

No. EDN-H (5) C (10)-17/2010 –School-Taking Over
Directorate of Higher Education,
HP Shimla

Dated: Shimla-171001 the

30th July, 2011

To

The Deputy Director of Higher Education,
Shimla, Solan, Mandi, Hamirpur, Una and Kangra,
Himachal Pradesh.

Subject: - Proposal regarding taking over of 95 % aided Schools.

Memo:-

It is intimated that the Government of Himachal Pradesh vide letter No. Shiksha-II-Chha (10)-8/2011 dated 20th July 2011 has laid down guidelines for the take over of 95% aided Schools. You are, therefore, directed to bring these guidelines/ term and conditions to the notice of all the Managements/ Staff of 95% aided Schools of your District and ask the Managements and aided staff to submit the requisite affidavits latest by 10-08-2011.

For the purpose, it is requested that after bringing the guidelines to the notice of concerned Management and aided staff, suitable proposals (affidavits from Management and aided staff on the prescribed proforma) may be obtained and submitted the same to this Directorate latest by 20-08-2011 positively.

A copy of above mentioned guide lines have been put on the Departmental Website www.educationhp.org which may be downloaded for further action.



Director of Higher Education
Himachal Pradesh

Endst. No. Even dated: Shimla-1 the 30 July, 2011
Copy to All the Presidents of the Managing Committees of
95% aided schools in Himachal Pradesh for information and similar necessary action
and to submit the requisite affidavits latest by 10-08-2011 to the DDHE concerned
positively.



Director of Higher Education
Himachal Pradesh

No. Shiksha-II-Chha (10)-8/2011
GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF HIGHER EDUCATION

From:

The Principal Secretary (Education) to the
Government of Himachal Pradesh

To

The Director, Higher Education,
Himachal Pradesh, Shimla-171001

Dated Shimla-171002 the 20th July, 2011

Subject: - **Proposal regarding taking over of 95% aided schools.**

Sir,

I am directed to refer your letter No. EDN-H (5) C (10) GIA Rules School dated 2.5.2011, on the subject cited above. The matter was considered by the Government. You are directed to process the case of all exiting 95% Government aided Schools as per the following guidelines:-

(A) Such schools where Management is willing to transfer the school alongwith movable and immovable assets to the State Government.

- (1) The services of only those employees both teaching & non teaching will be taken over, who are paid from the GIA received from the Government at the time of take over. The services of other employees will not be taken over.
- (2) The employees must possess requisite qualifications as prescribed in the Recruitment & Promotional Rules, applicable to the identical posts of Education Department at the time of taking over of the school and equitable placement. Else, they shall be placed as per the qualifications for the post available in Department of Education. However, the services of the Principals/ Headmasters shall be taken over as Lecturers/ Trained Graduate Teachers of the related subjects.
- (3) The services of the staff working in 95% aided schools shall be taken over as a fresh appointment on regular basis on minimum of pay scale of the post. However, their salaries shall be protected as a measure personal to them. The past service rendered in aided institutions shall not be counted for any other intent and purpose i.e. seniority, pensionary benefits and leave ect. They will be placed at the bottom of the seniority list.
- (4) The service of taken over aided staff can be utilized any where in the state and they have to give in writing an undertaking to this effect.

- (5) No liability of aided institutions would be taken over by the Government.
- (6) The Managements which are willing to transfer their assets to the Government shall execute a gift deed with the Director of Higher Education or his nominee for transfer of all assets (Moveable and immovable) of the aided institution to the Government immediately.
- (7) The Managements and teaching and Non-teaching staff of the aided institution are required to furnish individual affidavits duly countersigned by the concerned Tehsildar / SDM of the concerned area, to the Education Department on the above points.
- (8) The staff taken over will be considered against the direct quota.

(B) Such schools where Management is unwilling to handover the school:-

- (1) The services of only those employees both teaching & non teaching will be taken over, who are paid from the GIA received from the Government at the time of take over. The services of other employees will not be taken over.
- (2) The employees must possess requisite qualification as prescribed in the Recruitment & Promotional Rules, applicable to the identical posts of Education Department, at the time of taking over of the school and equitable placements. Else, they shall be placed as per the qualification for the post available in Department of Education. However, the services of the Principals/ Headmasters shall be taken over as Lecturers/ Trained Graduate Teachers of the related subjects.
- (3) The services of the staff working in 95% aided schools shall be taken over as a fresh appointment on regular basis on minimum of pay scale of the post. However, their salaries shall be protected as a measure personal to them. The past service rendered in aided institutions shall not be counted for any other intents and purpose i.e. seniority, pensionary benefits and leave ect. They will be placed at the bottom of the seniority list.
- (4) The service of taken over aided staff can be utilized any where in the state and they have to give in writing an undertaking to this effect.
- (5) After taking over the staff of such institution no grant will be payable to them in future and they shall be required to manage the affairs of the school concerned at their own.
- (6) The Management of those schools have to give an undertaking to the Govt. that after taking over the aided staff of their institution they will not claim any grant in future from the Govt.
- (7) The Managements and teaching and non teaching staff of the aided institutions are required to furnish individual affidavits duly countersigned by

the concerned Tehsildar / SDM of the concerned area, to the education department on above points.

(8) The staff taken over will be considered against the direct quota.

Therefore, the proposals of all such schools may be examined as per the above mentioned guidelines and all the required affidavits may be taken from the Managements and from the employees and fresh individual school-wise proposals may be sent to the State Government, to consider either taking over of the School as per (A) or only its 95% aided staff as per (B).


Special Secretary (Edu.) to the
Government of Himachal Pradesh
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**FORMAT OF AFFIDAVIT TO BE FURNISHED BY THE MANagements OF
AIDED INSTITUTIONS CONCERNED WHERE MANagements ARE WILLING TO
TRANSFER THEIR ASSETS TO THE GOVERNMENT**

AFFIDAVIT

I,-----S/o Sh----- aged -----years
resident of -----tehsil -----Distt.-----
Himachal Pradesh presently acting as President or authorized Person,
Managing Committee of ----- receiving 95% aid
from the Govt. through Education Department do hereby solemnly affirm
&declare as under:-

- (i) That I am agreed on behalf of the entire members of Management of aforesaid aided School to transfer all the moveable and immovable assets to the Government, if the Government takes over the school along-with the services of the teaching and non teaching staff receiving 95% GIA from the Government.
- (ii) That the Management shall not demand for any financial claim in lieu of the assets transferred to the Government.
- (iii) That the Govt. is not liable for any liability of the private institution.

Deponent

DECLARATION

I above named deponent do hereby verify that the contents of para-(i) to (iii) of affidavit are true and correct to the best of my knowledge and nothing material has been concealed there from

Deponent

**FORMAT OF AFFIDAVIT TO BE FURNISHED BY THE MANAGERMENTS OF
AIDED INSTITUTIONS CONCERNED WHERE MANAGERMENTS ARE UNWILLING
TO TRANSFER THEIR ASSETS TO THE GOVERNMENT**

AFFIDAVIT

I,-----S/o Sh----- aged ----- years resident
of ----- Tehsil ----- Dist.----- Himachal
Pradesh presently acting as President or authorised person , Managing
Committee of ----- receiving 95% aid from the
Govt. through Education Department do hereby solemnly affirm & declare as
under :-

- (1) That the Management of aforesaid aided School is not interested in transfer moveable or immovable assets to the Government. However, we have no objection if the Government takes over the services of the teaching and non-teaching staff paid from 95% GIA received from the Government.
- (2) That After taking over the aided staff, the management itself will manage the affairs of the school concerned on its own. After taking over the aided staff of our institution. We will not claim any grant in future from the Government in respect of existing aided/unaided employees and employees to be appointed in future in aforesaid school.

Deponent

DECLARATION

I above named deponent do hereby verify that the contents of Para-(1) to (2) of affidavit are true and correct as per best of my knowledge and nothing material has been concealed there from.

Deponent

**FORMAT OF AFFIDAVIT TO BE FURNISHED BY THE EMPLOYEE CONCERNED
OF INSTITUTION IN INDIVIDUAL CAPACITY**

AFFIDAVIT

I-----S/o Sh----- aged -----year's resident
of -----tehsil -----Distt. ----- Himachal
Pradesh presently working as----- in ----- Distt. -
-----do hereby solemnly affirm and declare as under :-

- (1) That I am willing to be absorbed in the Department of Education, H.P. as per the term and conditions of the guidelines to take over the services of the employees of 95% aided schools.
- (2) That I am willing to work as fresh appointee, on regular basis on minimum of the pay scale of the post, if my salary is protected as a measure personal to me. I will not claim any seniority, pensionary and leave benefits from the Government in leu of the services rendered in 95% aided privately institution prior to taking over my services.
- (3) That I work as Principal /Headmaster in 95% Government aided institute prior to taking over my services. I will not claim for the same post after taking over my services as per the terms and condition of the guidelines for taking over services of employees of 95% aided institution. I will accept the post of Lecturer/TGT as per eligibility and R&P Rules applicable to the post.
- (4) That I will not claim any benefits in any way for the past services rendered in private institution after taking over my services.
- (5) That after taking over my services I am willing to serve any where in Himachal Pradesh as per the requirement of the Education Department.

Deponent

DECLARATION

I, the above named deponent do hereby verify that the contents of Para No 1 to 5 of affidavit are true and correct to the best of my knowledge and nothing stated in it is false, nothing has been concealed there from.

Verified at _____ on day of _____ 2011

Deponent