

Government of West Bengal
Paschim Banga Society for Skill Development
Department of Technical Education, Training & Skill
Development
Karigori Bhawan, Newtown, Kolkata-700160

Date: 12.09.2023

NOTIFICATION

Sub: Proper interpretation of Clause no. 9.1 of the MoU

Ref: (i) Clause 6.2 of the MoU, (ii) Notification No 33/2016 dated 26/06/2016 of MoRD, Government of India.

With reference to the MoU availed for the purpose of implementing the DDUGKY scheme in West Bengal, it is clarified that the word arbitrator used under clause 9.1 is to reflect the meaning of adjudicator or the appellate authority against the decisions of the authorities subordinate to him/her.

This clause no. 9.1 is therefore used to convey the rule position previously put in place by Ministry of Rural Development, Government of India vide Notification No. 33/2016 dated 27/06/2016 which provides for the Principal Secretary to adjudicate the matters of dispute as the lawfully declared Competent Authority. Given there is no further appeal available within the purview of executive framework, his authority thus stands final. The matters of dispute/litigation after exhausting this remedy shall be dealt by the Judicial Courts as provisioned under clause 9.2 of the very same MoU.

The definition of the word arbitrator under clause 9.1, therefore no where is related to the meaning covered under the Arbitration & Conciliation Act, 1996.

This is issued with reference to the authority conferred on the PBSSD under clause no.6.2 of the MoU, the provision which deals with the power of interpretation.

Applications for review (stating valid rule position) or objections to this Memorandum may be written latest within 2 weeks from the date of issue of this Memorandum to the Project Director, PBSSD.

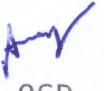
All the concerned are informed accordingly.

sd/-
Project Director
PBSSD

Copy to:

1. PS to HMoS(IC), TET&SD Department

2. Sr.PS to Principal Secretary, TET&SD Department & VC to PBSSD
3. Joint Secretaary, Ministry of Rural Development , Government of India
4. OSDs and the branch staff concerned
5. All PIAs implementing DDU-GKY in West Bengal


OSD
PBSSD