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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
School Education Department
Law Branch

NOTIFICATION

No. 1133-SE(Law)-ES/S/1A-01/2009-30th August, 2011—In exercise of the powers conferred by clause (p) of sub-section (2) of section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009), the Governor is pleased hereby makes the following Rules :-

Rules

1. **Short title and commencement** — (1) These rules may be called the West Bengal Right of Children to Free and Compulsory Education (Right to Education Protection Authority) Rules, 2011.
(2) They shall come into force from the date of their publication in the *Official Gazette*.
2. **Constitution of Right to Education Protection Authority** — (1) The State Government may take immediate steps to set up the State Commission for Protection of Child Rights as required under sub-section (3) of section 31.
(2) Till such time as the State Government sets up the State Commission for Protection of Child Rights, there shall be constituted an authority known as the Right to Education Protection Authority for the purposes performing the functions specified in sub-section (1) of section 3.
(3) The Right to Education Protection Authority shall consist of the following, namely :-
 - (a) A chairperson who is person of high academic repute or has been a High Court Judge or has done outstanding work for promoting the rights of children to be nominated by

the Hon'ble Minister-in-Charge, School Education Department, Government of West Bengal in consultation with the Ld. Advocate General.

- (b) Six members, of whom at least three shall be women, from the following areas, from amongst persons of eminence, ability, integrity, standing and experience in —
- (i) Education - to be nominated by the School Education Department, Government of West Bengal;
 - (ii) Child Health Care and Child Development - to be nominated by the Woman and Child Development and Social Welfare Department, Government of West Bengal.
 - (iii) Juvenile justice or care of neglected or marginalized children or children with disabilities - to be nominated by the Woman and Child Development and Social Welfare Department, Government of West Bengal.
 - (iv) Elimination of child labour or working with children in distress-to be nominated by the Labour Department, Government of West Bengal.
 - (v) Child Psychology or Sociology - to be nominated by the Health and Family Welfare Department, Government of West Bengal.
 - (vi) Legal profession - to be nominated by the Ld. Advocate General, Government of West Bengal.

(4) The National Commission for Protection of Child Rights Rules, 2006, shall, so far as it pertains to the terms and conditions, mutatis mutandis apply to the chairperson and other members of the Right to Education Protection Authority.

(5) Immediately after the constitution of the State Commission for Protection of Child Rights, all records and assets of the Right to Education Protection Authority shall be transferred to it.

(6) In performance of its functions, the Right to Education Protection Authority may also act upon matters referred to it by the State Advisory Council.

(7) The State Government shall provide resource support to the State Commission for Protection of Child Rights or the Right to Education Protection Authority, as the case may be, in performance of its functions under the Act.

By order of the Governor,

VIKRAM SEN

Secretary

to the Govt. of West Bengal