO. 16 of 2026

THE BOARD OF OPEN SCHOOLING & EXAMINATION, TRIPURA ACT, 2026

AN
ACT

to provide for the establishment and incorporation of the Board of Open Schooling & Examination (BOSE) in Tripura for imparting open schooling education up to the pre-degree level, including Secondary, Senior Secondary and Vocational or Skill Education, in the State of Tripura, in furtherance of the objectives of the National Education Policy, 2020, and to provide for matters connected therewith or incidental thereto;

WHEREAS with a goal to achieve 100% Gross Enrolment Ratio in pre-school to secondary level by 2030, there is urgent need to bring every out-of-school child upto the age of 14 years back to the school and to provide open schooling to all the Out-of School children from 14-18 years age group and impart them quality education (academic & vocational) education as mandated by the National Education Policy-2020.

AND

WHEREAS it is expedient to establish the Board of Open Schooling & Examination in the State of Tripura to provide school education and vocational education through all possible modes, including face-to-face mode, flexible mode, open and distance learning mode, and e-learning/online mode, with a view to comprehensively enhancing access to education and educational opportunities for learners in all possible ways, so as to provide sustainable, learner-centric, quality school education, skill upgradation and training through innovative technologies and methodologies of teaching and learning, consistent with the goals of the National Education Policy, 2020;

AND

WHEREAS Sarvsahara Education Foundation, New Delhi, a non-profit organisation registered under Section 8 of the Companies Act, 2013, having its registered office at New Delhi, and engaged in the field of education, has agreed to establish the Board of Open Schooling & Examination in the State of Tripura, which shall also serve to impart school and vocational education to children of the region, particularly the North Eastern States of India, as well as other regions, in accordance with the provisions of this Bill;

BE it enacted by the Tripura Legislative Assembly in the Seventy- Seventh year of the Republic of India as follows:

1. **Short title, extent and commencement**
   i. This Act may be called 'The Board of Open Schooling & Examination, Tripura Act, 2026'.
   ii. It shall come into force on the date of its publication in the Tripura Gazette.

2. Definitions

In this Act unless the context otherwise requires—

a. **"Academic Year"** means the academic year as decided by the Board;

b. **"Affiliation"** together with its grammatical variations, means and includes, in relation to an institution, school and centre, recognition or accreditation of such institution, school and centre by association of such institution, school and centre, located in or outside the State of Tripura including overseas, and admission of such institution, school and centre, to the privileges of the Board including for the purpose of conducting the formal and informal school education, open and distance school education, vocational education, programs of the Board;

c. **"Board"** means The Board of Open Schooling & Examination, Tripura established under Section 3;

d. **"Centre"** means a counselling centre or a study centre or information centre or a facilitation centre, established or maintained or recognized or accredited by the Board for the purpose of advising, counselling or for rendering any other assistance required by the student of any institution or school or centre affiliated to the Board;

e. **"Controller of Examinations"** means a person appointed for control and supervision of the examinations to be conducted by the Board;

f. **"Chairperson"** means the Chairperson of the Board appointed by the sponsoring body under Section 5;

g. **"Course"** means and includes one of the branches of learning in programs of studies of school education, vocational education, imparted in the formal mode and/or in the informal (non-formal)/distance education mode and/or in the virtual campus and/or in the online/e-learning mode in or through any institution, school or Study Centre affiliated to the Board;

h. **"Credit"** is recognition that a learner has successfully completed a prior course of learning, corresponding to a qualification at a given level;

i. **"Distance education"** includes "Open and Distance education/informal education" and means education imparted by means of communication and e-learning source viz broadcasting, telecasting, correspondence courses, seminars, contact programmes and any other such methodology;

j. **"Employee"** means a person appointed by the Board to work in the Board and includes teachers, officers and others employees of the Board;

k. **"Examination"** means an examination conducted by the Board in the mode and manner as decided by the Board;

l. **"Executive Board"** means the Executive Board constituted under Section 5;

m. **"Fee"** means collection made by the Board from the students, institutions, schools, centres and any other service provider in relation to providing school education, vocational education and training, by whatever name it may be called, which is not refundable;

n. **"Guardian"**, in relation to child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a Court or a statute;

o. **"Head of the Institution"** means the Principal, the Head Master or the Head Mistress of a School, institution, Centre, affiliated, accredited or recognised by the Board;

p. **"Institution"** means institution imparting school education and/or vocational education and training;

q. **"Learner"** refers to an individual undergoing training, whether in a formal or informal setting;

r. **"Member"** means a member of the Board and includes the Chairperson and Vice-Chairperson thereof;

s. **"Official Gazette"** means the Gazette of the State of Tripura;

t. **"Online Education"** means and includes "virtual education" imparted by means of ICT Information and Communication Technology) viz e-learning, broadcasting, telecasting, and any other such methodology;

u. **"Parent"** means either the biological or step or adoptive father or mother of a child;

v. **"Qualification"** means a formal outcome of an assessment and validation process which is obtained when a competent body determines that an individual has achieved learning outcomes to given standards;

w. **"Regional Campus"** means a campus of the Board located in and outside Tripura or in any part of India and/or abroad;

x. **"Regulation"** means the regulations made under this Act;

y. **"School Education"** means all education up to the Senior Secondary level;

z. **"Secretary"** means the Secretary of the Board appointed under Section 5;

aa. **"Sponsoring Body"** means defined under section 4; the Sarvsahara Education Foundation, New Delhi a non-profit company registered under section 8 of the companies Act 2013;

ab. **"Study Centre"** means centre as defined under clause (e) of section 2;

ac. **"Vice-Chairperson"** means the Vice-Chairperson of the Board appointed by the sponsoring body under Section 5;

ad. **"Virtual Campus"** includes the education/courses/programs provided to students through E-learning/website etc.;

ae. **"Vocational Education"** means imparting Vocational & Skill Development courses in a certain specialization at a certain level along with General Education under National Skill Qualification Framework.

3. Establishment and incorporation of the Board

i. The sponsoring body shall, as soon as possible, after the commencement of this Act by notification, establish a Board to be called The Board of Open Schooling & Examination, Tripura.

ii. The first Chairperson, first Vice-Chairperson, first members of the Executive Board all persons who may hereafter become such members or officers of any authority and / or committee of the Board, so long as they continue to hold such membership or Office, are hereby constituted Body Corporate by the name of The Board of Open Schooling & Examination, Tripura.

iii. The Board shall be a body corporate.

iv. The Board shall have perpetual succession and a common seal and shall sue and be sued by the said name.

v. The Board shall situate and have its Headquarter at Agartala, Tripura.

vi. Notwithstanding anything contained in any Law made by State, the Board shall be the sole authority to exclusively deal with Open school education and perform all such other functions as may be deemed necessary by the Board for advancing the cause of school education or as may be incidental or conducive to discharge of powers & functions of Board.

vii. With a view to avoid overlap and conflict, as in all other States in the country, one school board governs, regulates & coordinates all aspects of school education in the State concerned, the Board established under the Act shall function as exclusive authority in respect of matters pertaining to Open school education in the State.

4. Sponsoring Body of the Board

The Sarvsahara Education Foundation, being the Sponsoring Body of the Board, will take all appropriate measures for creating right environment and conditions in the Board to enable various stakeholders to make greater contribution to the cause of School Education by the Board. The Sponsoring Body shall be responsible for steady and continuous enhancement of the status and quality of the education provided by the Board, without meddling into the day-to-day administration, as the Sponsoring Body shall share its vision, experience and thoughts in furthering the interests of School Education.

i. The Sponsoring Body shall act through its Chairperson or any person(s) nominated by it.

ii. The Sponsoring Body assume the powers, functions and duties as may be prescribed by the Statutes or Regulations.

5. **Constitution of the Board**

i. The Board shall consist of the following members:

(a)	The Chairperson who shall be an officer appointed by the Sponsoring Body	--Ex officio Chairperson
(b)	The Vice-Chairperson who shall be an officer appointed by the Sponsoring Body	--Ex officio Vice-Chairperson
(c)	Two nominees of the Department of Education, Government of Tripura.	--Ex officio
(d)	Three educationists of which at least one shall be a female person nominated by the Sponsoring Body	--Member
(e)	Two representatives of the Sponsoring Body who shall be the Principals of either school or centre, having at least 5 years' experience as a Principal.	--Member
(f)	Two nominees of the Chairperson of the Board out of which one should have experience of industry and the other should have experience in the field of open school education.	--Member
(g)	Secretary appointed by the Sponsoring Body	--Secretary

ii. The Constitution of the Executive Board shall be notified by the Secretary of the Board.

6. **Terms of Office of other members of the Board**

i. A member, other than an ex-officio member, shall hold office for a term of 3 years, from the date he/she assumed office.
ii. On expiry of the term of office as specified under sub-section(i),a member may be re-nominated.

7. **Disqualification supervening membership of the Board**

The Chairperson, Vice-Chairperson, Secretary or any other memberif becomes subject to any of the disqualifications specified in Section 12, he/she shall cease to be the Chairperson, Vice-Chairperson, Secretary or other member, as the case may be, with effect from such date as the Sponsoring Body may direct.

8. **Filling up of Casual and emergent vacancies**

If the Chairperson or Vice-Chairperson or any other member, other than an ex officio member dies or resigns his/her office or otherwise ceases to be the Chairperson, Vice-Chairperson or other member, the vacancy shall be filled up by a fresh appointment or nomination, as the case may be, as early as possible by the person of the body who had appointed or nominated such a member. Provided that the person appointed or nominated as a member, on casual and emergent vacancy, shall remain member only for the remaining period of the member, in whose place he/she is appointed or nominated.

9. **Terms of Office of Chairperson and Vice-Chairperson**

The appointment of Chairperson, Vice-Chairperson, and Secretary under sub-section (i) of Section 5 shall be for such period as the sponsoring body may decide and specify. On the expiry of the period of appointment as aforesaid, the Chairperson, Vice-Chairperson, Secretary, may be re-appointed for such period as the sponsoring body may determine so, however, the total period of appointment (including the period of re-appointment) as Chairperson, Vice-Chairperson, Secretary shall not exceed six years.

10. **Resignation of Chairperson, Vice-Chairperson, Secretary and other members**

i. The Chairperson or Vice-Chairperson or Secretary may resign his/her office by giving a notice in writing to the Sponsoring Body, stating his/her intention so to do, and on such resignation being accepted by the Sponsoring Body, the Chairperson or the Vice-Chairperson or Secretary, as the case may be, shall be deemed to have vacated his/her office.
ii. Any other member may resign his/her office by giving a notice in writing to the Chairperson, stating his/her intention so to do, and on such resignation being accepted by the Board such member shall be deemed to have vacated his office.

11. **Temporary arrangement for the office of the Chairperson**

If the Chairperson dies or resigns his/her office or ceases to hold Office or is temporarily absent or, for any reason, is unable to exercise the powers and perform the duties of his/her office, the Sponsoring Body shall authorize the Vice-Chairman to exercise the powers and perform the duties of the Chairperson until the Chairperson resumes office or a new Chairperson is appointed, as the case may be.

12. **Disqualification and removal**

A person shall be disqualified for being appointed or nominated or may be removed from the office as a member of the Board if he/she

a. has been adjudged by a competent court to be of unsound mind;
b. is an undischarged insolvent;
c. is a discharged insolvent who has not obtained from the court a certificate that his/her insolvency was caused by misconception without any misconduct on his/her part;
d. Has been convicted by a court for an offence involving moral turpitude;
e. Has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

13. **Meetings of the Board**

i. The annual meeting of the Board shall be held once in every calendar year.
ii. The Board may hold meetings at such other times as the Chairperson may decide.
iii. One-third of the total number of members of the Board shall form the quorum of a meeting of the Board.
iv. The meeting of the Board shall be convened by the Secretary after giving ten days' notice to the members along with the agenda to be prepared by the Secretary in consultation with the Chairperson.
v. The Secretary may, on the advice of or in consultation with the Chairperson convene an emergent meeting of the Board, after giving two days' notice to the members, for transacting any urgent matter.

14. **Conduct of meeting**

The Chairperson or, in his/her absence, the Vice-Chairperson shall preside over the meetings of the Board and the Chairperson or the Vice-Chairperson, as the case may be shall be entitled to vote on any matter and shall have a second or casting vote in every case of equality of votes, at any such meeting.

15. **Restriction on Vote**

i. No member of the Board shall vote on any matter in which he/she has any personal interest.
ii. The Chairperson, or the Vice-Chairperson, presiding over the Meeting of the Board shall decide any question arising under sub-section (1), and his/her decision thereon shall be final.

16. **Person in the service of the Board**

i. The Board shall have a Secretary who shall be appointed by the Sponsoring Body. The Secretary shall exercise such powers and perform such functions as may be assigned to him/her by the Chairperson of the Board. The Secretary shall also preside over the committee in the absence of the Vice-Chairperson.
ii. The Board shall also have Controller of Examinations who shall be appointed by the Sponsoring Body. The Controller of Examinations, subject to provisions of the Act, shall exercise such powers and perform such functions as may be assigned to him/her by the Chairperson of the Board.
iii. The Sponsoring Body may appoint such other officers, as it may consider necessary for carrying out the purposes of this Act.
iv. The Board may appoint its employees as it may consider necessary for carrying out the purposes of this Act and shall determine, subject to the approval of the Sponsoring Body, the terms and conditions of such appointment.
v. Mode of recruitment in respect of the posts to be created for the Board shall be either short-term contract or regular basis as the Board may think fit. For work related specific assignments, persons would be deployed on fixed emoluments with provisions for revision each year if considered appropriate.

vi. Scales of pay in respect of the posts to be created by the Executive Board shall be decided by the Executive Board with the approval of the Sponsoring Body.

17. **Powers and functions of the Board**

(i) The Executive Board shall be the Principal Body of the Board and shall exercise all powers and functions of the Board.

(ii) The Board shall be exclusively responsible to deal with Open school education and perform all such other functions as may be deemed necessary by the Board for advancing the cause of school education or as may be incidental or conducive to discharge of powers & functions of Board, in the State. The Board shall have following powers and functions: -

a. To expand access to school education at all levels and to increase retention rates at all levels of schooling;
b. To promote open schooling at the state and national levels by networking, capacity building, sharing of resources and quality assurance;
c. To remove obstacles for providing education up to pre-degree level as well as vocational education & training programmes to the disadvantaged sections of the society and to bring disadvantaged groups in the fold of mainstream of education;
d. To contribute to the Universalisation of School Education and cater to the educational needs of all sections of Society;
e. To encourage, promote and conduct a system of Open Schooling relevant to the students/ learners and to organize training programmes at national and international level on Open school' system;
f. To identify educational needs of the children/persons who are otherwise not catered to by the formal system of school education and to open, establish, recognise and accredit schools and study/academic centres;
g. To provide sustainable inclusive learning with universal and flexible access to quality school education i.e. Basic, Secondary, Senior Secondary education as well as vocational education & training programmes through open and distance education up to pre-degree level;
h. To Open/establish/ affiliate/recognise/accredit schools for study of various branches of knowledge up to pre-degree level as well as vocational education & training programmes and to conduct examinations thereof.
i. To accredit institutions for developing effective learner support system to facilitate learning up to pre- degree level.
j. To open information centres all over India for providing information of Education, to organize conferences, summits, seminars, meetings, discussions, debates, study courses, and to conduct short term and long-term vocational courses/training.
k. To design and develop need based academic and Vocational Education Programmes, courses & Curricula, self-instructional materials(SIM) and other learning support for the courses identified at different points of time including for (I) Open Basic Education (OBE), (II) Secondary, (III) Senior Secondary Education, and (I) Vocational Education and Training (VET), for livelihood and

lifelong learning up to pre- degree level;

l. To offer courses of studies through open and distance learning mode, face to face mode known as regular classroom teaching mode, e-learning mode, online mode, virtual classroom mode and any other mode as the Board may decide from time to time;
m. To grant or refuse recognition to school, institution and study centres and to withdraw such recognition, if it thinks fit, in accordance with such regulations as may be made in this behalf and to maintain a register of recognized schools, institutions and study centres;
n. To establish regional centres and study centres in and outside Tripura for the purposes of supervising the proper functioning of the learning support centres and study centres;
o. To set up, establish and administer & maintain offices /chapters in India and/or abroad either on its own or in association with any other institution/ Authority in such manner and for such purposes as may be determined by the Board with a view to achieving its objectives;
p. To conduct examinations of learners, whether by written, computer-based, online, or any other mode of examination as the Board may determine, and to award certificates, diplomas, or other qualifications to learners who successfully complete such examinations
q. To make regulations for the conduct of affairs of the Board;
r. To collaborate with other agencies, institutions and organizations, and other allied institutions in India and abroad, in such way as may be considered necessary for the promotion of these objectives;
s. To partner with Government schemes and programmes in school sector for achieving the national and State goals and objectives;
t. To provide consultancy work/services and to engage in model building in close collaboration with States and other agencies or institutions;
u. To constitute/appoint such committees or sub-committees as may bedeemed fit for carrying out the objects of the Board and to prescribe by regulations and guidelines for the proper functioning of such committees or sub-committees;
v. To institute and/or create Academic, Administrative, Financial, technical and other posts under the Board, as may be required by the Board and to make appointment thereto in accordance with Regulations;
w. To acquire, purchase, exchange, lease, hire, sell, transfer or otherwise, or hold and manage any property movable or immovable, including trust and endowment property, which may be necessary, convenient and conducive for the purpose of the Board and to build, construct, maintain, improve, alter, modify, extend, repair demolish and acquire such buildings, works and constructions as may be deemed necessary and proper for carrying out the objectives of the Board with permission of the Sponsoring Body;
x. To seek, obtain or accept grants, assistance, subscriptions, fees, donations, securities, gifts, bequests and properties both movable and immovable from the Government, public bodies, institutions, corporations, companies or trusts/corporation /companies and foundations or from any person for the purposes of the Board to manage efficient, effective and permissible fund flow and fund utilization in consonance with the objects stated herein.

y. To invest and deal with any money/ surplus funds and / or securities of the Board not immediately required for any of its activities, purposes and objectives, in such a manner, as may be provided, by the Rules of the Board as may be laid down from time to time;

z. To maintain, deal and invest funds of the Board and to deposit all monies credited to the fund in such banks, or to invest them in such manner, as the Sponsoring Body may decide;

aa. To borrow and raise money/funds with or without security or on the security of a mortgage, charge or hypothecation or pledge of all or any property belonging to the Board or in any other manner whatsoever provided that the same is for the purposes of Board;

ab. To prepare and maintain accounts and other records and to prepare anannual statement of accounts (including the balance sheet) of the Board in such form as may be decided by the Sponsoring Body;

ac. To make Bye-laws and the Regulationsfor the conduct of the affairs of the Board and to add, amend, vary or rescind them from time to time;

ad. The Board shall grant such concessions in fees, as it may deem fit, to learners belonging to the Scheduled Castes, Scheduled Tribes, Economically Weaker Sections, and to female learners, or to any other category of learners as the Board may decide, from time to time.

ae. To do all such other acts and things as may be necessary, incidental, or conducive in the attainment of all or any of the aims and objectives of the Board and to perform such other functions as may be prescribed or deemed necessary by the Board, for advancing the cause of school education including open school education, to the discharge of the above functions.

af. There shall be Divyang friendly facilities in all the classrooms and building infrastructure of the Board.

ag. The Board shall obtain approval from Council of Board of School Education (COBSE) in India within six months of establishment of Board.

18. Powers and functions of Chairperson and the Vice-Chairperson

i. The Chairperson and Vice Chairperson shall be appointed by Sponsoring Body for a period of Three year from the date on which he/she assumes office and shall be eligible for re-appointment;

a. The Chairperson shall exercise general supervision and control over the affairs and functioning of the Board.

b. The Chairperson may, in any emergency, exercise any of the powers of the Board provided, that he/she shall not act contrary to any decision of the Board and shall, as soon as possible, report to the Board the action taken by him in exercise of any such power with the reason thereof.

c. Be responsible for carrying out, and for giving effect to, the decisions of the Board or of any committee constituted under this Act;
d. Sanction such claims for allowances, and at such rates, as the Sponsoring Body may determine;
e. Take such other action, not in consistent with any decisions of the Board, as he/she considers necessary for the proper functioning of the Board.
f. The Chairperson may perform such other additional functions as may Board delegate to him in accordance with regulations made in this behalf.

ii. The Vice-Chairperson shall perform all functions of Chairperson if a causal vacancy occurs in the Office of the Chairperson, whether because of his/her death, resignation or inability to discharge his/her functions owing to illness or in other incapacity.

19. **Powers and functions of the Secretary and Controller of Examinations**

Subject to the provisions of this Act, the Secretary and Controller of Examinations shall exercise such powers and functions as may be delegated to them by the Board from time to time or as may be prescribed by Regulations in this regard.

20. **Academic Advisory Committee**

i. The Board shall constitute an Academic Advisory Committee thereof for advising it on the courses of studies.
ii. Academic Advisory Committee shall design, develop and prescribe courses of study to be offered by the Board, leading to certification at the secondary and senior secondary levels and also courses of study in Vocational areas to the students of the Board;
iii. Academic Advisory Committee shall design and develop self-learning materials in print, audio, video, compbil disc rom and other formats;
iv. The Academic Advisory Committee shall perform such other functions as may be prescribed and as may be delegated to it by the Board.
v. The Advice given by the Academic Advisory Committee shall not be binding on the Board, but if the board does not accept the advice of the Academic Advisory Committee, the Board shall record the reasons for not accepting the advice given by the Academic Advisory Committee.
vi. Subject to the other provisions of this section, the Academic Advisory Committee shall consist of seven members including eminent academicians in different branches of knowledge to be nominated by the Board.

vii. The Chairperson shall be the Chairman of the Academic Advisory Committee, and the Head of the Academic Department shall be the Secretary of the Academic Advisory Committee. The Board shall not nominate more than three members of the Board excluding the Chairperson in the Academic Advisory Committee.

viii. The Chairperson shall preside over the meetings of the Academic Advisory Committee and, in his/her absence, the Vice-Chairperson shall preside over such meetings.

ix. A member of the Academic Advisory Committee, who is also a member of the Board, shall continue to hold office as a member of the Academic Advisory Committee till he/she ceases to be a member of the Board.

x. Any member of the Academic Advisory Committee may resign after giving fifteen days' notice to the Vice-Chairperson and the Board shall have the power to remove any member of the Academic Advisory Committee after recording reasons thereof at a meeting.

21. **Other Committees of the Board**

i. The Board may also constitute the following Committees: --

a. Subject Committees in every subject of study

b. Examination Committee

c. Accreditation/Affiliation/Recognition Committee

d. Finance Committee

ii. The Board may constitute such other committee or committees as it may think fit.

iii. The Committees constituted by the Board shall perform such other functions as may be prescribed and as may be delegated to it by the Board.

iv. Each of the Committees constituted under sub-section (1) shall consist of the Vice-Chairperson as its Chairperson and other members, not exceeding seven as the Board may think fit.

v. Each such committee shall have a Secretary thereof who shall be deputed by the Vice-Chairperson with prior consent of the Chairperson. Provided that the Examination Committee shall have the Controller of Examinations as Secretary. Such Secretary shall be an officer appointed by the Sponsoring Body.

vi. Any member of the Board may be appointed a member of any Committee constituted under sub-section (4) but the total number of members of the Board, including Vice-Chairperson in any such committee shall not exceed four.

22. **Functions of Subject Committees**

The Subject Committees shall advise the Board on-

i. Matters relating to the Syllabus; the courses of studies to be followed, and the books to be studied, in the concerned subject, for examination conducted by the Board, and

ii. Any other matter which is connected with or incidental to the matter referred to in clause (a) which may be referred to it by the Board.

23. **Functions of Examination Committee**

i. The Examination Committee shall advise the Board on—

a. The selection of examination centres, paper setters, moderators, tabulators, examiners, invigilators, supervisors or others engaged in connection with the examinations conducted by the Board and the rates of remunerations to be paid to them.

b. The fees to be paid by candidates for such examinations, and

c. Such other matters relating to the examinations as aforesaid as may be referred to it by the Board for advice.

ii. The Examination Committee shall be responsible for the Conduct of Examinations under the supervision of the Examination Controller and prepare the Certificates of Secondary and Higher Secondary standard and vocational certificates to be issued to the successful students by the Secretary.

24. **Functions of the Recognition Committee**

The Accreditation/Affiliation/Recognition Committee shall advise the Board on all matters relating to the accreditation/affiliation/recognition of schools, institutions, study centres, etc.

25. **Functions of the Finance Committee**

The Finance Committee shall prepare the budget of the Board and shall advise the Board on such matters relating to finance as may be referred to it by the Board for advice.

26. **Functions of another Committee**

The other committees, if any, constituted by the Board under sub-section (2) of Section 21 shall perform such functions as may be assigned to it by the Board.

27. Admission

i. Admission to the institutions/schools established, recognised or accredited by the Board shall be open to all.

ii. The Board shall prescribe the conditions and criteria for admission of students.

28. Fee Structure

i. The Board shall prescribe the fee structure to be charged for various courses being conducted by the Board.

ii. There shall be concessional fee structure for the students from SC/ST Communities and for students from Economically Weaker Sections.

29. Annual Report

(1) The Chairperson shall place at the first annual meeting of the Board in the year next following the year in which it is constituted and at every annual meeting thereafter a report on the working of the Board during the last preceding financial year. He/she shall also place annual accounts of the Board of that year.

(2) The report and the annual accounts shall be forwarded to the Board before one month of its presentation at the annual meeting of the Board with such comments thereon as the Chairperson may think fit to make Budget.

i. The Chairperson shall place at every annual meeting a Budget estimate, in such form as may be prescribed, showing the anticipated income and expenditure of the Board during the financial year in which the annual meeting is held.

ii. The Budget estimate shall, after confirmation by the Board, be forwarded to the Sponsoring Body within such time as may be prescribed.

iii. The Sponsoring Body shall, within one month of the receipt of the Budget Estimate, either accord its approval thereon or return it to the Board with such comments and suggestions as it may deem necessary if, in its opinion such estimate, --

a. Is not reasonable or accurate with reference to the ascertainable facts,

b. Includes new items of recurring expenditure which are likely to impose upon the Board financial liabilities in the future, which the Board is not likely to be able to meet from its income; or

c. Includes provisions for such expenditure which are not in accordance with the provisions of this Act

iv. If the Budget Estimate is returned under sub-section (iii), the Board shall consider the comments and suggestions made by the Sponsoring Body and may, if it thinks fit, revise the said estimate. The Board shall then, submit the Budget estimate as so revised to the Sponsoring Body or the Board shall, if it does not think, fit to revise the estimate, submit it in its original form to the Sponsoring Body within one month of receiving it together with its comments.

v. If the Sponsoring Body does not approve the Budget estimate as revised by the Board or if the Budget Estimate is returned by the Board without revision, the Sponsoring Body may amend the Budget Estimate by making,

a. such modifications as are, in its opinion, necessary to render the Estimate reasonably accurate with reference to ascertainable facts or to balance the income and the expenditure;

b. additions, alterations or modifications in any provision relating to new expenditure of a recurring nature;

c. any alterations or modifications in any provisions for expenditure, which in its opinion, are not in accordance with the provisions of this Act;

and shall forward the Budget estimate as so amended to the Board, and the Budget estimate so returned shall be the Budget Estimate of the Board for the relevant financial year.

vi. If the Sponsoring Body does not accord its approval to the Budget Estimate referred to in sub-section (v) such estimate shall within three months of receipt thereof by the Sponsoring Body for such approval or within two months of re-submission thereof by the Board with or without revision, be deemed to have been approved by the Sponsoring Body.

30. **Fund of the Board**

(1) The Board shall be primarily self-financed. However, it will be entitled to receive grant in aid or financial assistance from the State or Central Government or any other local or statutory body of State or Central Government under any scheme or project.

(2) The Board shall create a fund to be called the Board Fund (hereinafter referred to in this Act as the Fund of the Board) to which shall be credited—

(a) All sums which may be paid by the Sponsoring Body, any Government or Governmental Body or any Statutory or Local Body,

(b) All fees and other charges realised under any of the provisions of this Act

(c) All moneys received by the Board from a school, institution, study centre or by way of grants, gifts, donations, benefactions, bequests or transfer,

(d) All sums representing income from endowments, if any, or from property owned or managed by the Board, and

(e) All other sums received by the Board from any other sources.

(3) The Fund shall vest in the Board and shall be under its control and be held in trust for the purposes of this Act.

(4) All moneys payable to the credit of the Board shall forthwith be paid into any Bank as may be decided by the Sponsoring Body, to the credit of the Fund and all cheques drawn on the fund shall be signed by the Secretary, or by such other person as may be authorised by him/her in writing on his/her behalf.

31. **Expenditure from the fund**

i. The general fund of the Board shall be utilized for meeting all expenses, recurring or non-recurring, in relation to the affairs and functioning of the Board.

ii. No expenditure shall be incurred from the Fund of the Board except for the purposes of this Act and unless such expenditure is provided for in, the Budget as approved under this Act or may be met by re-appropriation in such manner as may be prescribed.

32. **Accounts**

i. The Board shall keep an account of all its receipts and expenditure in such manner as may be prescribed.

ii. The Annual Accounts including Balance Sheet of the Board shall be prepared under the directions of Executive Board.

33. **Audit**

i. The account of the Board shall be examined and audited annually by an auditor or auditors appointed by the Sponsoring Body in such manner as may be prescribed.

ii. It shall be the duty of the Board and every member thereof and of the Secretary and other officers and employees in the service of the Board to afford to the auditor every facility for the examination and audit of the accounts of the Board and to comply with any requisition made by auditor and the requirements of any rule made in this behalf.

34. Audit Report

i. After the completion of the audit, the auditor shall submit within 14 days to the Sponsoring Body a report on the accounts audited, and shall send a copy thereof to the Board and thereupon, the Board shall forward the report to the Sponsoring Body with its comments thereupon.

ii. The Sponsoring Body shall take such action on the report submitted under Section (i) as it thinks fit.

35. Payment of allowances

Subject to the provisions of Section 8 the members of the Board or of any committee constituted under this Act shall receive such allowances for attending the meetings of the Board or the committee, as the case may be and for other such purposes, as the Sponsoring Body may determine.

36. Board to furnish information

The Board shall furnish to the Sponsoring Body such reports, returns, and statements as may be prescribed and such further information or any matter relating to the Board as the Sponsoring Body may require.

37. Power of Sponsoring Body to suspend proceedings

The Sponsoring Body may, by order in writing and stating the reasons thereof, suspend the execution of any resolution or order of the Board or of any Committee constituted under this Act and prohibit the doing of any act which is purported to be done or is intended to be done under this Act if the Sponsoring Body is of opinion that such resolution, order or act is in excess of the powers conferred by or under this Act on the Board or any committee, as the case may be.

38. Indemnity

No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

39. Savings

No Act or proceeding under this Act shall be invalid merely on the ground of-

(a) the existence of any vacancy in, or any defect in the constitution of the Board or any committee constituted under this Act; or

(b) any member of the Board having cast his/her vote in any matter in contravention of the provisions of Section 15; or

(c) any defect or irregularity not affecting the merit of any case.

40. Transitory provisions

i. The Chairperson shall make the first regulations for the purposes of this Act.
ii. The first regulations shall remain in force for a period of one year or until regulations are made by the Board under this Act, whichever is earlier.

41. Powers to make Regulations:

i. The Board may make regulations for carrying out the purposes of this Act.
ii. The Board, by notification, shall make regulations not inconsistent with the provisions of this Act and rules in respect of any matter relating to the proper exercise of its powers and discharge of its functions under this Act or any other matter.
iii. In particular, and without prejudice to the generality of the foregoing powers such regulations may provide for all or any of the following matters: -

a. The power and functions of the authorities under the Board as may be constituted from time to time;
b. The terms and conditions of appointment of the secretary and Chief Finance and Accounts officer and their powers and functions;
c. The manner and terms and conditions of appointment of other officers and their powers and functions;
d. The terms and conditions of service of employees of the Board and their functions;
e. The procedure for arbitration in case of disputes between officers, teachers, employees and students;
f. The provisions regarding exemption of students from payment of tuition fee and for awarding them scholarships;
g. Provisions regarding the policy of admissions, including regulation of reservation of seats;
h. Provisions regarding fees to be charged from students;
i. Creation of new authorities of the Board;
j. Accounting policy and financial procedure;
k. Institution of medals and prizes;
l. Creation of posts and procedure for abolition of posts;
m. Revision of fees;
n. All other matters which under the provisions of this Act are required to be, or may be prescribed;

42. **Powers to make Bye-Laws**

i. The Board may, make Bye-Laws for carrying out the purposes of this Act.

ii. In particular, and without prejudice to the generality of the foregoing powers such Bye-Laws may provide for all or any of the following matters: -

a. The acquisition, possession and disposal of property by the Board, the conditions of such acquisition, possession and disposal, and the doing of any other thing;
b. The provident fund as may be instituted and administered by the Board;
c. The form and manner in which the Budget Estimate of the Board shall be prepared;
d. The time within which the Budget Estimate shall be forwarded to the Sponsoring Body;
e. The manner in which all payments to and from the fund of Board shall be made.
f. The manner of re-appropriation.
g. The manner of keeping of accounts of receipts and expenditure.
h. The manner in which examinations and audit of accounts of the Board shall be made;
i. The reports, returns and statements to be furnished by the Board and the form of such reports, returns and statements; and
j. Any other matter required to be prescribed, or to be provided for, by rules.

43. **Board to be guided by directions of Sponsoring Body**

The Board shall, in exercising its powers and performing its duties under this Act, be guided by such directions in the matter of scope and content of courses of studies as the Sponsoring Body may by notification give from time to time.

44. **Dissolution of the Board by the Sponsoring Body:**

i. The Sponsoring Body may dissolve the Board by giving a notice to this effect in the prescribed manner to the State Government and employees and the students of the Board at least one year in advance; *Provided that* dissolution of the Board shall have effect only after the approval of the State Government and the last batch of students of the regular courses have completed their courses and they have been awarded certificates, diplomas or awards, as the case may be.

ii. On the dissolution of the Board land and property of the Board will be vested with the Sponsoring Body.

45. **Powers of the State Government:**

i. The State Government may call for information from the Board relating to its working, functions, achievements, standard of teaching, examination and research or any other matters as it may consider necessary to judge the efficiency of the Board in such form and within such time as may be prescribed by rules.

ii. The Board shall be bound to furnish the information as required by the State Government under sub-section (i) within the prescribed time.

iii. The State Government if is of the view that there is a violation of the provisions of any Act. On the statutes or ordinances, made there under may issue such declaration to the University as it may deem necessary.

46. **Special powers of the State Government in certain circumstances: -**

i. If it appears to the State Government that the Board has contravened any of the provisions of this Act made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out any undertaking given by it to the State Government or a situation or mal-administration has arisen in the Board, it shall issue notice requiring the Board to show-cause within forty five days.

ii. If the State Government on receipt of reply of the Board on the notice issued under sub-section (i), is satisfied that there is a prima-facie case of contravening any of the provisions of this Act or the rules made thereunder or of violating directions issued by it under this Act or of ceasing to carry out the undertaking given by it or mal-administration, it shall make an order for such enquiry as it may consider necessary.

iii. The State Government shall, for the purposes of any enquiry under sub-section (ii), appoint an inquire Committee to inquire into any of the allegations and to make report thereon.

iv. On receipt of the enquiry report from the officer or officers appointed under sub-section (iii), if the State Government is satisfied that the Board has contravened any of the provisions of this Act or the rules made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the undertakings given by it or mal-administration has arisen in the Board which threatens the academic standard of the Board, it shall make orders for corrective actions or direction.

47. De-Recognition:-

i) Where the State Government receives a complaint that the Board is not functioning in accordance with the provisions of this Act, it shall require the Board to show cause, within such time, which shall not be less than six months, referring a copy of the complaint, as to why the Board should not be de-recognized;

ii) If, upon receipt of the reply of the Board to the notice given under sub-section(i), the State Government is satisfied that a prima facie case of violation of the provisions of this Act in the functioning of the Board, is made out it shall order such an enquiry as it deems necessary;

iii) For the purpose of an inquiry under sub-section (ii) the State Government shall, by notification, appoint an officer or authority as the enquiring authority to enquire into the allegation of violation of the provisions of this Act;

iv) Every Enquiring Authority appointed under sub-section (iii) shall while performing its functions under this Act, have all the powers of the Civil Court under the code of Civil Procedure, 1908 trying a suit and in particular in respect of the following matters, namely:

a) Summoning and enforcing the attendance of any witness and examining him on oath.

b) Requiring the discovery and production of any document,

c) Requisitioning any public record or copy thereof from any office,

d) Receiving evidence on affidavits,

e) Any other matter which may be prescribed.

v) If, upon receipt of the inquiry report, the State Government is satisfied that the Board has violated any provision of this Act, the Government should direct the Board to make necessary improvements and suggest proper implementation of the provision of this Act;

vi) If it is observed that Board is violating the Act continuously three times, the State Government may send proposal to the Council of Board of School Education (COBSE) in India for de-recognition.

48. **Power to remove difficulties:**

i. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make provisions, not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty;

ii. Provided that no such order under this section shall be made after the expiry of periods of three years from the date of commencement of this Act

iii. Every order made under this section shall, as soon as possible, after it is made, shall be laid before the House of the State Legislature.

Sd/-
(Sopan Chaudhuri)
Joint Secretary, Law
Government of Tripura