

**COPY OF RESOLUTION NO. 209 dt. 27 Feb, 1962**

**MINISTRY OF EDUCATION**

**New Delhi, the 27<sup>th</sup> February, 1962**

No. F.55.21/61.SE 2(B), in term of clause 5 of the revised Constitution of Central Board of Secondary Education Ajmer and adopted by the Board at its meeting held on the 11<sup>th</sup> February, 1961 and adopted by it at its subsequent meeting on the 22<sup>nd</sup> March, 1961. The Advisor, to the Government of India in his capacity as the Controlling Authority of the Central Board Secondary Education, Ajmer in accordance with its revised Constitution, shall take effect from the 1<sup>st</sup> day of July, 1962.

The revised Constitution of the Board is also published for general information:-

Revised Constitution of the Central Board of Secondary Education as adopted by the Board at its meeting held on the 11<sup>th</sup> February, 1962 and notified by its committee meeting held on the 22<sup>nd</sup> March 1961.

**Objects:** –(1) The Board shall conduct examinations at Secondary stage of education and such other examinations as it may consider fit, subject to the approval of the Controlling Authority to as it may be called upon to conduct by the Government of India in the Ministry of Education and do such Acts ancillary to the objects as may be necessary.

(2) The services of the Board may be availed of by any Educational institution in India or outside India, which wishes to prepare candidates for the examinations conducted by the Board and the Board shall have the powers to recognise such Institutions for the purpose of its examinations

(3) The Headquarters of the Board shall be shifted to Delhi, but the Board's Office at Ajmer shall continue for such time as it may be considered necessary by the Board.

(4) The Education Advisor of the Government of India shall continue to be the controlling authority of the Board.

(5) The re-constitution of the Central Board of Secondary Education shall take effect from the date notified in this behalf by the Controlling Authority and from that date the Chairman and members of existing Board shall cease to hold office.

6. **COMPOSITION OF THE BOARD**:- The Board shall consists of the following members-

- (i) Chairman
- (ii) Vice chairman
- (iii) One representative of each of the Education Department of the Union Territories Delhi, subject to availing of the services of the Board.
- (iv) One representative each of the Territorial Councils of Territories other than Delhi, subject to their availing of the services of the Board.
- (v) Three representatives of the Educational Department of Delhi Administration, one of whom shall be an Assistant Director of Education (women)
- (vi) One representative each of the Education Departments of the Delhi Municipal Corporation and New Delhi Municipal Committee.
- (vii) One representative of the Ministry of Scientific Research and Cultural Affairs conversant with problems of Technical Education.
- (viii) A representative of the Ministry of Health conversant with problems of Medical Education and of Health Education in schools.
- (IX) A representative each of such other Ministries and Departments of the Government of India as may be decided by the Controlling Authority.

- (x) Two representatives of the Delhi University to be elected by its Academic Council.
- (xi) Three representatives of the Inter-University, Board.
- (xii) Two Headmasters of the public school to be nominated by the Indian Public Schools Conference.
- (xiii) Two representatives each of the special category of schools designated as such by the Controlling Authority who may also prescribe the method of nomination or selection.
- (xiv) One Headmaster/principal of High and Higher Secondary Schools (other than the Union Territories) to be elected from among themselves.
- (xv) Three principals of Higher Secondary Schools in Delhi to be elected from amongst themselves by the Principals of Higher Secondary School recognized by the Board, at least one of whom shall be the Principal of Girls School.
- (xvi) One Headmaster/ Principal of a High/Higher Secondary School from each of the Union Territories (excepting Delhi) availing the services of the Board, to be nominated by the respective administration.
- (xvii) Head of the Central Institute of Education, Delhi (ex-officio).
- (xviii) One person each to the represent the following professional bodies to be appointed by the Controlling Authority;-

**a. Engineering**

**b. Agriculture**

- c. **Medicine**
- d. **Industry and Commerce**
- e. **Fine Arts**
- f. **Home Science**

(xix) Not more than four persons to be nominated by the Controlling Authority from amongst eminent educationists or teachers of the Institutions affiliated with the Board whose services it may be considered necessary or desirable to secure for the Board, keeping in view the composition of the Board.

(xx) Not more than three persons to be co-opted by the Board in consideration of their expert knowledge of subjects of study included in the course prescribed by the Board.

7. The Board as constituted above (excepting co-opted members) under Clause 6 (xx) shall function as the Governing Body of the Board.

**8. TERM OF OFFICE OF MEMBERS:-(1)** Members, other than ex-officio members of the Board, or of any committees appointed under this Resolution, shall hold office for a period of three years from the date of appointment or nomination, as the case may be, provided that a member appointed or nominated in his/her capacity as a member of a particular body or as the holder of a particular appointment shall automatically cease to hold office if he or she ceases to be a member of that Body or, the holder of that appointment, as the case may be.

**(2)** Any vacancy among the members (other than ex-officio members) of the Board or of a committee appointed by the Board shall be filled as soon as may be convenient by the person or body who appointed, nominated or co-opted the member whose place has become vacant. All vacancies, other than casual vacancies, shall be filled for the full term as and when they arise.

**(3)** Notwithstanding anything contained in this section, an outgoing member shall, unless the Controlling Authority otherwise directs, continue in office until the election, nomination or co-option of his successor is notified.

**(4)** If the Controlling Authority considers that the continuance in office of any member appointed or nominated by itself is not in the interest of the Board, the Controlling Authority may make an order terminating his nomination and thereupon he shall cease to be a member of the Board notwithstanding that the term for which he was nominated has not expired.

**(5)** Any member of the Board may resign his office by a letter addressed to the Chairman. The resignation shall take effect from the date of acceptance of resignation by the Chairman.

**(6)** In the event of a casual vacancy occurring by reason of the death, resignation or termination of nomination of a member or for any other reason, such vacancy shall be filled by election, nomination or co-option, as the case may be, and any person elected, nominated or co-opted to fill such vacancy shall hold office for the term for which it was tenable by the person in whose place he has been so elected, nominated or co-opted and no longer.

**(7)** An outgoing member shall, if otherwise qualified, be eligible for re-election, re-nomination or re-co-option.

**9. POWERS AND FUNCTIONS OF THE BOARD:-** The Board shall have the following powers: -

- (i) To conduct examinations and grant diplomas/certificates to person who, after pursuing a course of study in an institution admitted to the privileges of recognition by the Board or having fulfilled such conditions as may be laid down by the Board, have passed the examination of the Board;
- (ii) To prescribe courses of instruction for examinations conducted by the Board, provided that the Board may prescribe different courses of instruction for different classes of institutions;
- (iii) To admit candidates to the examination conducted by it and prescribe that conditions for such examinations;
- (iv) To recognise institutions for the purpose of its examinations provided that the Board shall not accord recognition to any institution, without the concurrence of the State Government concerned if such institution is in receipt of a regular maintenance grant-in-aid from the State Government;

***Explanatory Note:*** *It shall be within the powers of the Board to withdraw recognition if it is satisfied after inspection carried out under clause (vi) that the standards of management and instruction in an institution justify withdrawal, provided that in case of a Government institution applying for recognition the recognition shall not be withheld, or in case the institution is already reconditioned the recognition shall not be withheld, or in case be withdrawn, without prior of approval of the Competent Authority;*

- (v)** To demand and receive such fees as may be prescribed by the Regulations;
- (vi)** To cause an inspection to be made by such person or persons as the Board may nominate, of recognised institution or institutions applying for recognition;
- (vii)** To adopt measures to promote the physical and moral well-being of students of recognised institutions and supervise their residence, health and discipline.
- (viii)** To organize and provide lectures, demonstrations, educational exhibitions and take such other measures as are necessary to promote the standards of secondary education.
- (ix)** To institute and award scholarships, medals and prizes under conditions that may be prescribed and accept endowments for the same subject to such conditions as the Board may deem fit.
- (x)** To make regulations for prescribing text-books or other books of study and to arrange for publication of such text-books.
- (xi)** To make regulations for imposing penalties for misconduct of students, teachers, examiners and examinees.
- (xii)** To prescribe qualifications for the appointment of teachers in the institutions recognised with the Board.

**(xiii)** To submit to Government of India its view on any matter with which it is concerned or which the Government of India or any State Government or educational organization may refer to it for its advice.

**(xiv)** To advise the Administrations of Union Territories as to the course of instruction and syllabi of middle school education with a view to securing coordination between middle school and secondary education.

**(xv)** To acquire properties, both movable and immovable and invest the surplus funds of the Board in Government securities or in bank approved by the Controlling Authority.

**(xvi)** To do all such or other things as may be necessary in order to further the object of the Board as a body constituted for regulating and maintaining the standards of secondary education.

**9 (i)** The educational institutions recognized by the Delhi Higher Secondary Board shall be deemed as institutions recognized by the Board.

**10. POWERS OF THE CONTROLLING AUTHORITY:-(1)** The Controlling Authority shall have the right to address the Board with reference to any work conducted or done by the Board and to communicate to the Board his views on any matter with which the Board is concerned.



(2) The Board shall report to the Controlling Authority such action, if any, as it is proposed to take or has been taken upon his communication.

(3) If the Board does not, within a reasonable time, take action, to the satisfaction of the Controlling Authority, the Controlling Authority may, after considering any explanation furnished or representation made by the Board, issue such directions, consistent with the Resolution, as he may think fit, and the Board shall comply with such directions.

(4) In any emergency which in the opinion of the Controlling Authority requires that immediate action should be taken, the Controlling Authority may take such action, consistent with this Resolution, as he deems necessary without previous consultation with the Board and shall forthwith inform the Board.

(5) The Controlling Authority shall have the power to suspend the Board, if in his opinion the Board persistently makes defaults in the performance of duties imposed on it under this Resolution. In the event of suspension, all the members of the Board and its Committees, including the Chairman and Vice-Chairman shall vacate their offices and the Controlling Authority shall appoint an Administrator who shall exercise all the powers of the Board during the period of suspension.

**11. OFFICERS OF THE BOARD:-** The following shall be the officers of the Board namely:

- (a) the Chairman
- (b) the Vice-Chairman
- (c) the Secretary ; and
- (d) such other officers as may be declared by the Regulations to be officers of the Board.

## **12. APPOINTMENT, POWERS AND DUTIES OF THE CHAIRMAN AND VICE-CHAIRMAN:-**

**(1)** The Chairman, Vice- Chairman, Secretary and other Heads of the Department shall be appointed by the Controlling Authority on such terms and conditions of services as the Controlling Authority may decide.

**(2)** The Chairman shall hold office for a term of three years but shall be eligible for re-appointment for a second term not exceeding three years; provided that notwithstanding the expiry of the period of his term of appointment, he shall continue in office until his successor is appointed and enters upon his office.

**(3)** Where the Chairman is unable temporarily to perform the duties of his office or if he vacates office, the Vice-Chairman/ Secretary shall perform the duties of the Chairman and, for that purpose, shall have all the powers of the Chairman. If there is no Vice-Chairman or if the Vice-Chairman is unable to perform his duties, the Controlling Authority shall, as soon as possible, make such arrangements he may think fit for carrying on the duties of the office of Chairman for that temporary period or till next meeting of the Board, as the case may be. Until such arrangements have been made, the Secretary shall perform the duties of the Chairman.

**(4)** It shall be the duty of the Chairman to see that this Act and this Regulation and the Regulations framed there-under are faithfully observed, and he shall have all powers necessary for this purpose.

(5) The Chairman shall, have the powers to convene meetings of the Board and shall call a meeting at any time, after due notice, on a requisition signed by not less than one third of the members of the Board.

(6) If any emergency arises out of the administrative business of the Board which, in the opinion of the Chairman, requires that immediate action should be taken, the Chairman may take such action as he deems necessary, but he shall report his action to the Controlling Authority and to the Board at its next meeting.

(7) The Chairman shall exercise such other powers as may be prescribed by the Regulations.

(8) In the absence of the Chairman from any meeting of the Board, the Vice-Chairman shall preside at that meeting. If the Vice-Chairman is also absent, the members present shall elect a person from among themselves to preside at that meeting.

(9) The functions and powers of the Vice-Chairman shall be to assist the Chairman in all matters, administrative and academic, and in the absence of the Chairman, he shall exercise all the functions and powers of the Chairman.

### **13. APPOINTMENT, POWERS AND DUTIES OF THE SECRETARY: -**

(1) The Secretary shall be appointed by the Controlling Authority upon such conditions and for such period as the Controlling Authority may think fit

(2) The Secretary shall, subject to the control of the board, be the Chief Administrative Officer of the Board. He shall, subject to the control of the Chairman, be

responsible for seeing that the orders of the Board are carried out. He shall also be empowered to enter into all contracts for and on behalf of the Board.

(3) The Secretary shall be responsible for seeing that all money are expended on the purposes for which they are granted or allotted. He shall prepare and submit to the Board for their approval an annual statement of accounts and budget estimates.

(4) The Secretary shall exercise such other powers as may be prescribed by the Regulations.

**14. APPOINTMENT AND CONSTITUTION OF COMMITTEES:-** (1) The Board shall appoint Committees of Courses, a Finance Committee and such other Committees as it may deem necessary for the proper execution of its business.

(2) Such Committees shall consist of members of the Board (a nominee of the Controlling Authority in the case of Finance Committee) and of such other persons, if any, as the Board, in each case, may think fit to appoint.

(3) A Committee may, subject to the approval of the Board, co-opt persons up to the limit of one-third of the total strength of the Committee.

(4) The term of office of members of a Committee co-opted under suo paragraph (3) shall be one year from the date of co-option, provided that a person co-opted in his or her capacity as a member of a particular body or as the holder of a particular appointment shall

automatically ceases to hold office if he or she ceases to be a member of that body or the holder of that appointment, as the case may be.

**15. EXERCISE OF POWERS DELEGATED BY THE BOARD TO COMMITTEE:-**

When the Board has constituted a Committee to deal with any matter which the Board is empowered to deal with by this Resolution, the Board shall, before exercising its powers in any particular case, receive and consider the report of the Committee concerned.

**16. POWERS OF THE BOARD TO MAKE REGULATIONS:-**(1) The Board may make Regulations for the purpose of carrying into effect the provisions of this Resolution.

(2) In particular and without prejudice to the generality of the foregoing power, the Board may make the Regulations for all or any of the following matters, namely;

(a) Laying down the procedures to be observed for the conduct of its meetings and the numbers of the members required to form a quorum;

(b) The conduct of examinations including the appointment of examiners and their duties, powers and remuneration;

(c) The conditions on under which candidate shall be admitted to the examinations of the Board;

(d) The conditions under which the Board may recognise institutions for the purposes of its examinations;

(e) The courses of study to be followed in the Higher Secondary classes and for other examinations conducted by the Board;

(f) The conditions for the award of the certificates of the Board;

- (g) The institution of scholarships and prizes;
- (h) The election and co-option of members of the Board and its Committee;
- (i) The constitution, powers and duties of Committees setup by the Board;
- (j) The appointment of employees of the Board and the conditions of their services.
- (k) The constitution of a Provident Fund for the benefit of the employees of the Board; and
- (l) All matters which, by this Resolution, are to be or may be provided for by Regulations;

Provided that the Regulations of the Board, or any amendments thereto, shall not take effect until they have received the sanction of the Controlling Authority, who may approve or disallow them or remit them to the Board for further consideration.

17. No act or proceeding of the Board or of a Committee appointed by it shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

**18. POWERS OF THE BOARD AND ITS COMMITTEES TO MAKE BYE-LAWS:-** The Board and its Committees may make Byelaws, consistent with this Resolution and the Regulations, for the following purposes, namely:

- (a) Laying down the procedure to be observed at their meetings and the number of members required to form a quorum.
- (b) Providing for all matters which, consistent with this Resolution and the Regulations, are to be prescribed by Bye-laws; and

(c) Providing all other matters solely concerning the Board and its Committees and not provided for by the Resolution and the Regulations.

**19. ANNUAL AUDIT OF ACCOUNTS:-**(1) The accounts of the Board shall continue to be audited once every year by the Accountant General, Central Revenues.

(2) The Board shall, at the time of audit, cause to be produced all accounts, registered, documents and subsidiary papers which may be required by the Auditor to assist him in his investigation.

Provided that, if the Controlling Authority certifies that the documents in question are secret, the auditor shall accept. In lieu of such documents and as a correct account of the facts therein, a statement certified by the Chairman of the Board.

Provided further that if, such a statement made by the Chairman is confidential, the auditor shall be responsible for preventing disclosure of its contents.

(3) The audited accounts and the statement of actual income and expenditure, together with a copy of the Auditor's Report, shall be submitted to the Controlling Authority, who may offer remarks thereon and communicate the same to the Board.

**20. PROVIDENT FUND:-** Where any Provident Fund has been constituted by the Board for the benefit of its employees, the President of the Union of India may declare that the provisions of the Provident Fund Act (XIX of 1925) shall apply to such Funds as if it were a Government Provident Fund.

**21. POWERS TO AMEND THE CONSTITUTION OF THE BOARD:-** Whenever it shall appear to the Controlling Authority or the Board that it is advisable to alter or modify the names, objects or the Constitution of the Board, the Chairman shall submit the proposition to the members of the Board in a written report and may convene a special general meeting for the consideration thereof according to the rules and regulations of the Board. No such proposition shall be carried into effect unless such report shall have been delivered or sent by post to every member of the Board ten days previous to the special general meeting convened by the Chairman for the consideration thereof nor unless such proposition shall have been agreed to by the vote of the two-thirds of the members delivered in person or by proxy and confirmed by the votes of the two-thirds of the members present at a second special meeting convened by the Chairman at an interval of at least one month after the former meeting.

No amendment as approved by the Board shall, however, be carried into effect unless such amendment has been approved by the Controlling Authority.