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MIZORAM SCHOOL EDUCATION

BILL, 1986

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MIZORAM SCHOOL EDUCATION

RULES, 1986

-54166 Department of Education,
370.26 Government of Mizoram.
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THE MIZORAM SCHOOL EDUCATION BILL, 1986

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THE MIZORAM SCHOOL EDUCATION
BILL 1986

A Bill to provide for better organisation and development of school education in the Union territory of Mizoram and for matters connected therewith or incidental thereto.

Be it enacted by Mizoram Legislative Assembly in the thirty seventh Year of the Republic of India as follows :-

CHAPTER I
PRELIMINARY

1. Short title, extent and commencement

- (1) This Bill may be called the Mizoram School Education Bill 1986.
- (2) It extends to the whole of the Union Territory of Mizoram.
- (3) It shall come into force on such date as the Administrator may by notification, appoint and different dates may be appointed for different provisions of this Bill, and any reference to the commencement of this Bill in relation to any provision thereof shall be construed as a reference to the date on which that provision comes into force.

Comments Section 1

As the Preamble inter-alia states, the Bill was enacted because it was expedient to provide for better management and dynamic progress of school education and thereby regulate and supervise the system of education in the Union territory of Mizoram.

2. Definitions

In this Bill unless the context otherwise requires :-

- (a) "Administrator" means the Administrator of the Union territory of Mizoram appointed by the President under article 239 of the Constitution ;
- (b) "Advisory Board" means the Board referred to section 22 ;
- (c) "Aid" means any aid granted to a recognised school by the Mizoram Government, Administrator, a local authority or any other authority designated by the Mizoram Government, Administrator or a local authority ;
- (d) "Aided School" means a recognised private school which is receiving aid in the form of maintenance grant from the Mizoram Government, Administrator or local authority or any other authority designated by the Mizoram Government, Administrator or a local authority ;
- (e) "appropriate authority" means :-
 - (i) in the case of a school recognised or to be recognised designated or sponsored by the Mizoram Government, that authority ;
 - (ii) in the case a school recognised or to be recognised by the Mizoram Administration, the Administrator or any other officer authorised by him in this behalf ;
 - (iii) in the case of any other school the Administrator or any other officer authorised by him in this behalf ;
- (f) "Mizoram " means the Union territory of Mizoram ;

(g) "Director" means the Director of Education, Mizoram and includes any other officer authorised by him to perform all or any of the functions of the Director under this Bill ;

(h) "employee" means a teacher and includes every other employee working in a recognised school ;

(i) "existing employee" means an employee of an existing school who is employed in such school immediately before the commencement of this Bill, and includes an employee who was employed in such school for a period of not less than twelve months immediately preceding the 2nd day of September, 1985.

(j) "existing school" means a recognised private school which is in existence at the commencement of this Bill ;

(k) "Head of school" means the principal academic officer, by whatever name called, of a recognised school ;

(l) "local authority" means 3(three) District Councils ;

(m) "Chairman", in relation to a school, means the person, by whatever name called, who is entrusted, either on the date on which this Bill comes into force or, as the case may be, under a scheme of management made under section 5, with the management of the affairs of that school ;

(n) "managing committee" means the body of individuals who are entrusted with the management of any recognised private school ;

(o) "minority school" means a school established and administered by a minority having the right to do so under clause (1) of article 30 of the Constitution ;

(p) "notification" means a notification published in the Official Gazette ;

(q) "prescribed" means prescribed by rules made under this Bill ;

(r) "private school" means a school which is not run by the Mizoram Government, Administrator, a local authority or any other authority designated or sponsored by the Mizoram Government, Administrator or a local authority ;

(s) "public examination" means an examination conducted by the Mizoram Board of School Education or any other Board which may hereafter be established for the purpose, and recognised by the Administrator or any other officer authorised by him in this behalf ;

(t) "recognised school" means a school recognised by the appropriate authority ;

(u) "school" includes a pre-primary, primary middle and higher secondary school, and also includes any other institution which imparts education or training below the degree level, but does not include an institution which imparts technical education ;

(v) "school property" means all movable and immovable property belonging to, in the possession of, the school and all other rights and interests in, or arising out of, such property, and includes land, building and its appurtenances, playgrounds, hotels, furniture, books, apparatus, maps, equipment, utensils, cash, reserve funds investments and bank balances ;

(w) "teacher" includes the Head of a school ;

(x) "unaided minority school" means a recognised minority school which does not receive any aid.

Comments Section 2

Certain terms and expressions relating to school education have been explicitly defined in this section and these must be interpreted within the sphere of the provisions of the four walls of the Bill. Thus, the terms, 'employee', 'manager' and 'managing committee' convey those connected with the matter of school education and nothing beyond that field.

CHAPTER II

ESTABLISHMENT, RECOGNITION, MANAGEMENT OF
AND AID TO SCHOOLS

3. Power of Administrator to regulate
education in schools

(1) The Administrator may regulate education in all the schools in Mizoram in accordance with the provisions of this Bill and the rules made thereunder.

(2) The Administrator may establish and maintain any school in Mizoram or may permit any person or local authority to establish and maintain any school in Mizoram, subject to compliance with the provisions of this Bill and the rules made thereunder.

(3) On and from the commencement of this Bill and subject to the provisions of clause (1) of article 30 of the Constitution, the establishment of a new school or the opening of a higher class or the closing down of an existing class in any existing school in Mizoram shall be subject to the provisions of the Bill and the rules made thereunder and any school or higher class established or opened otherwise than in accordance with the provisions of this Bill shall not be recognised by the appropriate authority.

Comments Section 3

The Administrator of the Union territory of Mizoram, whose appointment is made by the President under article 239 of the Constitution, is the pivot around whom the whole machinery revolves for regulating educational activities and he has been vested with specific powers to ensure the efficient performance of the schools established in Mizoram.

4. Recognition of school

(1) The appropriate authority may, on an application made to it in the prescribed form and in the prescribed manner, recognise any private school :

Provided that no school shall be recognised unless -

(a) it has adequate funds to ensure its financial stability and regular payment of salary and allowances to its employees.

(b) it has duly approved scheme of management as required by section 5;

(c) it has suitable or adequate accommodation and sanitary facilities having regard, among other factors, to the number, age and sex of the pupils attending it ;

(d) It provides for approved courses of study and efficient instruction ;

(e) it has teachers with prescribed qualifications ;
and

(f) it has the prescribed facilities for physical education, library service, laboratory work, workshop practice or co-curricular activities.

(2) Every application for recognition of a school shall be entertained and considered by the appropriate authority and the decision thereon shall be communicated to the applicant within a period of four months from the date of the receipt of the application ; and where recognition is not granted the reasons for not granting such recognition shall also be communicated to the applicant within the said period :

(3) Where recognition to a school is refused, any person aggrieved by such refusal may, within thirty days from date of communication to him, of such refusal, appeal against such refusal, in the prescribed manner, to the prescribed authority and the decision of the prescribed authority thereon shall be final :

Provided that the prescribed authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend, for reasons to be recorded by it in writing, the said period by a further period of sixty days.

(4) Where the managing committee of a school obtains recognition by fraud, mis-representation or suppression of material particulars, or where, after obtaining recognition, the school fails to continue to comply with any of the conditions specified in the proviso to sub-section (1) the authority granting the recognition may, after giving the managing committee of the school a reasonable opportunity of showing cause against the proposed action, withdraw the recognition granted to such school under sub-section(1).

(5) The recognition granted under sub-section(1) shall not, by itself, entitle any school to receive aid.

(6) Every existing school shall be deemed to have been recognised under this section and shall be subject to the provisions of this Bill and the rules made thereunder :

Provided that where any such school does not satisfy any of the conditions specified in the proviso to sub-section (1), the prescribed authority may require the school to satisfy such conditions and such other conditions as may be prescribed, within a specified period and if any such condition is not satisfied, recognition may be withdrawn from such school.

(7) Every school, whose recognition is withdrawn under sub-section(4) or sub-section(6), may appeal to the prescribed authority, who shall dispose of the appeal within six months from the date of presentation of the appeal in such manner as may be prescribed, and if the appeal is not disposed of within that period, the order for the withdrawal of recognition shall, on the expiry of the said period of six months, stand cancelled.

(8) On hearing an appeal preferred under sub-section(3), the prescribed authority may, after giving the appellant a reasonable opportunity of being heard, confirm, modify or reverse on order appealed against.

Comments Section 4

The power to withdraw recognition of an institution vests in the appropriate authority defined in Section 2 of this Bill. Thus, it is not within the competence of anybody else to take recourse to withdraw such recognition. Where there is a provision for delegation of an authority by the Administrator, such delegation need not be made by notification in the Official Gazette and it is also not necessary to obtain prior approval of the Government.

4.3. Scheme of management

(1) Notwithstanding anything contained in any other law for the time being in force or in any instrument having by virtue of any such law, the managing committee of every recognised school shall make in accordance with the rules made under this Bill and with the previous approval of the appropriate authority, a scheme of management for such school :

Provided that in the case of a recognised private school which does not receive any aid, the scheme of management shall apply with such variations and modifications as may be prescribed :

Provided further that so much of this sub-section as relates to the previous approval of the appropriate authority shall not apply to a scheme of management for an unaided minority & school.

(2) A scheme may be made, in like manner, to add to, vary or modify any scheme made under sub-section (1).

Comments Section 5

For every recognised institution there should be a scheme, administration which must provide, among other matters, for the Constitution of a Committee of management.

Where there was a dispute regarding right of management of a school between two committees management and the prescribed authority give recognition to one of them, unless a declaration was made by the said authority that there was a dispute relating to the management of the school, a new managing committee could not be elected.

5.6. Aid to recognised schools

(1) The Mizoram Government may, after due appropriation made by Mizoram Legislative Assembly by law in this behalf and subject to such conditions as may be prescribed, pay to the Administrator, for distribution of aid to recognised private schools, not being primary schools recognised by a local authority, such sums of money as that Government may consider necessary :

Provided that no existing school receiving, immediately before the commencement of this Bill, aid shall be eligible for the continuance of such aid unless it complies, within such period as may be specified by the Director, with the conditions specified in the proviso to sub-section (1) of section 4.

(2) The authority competent to grant the aid may stop, reduce or suspend aid for violation of any of the conditions prescribed in this behalf.

(3) The aid may cover such part of the expenditure of the school as may be prescribed.

(4) No payment, out of the aid given for salary, allowances and provident fund of employees of the school, shall be made for any other purpose.

(5) No aid shall be given to a school the management of which has been taken over under section 20.

(6) No unrecognised school shall be eligible to receive any aid or any benefit made available to private schools by the Administrator of any agency of the Administrator.

Comments Section 6

The Mizoram Government would sanction allotment of a specific amount for the purpose of granting aid to recognised private schools, to be distributed by the Administrator, Existing schools already receiving aid shall be eligible for continuance of such aid subject to compliance of certain conditions specified by the Director.

CHAPTER III SCHOOL PROPERTY

6. School Property

(1) The management of every aided school shall furnish to the appropriate authority initially, at the time of grant of aid and thereafter annually, a statement containing a list of school property together with such particulars as may be prescribed.

(2) Notwithstanding anything contained in any other law for the time being in force, no transfer, mortgage or lease of any movable or immovable property of an aided school, not being the property specified in the rules, shall be made except with the permission of the appropriate authority :

Provided that where the appropriate authority omits or fails to dispose of the application for such permission within sixty days from the date of receipt of the application shall, on the expiry of the said period of sixty days, be deemed to have been granted.

(3) Any person aggrieved by the grant or refusal of permissions under sub-section(2) may prefer, in such form and within such time as may be prescribed, appeal to the Administrator against such grant or refusal of permission and the decision of the Administrator thereon shall be final.

(4) Any transaction made in contravention of the provision of sub-section (2), or, as the case may be, decision of the Administrator, shall be void.

CHAPTER IV
TERMS AND CONDITIONS OF SERVICE OF EMPLOYEES
OF RECOGNISED PRIVATE SCHOOLS

78. Terms and conditions of service of employees of recognised private schools.

(1) The Administrator may make rules regulating the minimum qualifications for recruitment, and the conditions of service, of employees of recognised private schools :

Provided that neither the salary nor the rights in respect of leave of absence, age of retirement and pension of an employee in the employment of an existing school at the commencement of this Bill shall be varied to the disadvantage of such employee :

Provided further that every such employee shall be entitled to opt for terms and conditions of service as they were applicable to him immediately before the commencement of this Bill.

(2) Subject to any rule that may be made in this behalf, no employee of a recognised private school shall be dismissed, removed or reduced in rank nor shall his service be otherwise terminated except with the prior approval of the Director.

(3) Any employee of a recognised private school who is dismissed, removed or reduced in rank may, within three months from the date of communication to him of the order of such dismissal, removal or reduction in rank, appeal against such order to the Tribunal constituted under section 11.

(4) Where the managing committee of a recognised private school intends to suspend any of its employees such intention shall be communicated to the Director and no such suspension shall be made except with the prior approval of the Director :

Provided that the managing committee may suspend an employee with immediate effect and without the prior approval of the Director if it is satisfied that such immediate suspension is necessary by reason of the gross misconduct, within the meaning of the Code of Conduct prescribed under section 2, of the employee :

Provided further that no such immediate suspension shall remain in force for more than a period of 30 days from the date of suspension unless it has been communicated to the Director and approved by him before the expiry of the said period.

(5) Where the intention to suspend, or the immediate suspension of, an employee is communicated to the Director he may, if he is satisfied that there are adequate and reasonable grounds for such suspension, accord his approval to such suspension.

9. Employees to be governed by a Code of Conduct.

Every employee of a recognised school shall be governed by such Code of Conduct as may be prescribed and on the violation on any provision of such Code of Conduct, the employee shall be liable to such disciplinary action as may be prescribed.

Comments Section 9

The school is a body of persons of a public character which has to determine sometimes matters affecting civil rights of the teachers etc. The school has to act judicially while determining the services of a teacher on disciplinary grounds etc.

Art. 226 of the constitution although qualifies the word 'rights' by the words 'conferred by Part III', the words for any other purpose are of wide amplitude, these words would include rights which are legally enforceable and created not only by the statute but would also include rights created by common law.

9.19. Salaries of employees.

(1) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of a recognised private school shall not be less than those of the employees of the corresponding status in schools run by the appropriate authority.

Provided that where the scales of pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits of the employees of any recognised private school are less than those of the employees of the corresponding status in the schools run by the appropriate authority, the appropriate authority shall direct, in writing, the managing committee of such school to bring the same up to the level of those of the employees of the corresponding status in schools run by the appropriate authority :

Provided further that the failure to comply with such direction shall be deemed to be non-compliance with the conditions for continuing recognition of an existing school and the provisions of section 4 shall apply accordingly.

(2) The managing committee of every aided school shall deposit every month, its share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Administrator and the Administrator shall disburse, or cause to be disbursed, within the first week of every month, the salaries and allowances to the employees of the aided schools.

Comments Section 10

A provision has been made to pay and provide other prescribed benefits to the employees of a recognised private school, corresponding to those provided to the employees of the schools run by the appropriate authority, so as to bring them at par. Non-compliance of such direction would be at the peril of losing recognition. The managing committee shall have to deposit their part towards dues of the employees of the aided schools with Administrator and the salaries shall be disbursed accordingly by the Administrator every month by the due dates.

10 Tribunal

(1) The Administrator shall, by notification, constitute a Tribunal, be known as the "Mizoram School Tribunal", consisting of one person :

Provided that no person shall be so appointed unless he has held office as a District Judge or any equivalent judicial office.

(2) If any vacancy, other than a temporary absence, occurs in the office of the presiding officer of the Tribunal the Administrator shall appoint another person, in accordance with the provisions of this section, to fill the vacancy and the proceedings may be continued before the Tribunal from the stage at which the vacancy is filled.

(3) The Administrator shall make available to the Tribunal such staff as may be necessary in the discharge of its functions under this Act.

(4) All expenses incurred in connection with the Tribunal shall be defrayed out of the Consolidated Fund of India.

(5) The Tribunal shall have power to regulate its own procedure in all matters arising out of the discharge of its functions including the place or places at which it shall hold its sittings.

(6) The Tribunal shall for the purpose of disposal of an appeal preferred under this Act have the same powers as are vested in a court of appeal by the Code of Civil Procedure, 1908 (5 of 1908) and shall also have the power to stay the operation of the order appealed against on such terms as it may think fit.

11-12 Chapter not to apply to unaided minority Schools.

Nothing contained in this Chapter shall apply to an unaided minority school.

CHAPTER V
PROVISIONS APPLICABLE TO UNAIDED MINORITY SCHOOLS

12. Power to prescribe minimum qualifications for recruitment

The Administrator may make rules regulating the minimum qualifications for and method of, recruitment of employees of unaided minority schools:

Provided that no qualification shall be varied to the disadvantage of an existing employee of an unaided minority school.

Comments Section 13

Art 30 (1) of the Constitution gives two rights to minorities (1) to establish and (2) to administer educational institutions of their choice. The right to administer cannot obviously include the right to maladministration. The minority cannot surely ask for aid or recognition for an education run by them in unhealthy surroundings, without

contd..10/-

any competent teachers possessing any semblance of qualification, and which does not maintain even a fair standard of teaching or which teaches matters subversive of the welfare of the scholars. It stands to reason then, that the constitutional right to administer an educational institution of their choice does not necessarily defeat the claim of the State to insist that in order to grant aid the State may prescribe reasonable regulations to ensure the excellence of the institution to be aided.

In order to claim protection under Art. 30 it should be proved that the school is established by the minority community. The fact that a school is founded by a minority community was not sufficient to claim protection under Art 30 of the C-constitution.

13. ~~14~~ Power to prescribe Code of Conduct.

Every employee of an unaided minority school shall be governed by such Code of Conduct as may be prescribed.

Comments Section 14

Recognising that the State can provide regulatory measures, such regulations made in the true interests of efficiency of instruction, discipline, health, sanitation, morality, public order and the like may undoubtedly be imposed. Such regulations are not restrictions on the substance of the right which is guaranteed to secure the proper functioning of the institution in educational matters. It does not follow that the right guaranteed under Art. 30 (1) is not subject to regulatory laws which would not amount to its abridgement. It is a total misconception to say that because the right is couched in absolute terms, the exercise of the right cannot be regulated.

14. ~~15~~. Contract of service

(1) The managing committee of every unaided minority school shall enter into a written contract of service with every employee of such school :

Provided that if, at the commencement of this Act, there is no written contract of service in relation to any existing employee of an unaided minority school, the managing committee of such school shall enter into such contract within a period of three months from such commencement:

Provided further that no contract referred to in the foregoing proviso shall vary to the disadvantage of any existing employee the term of any contract subsisting at the commencement of this Act between him and the school.

(2) A copy of every contract of service referred to in sub-section (1) shall be forwarded by the managing committee of the concerned unaided minority school to the Administrator who shall, on receipt of such copy, register it in such manner as may be prescribed.

(3) Every contract of service referred to in subsection (1) shall provide for the following matters, namely:-

(a) the terms and conditions of service of the employee, including the scale of pay and other allowances to which he shall be entitled;

(b) the leave of absence, age of retirement, pension and gratuity or contributory provident fund in lieu of pension and gratuity, and medical and other benefits to which the employee shall be entitled;

(c) the penalties which may be imposed on the employee for the violation of any Code of Conduct or the breach of any term of the contract entered into by him ;

(d) the manner in which disciplinary proceedings in relation to the employee shall be conducted and procedure which shall be followed before any employee is dismissed, removed from service or reduced in rank;

(e) arbitration of any dispute arising out of any breach of contract between the employee and the managing committee with regard to -

(i) the scales of pay and other allowances,

(ii) leave of absence, age of retirement, pension, gratuity, provident fund medical and other benefits,

(iii) any disciplinary action leading to the dismissal or removal from service or reduction in rank of the employee;

(f) any other matter which, in the opinion of the managing committee, ought to be, or may be, specified in such contract.

Comments Section 15

Provisions which in any way interfere with the freedom guaranteed the minority institutions are stated to be violative of Art. 30 of the constitution, The management has the freedom to chose the persons competent and qualified and to appoint him or her in the institution as its head which is a vital matter from the point of view of its administration.

Although disciplinary control over the teachers of minority educational institutions would not be justified yet regulations can be made for ensuring proper condition of service of the teachers and for securing fair procedure in the matter of disciplinary action against the teachers. Such provisions which are calculated to safeguard the interest of teachers would result in security of tenure and thus inevitably attract competent persons for the post of teachers. Such a provision would also eliminate a potential cause of fructration amongst the teachers. Regulations made for this purpose should be considered to be in the interest of minority education-al institutions and as such they would not violate Art . 30 (1)

When there is a written contract of service with management, this section provides for arbitration of dispute arising out of breach of contract between the employee and the Managing Committee. It does not provide for statutory arbitration.

CHAPTER VI
ADMISSION TO SCHOOLS AND FEES

¹⁵
~~15~~. Admission to recognised schools.

(1) A child who has not attained the age of five years, shall not be admitted to class I, or an equivalent class or any class higher than class I, in recognised school.

(2) A student seeking admission for the first time in a recognised school in a class higher than class I shall not be admitted to that class if his age reduced by the number of normal school study between that class and class I or an equivalent class, falls short of five years.

(3) Admission to a recognised school or to any class thereof shall be regulated by rules made in this behalf.

Comments Section 16

There is an embargo on age limit for admission to a school, Even if a student seeks admission to a higher class for the first time, the minimum age limit of 5 years for admission to class I will always be kept in view age calculated accordingly.

¹⁶
~~16~~. Fees and other charges.

(1) No aided school shall levy any fee or collect any other charge or receive any other payment except those specified by the Director.

(2) Every aided school having different rates of fees or other charges or different funds shall obtain prior approval of the prescribed authority before levying such fees or collecting such charges or creating such funds.

(3) The manager of every recognised school shall, before the commencement of each academic session, file with the Director a full statement of the fees to be levied by such school during the ensuing academic session, and except with the prior approval of the Director, no such school shall charge, during that academic session, any fee in excess of the fee specified by its manager in the said statement.

Comments Section 16

Only the fees specified by the Director of Education will be levied by the aided school in Delhi, In case of difference in rate of fees, prior approval of the prescribed authority is expedient.

17.

18. School Fund.

(1) In every aided school, there shall be a fund to be called the "School Fund", and there shall be credited thereto -

- (a) any aid granted by the Administrator.
- (b) income accruing to the school by way of fees, charges or other payments, and
- (c) any other contributions, endowments and the like.

(2) The School Fund and all other funds, including the Pupils Fund, established with the approval of the Administrator, shall be accounted for and operated in accordance with the rules made under this Act.

(3) In every recognised unaided school, there shall be a fund, to be called the "Recognised Unaided School Fund", and there shall be credited there to income accruing to the school by way of-

- ~~(a) fees,~~
- (b) any charges and payments which may be realised by the school for other specific purposes, and
- (c) any other contributions, endowments, gifts and the like.

(4) (a) income derived by unaided schools by way of fees shall be utilised only for such educational purposes as may be prescribed; and

- (b) charges and payments realised and all other contributions endowments and gifts received by the school shall be utilised only for the specific purpose for which they were realised or received.

(5) The managing committee of every recognised private school shall file every year with the Director such duly audited financial and other returns as may be prescribed, and every such return shall be audited by such authority as may be prescribed.

Comments Section 18

Provision has been made to maintain a school fund which will be properly operated in accordance with the Rules framed therefore Director of Education will be apprised of the fund position by the School Managing Committee by means of periodical returns.

18 19. Affiliations

(1) For the purpose of any public examination every recognised ~~High School~~ Senior Secondary/ Junior College school shall be affiliated to one or more of the Boards or Council conducting such examination and shall fulfil the conditions specified by the Board or Council in this behalf.

(2) The students of recognised Higher Secondary, junior college schools shall be prepared for, and presented to, the public examinations or such other form of evaluation held or made for the students of such schools.

(3) The students of every recognised middle school shall be prepared for, and presented to, such public examination as may be held by the Mizoram Board of School Education, Mizoram for the students of such schools.

(4) Every student of a recognised primary school shall be prepared for, and presented to, the public examination held by Mizoram Board of School Education.

CHAPTER VII TAKING OVER THE MANAGEMENT OF SCHOOLS

¹⁹ ~~20~~. Taking over the management of schools.

(1) Whenever the Administrator is satisfied that the managing committee or chairman of any school, whether recognised or not, has neglected to perform any of the duties imposed on it by or under this Act or any rule made thereunder and that it is expedient in the interest of school education to take over the management of such school he may, after giving the managing committee or the manager of such school, a reasonable opportunity of showing cause against the proposed action, take over the management of such school for a limited period not exceeding three years.

Provided that where the management of a school has been taken over for a period of three years or less, the Administrator may if he is of opinion that in order to secure proper management of the school it is expedient that such management should continue to be in force after the expiry of the said limited period, he may, from time to time, issue directions for the continuance of such management for such period not exceeding one year at a time as he may think fit so, however, that the total period for which such management is taken over shall not, in any case, exceed five years.

(2) Whenever the management of any school is taken over under sub-section (1), every person in charge of the management of such school immediately before its management is taken over, shall deliver possession of the school property to the Administrator or any officer authorised by him in this behalf.

(3) After taking over the management of any school under this section, the Administrator may arrange to manage the school through the Director or any other person authorised by the Director in this behalf (hereinafter referred to as the "authorised officer").

(4) Where the management of any school has been taken over under sub-section (1), the managing committee or manager of such school may, within three months from the date of taking over, appeal to the Administrator, who may after considering the representation made by the managing committee or the manager, pass such orders, including an order for the restoration of the management or for the reduction of the period during which the management of such school shall remain vested in the Administrator, as he may deem fit.

(5) Where the management of a school has been taken over under this section, the Administrator shall pay such rent as may be payable for the building of the school to the person entitled to receive it as was being paid by the managing committee or the manager immediately before the management of such school was taken over.

(6) During such period as any school remains under the management of the authorised officer-

(a) the service conditions, as approved by the Administrator, of the employees of the school who were in employment immediately before the date on which the management was taken over shall not be varied to their disadvantage ;

(b) all educational facilities which the school had been affording immediately before such management was taken over, shall continue to be afforded ;

(c) the School Fund, the Pupils' Fund and the Management Fund and any other existing fund shall continue to be available to the authorised officer for being spent for the purposes of the school ; and

(d) no resolution passed at any meeting of the managing committee of such school shall be given effect to unless approved by the Administrator.

Comments Section 20

For every school there shall be a managing committee constituted in such a manner as may be prescribed. If the appropriate authority is of the opinion that the managing committee of a school is not functioning in a way conducive to the maintenance of discipline among its teachers and pupils and is not carrying out of the directions or is not administering the finances of the school properly, it may, by an order after giving the managing committee a reasonable opportunity of being heard, suspend for the specified period or dissolve the managing committee.

Where the appropriate authority suspends or dissolves a managing committee, the powers and duties of the managing committee shall be exercised and performed by such person or persons as may be appointed until the expiry of the period of suspension or the reconstitution of the managing committee, as the case may be. When a managing committee is dissolved, a new managing committee shall be constituted in accordance with the rules framed under this Act.

20. Section 20 not to apply to minority schools

Nothing contained in section 20 shall apply to any minority school.

Mizoram School Education Act

CHAPTER VIII
MISCELLANEOUS

21

22. Mizoram Schools Education Advisory Board

(1) There shall be a Advisory Board for school education, to be called the Mizoram School Education Advisory Board " for the purpose of advising the Administrator on matters of policy relating to education in Delhi.

(2) The Advisory Board shall be constituted by the Administrator and shall consist of a Chairman and fourteen other members, to be nominated by the Administrator.

(3) The Advisory Board constituted under subsection (2) shall include-

- (a) Heads of recognised private schools ;
- (b) representatives of the organisations of teachers of the recognised private schools ;
- (c) managers of the recognised private schools ;
- (d) representatives of parents or guardians of students of recognised private schools ; and
- (e) eminent educationists.

(4) The Advisory Board shall regulate its own procedure.

(5) The terms of office of every member of the Board and traveling and other allowances payable to a member of the Board shall be such as may be prescribed.

Comments Section 22

For the purpose of better administration of the school education and advising the Administrator on policy matters relating to education, an Advisory Board constituted of nominated members, comprising of Heads of schools, parents or Guardians and eminent educationist and others connected with the school education will be appointed-.

²¹
~~28~~. Delegation of powers

(1) The Administrator may delegate all or any of his powers, duties and functions under this Act to the Director or any other officer.

(2) Every person to whom any power is delegated under sub-section (1), may exercise that power in the same manner and with the same effect as if such power had been conferred on him directly by this Act and not by way of delegation.

²³
~~24~~. Inspection of schools

(1) Every recognised school shall be inspected at least once in each academic year in such manner as may be prescribed.

(2) The Director may also arrange special inspection of any school on such aspect of its working as may, from time to time, be considered necessary by him.

(3) The Director may give directions to the manager requiring the manager to rectify any defect or deficiency found at the time of inspection or otherwise in the working of the school.

(4) If the manager fails to comply with any direction given under sub-section (3), the Director may, after considering the explanation or report, if any, given or made by the manager, take such action as he may think fit, including-

- (a) stoppage of aid,
- (b) withdrawal of recognition, or
- (c) except in the case of a minority school, taking over of the school under section 20.

Comments Section 24

This is a provision for inspection of recognised schools by the Director to whom the power is delegated by the Administrator. The Director is empowered to give necessary directions to the manager of the school for the efficient running of the institution, in the event of non-compliance of the said Directions, the Director may proceed to take appropriate action with regard to stoppage of aid or withdrawal of recognition etc.

24

~~25~~. Jurisdiction of civil courts barred

No civil court shall have jurisdiction in respect of any other matter in relation to which the Administrator or the Director or any other person authorised by the Administrator or Director or any other officer or authority appointed or specified by or under this Act, is empowered by or under this Act to exercise any power, and no injunction shall be granted by any civil court in respect of anything which is done or intended to be done by or under this any civil court in respect of anything which is done or intended to be done by or under this Act.

25

~~26~~. Protection of action taken in good faith

No suit, prosecution or other legal proceeding shall lie against the Administrator, Director or any other person authorised by the Administrator or Director for anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

26

~~27~~. Liability of manager to punishment

If the manager of any recognised private school-

(a) omits or fails, without any reasonable excuse, to carry out any orders made by the tribunals, or

(b) presents any student for any public examination without complying with the provisions of section 19, or

(c) omits or fails to deliver any school property to the Administrator or any officer authorised by him under sub-section (2) of section 20, he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

27

~~28~~. Power to make rules

(1) The Administrator may, with the previous approval of the Mizoram Government and subject to the condition of previous publication, by notification, make rules to carry out of the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the manner in which education may be regulated by the Administrator in ~~Delhi~~ ; *Mizoram*

(b) the conditions which every existing school shall be required to comply ;

(c) establishment of a new school or the opening of a higher class or the closing down of an existing class in an existing school;

(d) the form and manner in which an application for recognition of a school shall be made;

(e) the facilities to be provided by a school to obtain recognition;

(f) the manner in which and the authority to which, an appeal against the refusal or withdrawal of recognition shall be made;

(g) the minimum qualifications for, and method of recruitment, and the terms and conditions of service of employees;

(h) the authorities to be specified for the purposes of the different provisions of this Act;

(i) the particulars which a scheme of management shall contain, and the manner in which such scheme shall be made;

(j) variations and modifications which may be made in the scheme of management for a recognised school which does not receive any aid;

(k) the conditions under which aid may be granted to recognised school, and on the violation of which aid may be stopped, reduced or suspended;

(l) the part of the expenditure of a recognised school which is to be covered by aid;

(m) particulars of school property which should be furnished to the appropriate authority;

(n) the form in which, and the time within which an appeal shall be preferred to the Administrator against an order made in relation to the transfer, mortgage or lien of any school property.

(o) the Code of Conduct for the employees and the disciplinary action to be taken for the violation thereof;

(p) the benefits which should be granted to the employees of recognised private schools;

(q) admission to a recognised school;

(r) fees and other charges which may be collected by an aided school;

(s) the manner of inspection of recognised schools;

(t) the terms of office, travelling and other allowances payable to the members of the Advisory Board;

(u) financial and other returns to be filed by the managing committee of recognised private schools, and the authority by which such returns shall be audited;

(v) educational purposes for which the income derived by way of fees by recognised unaided

schools shall be spent;

- (w) manner of accounting and operation of school funds and other funds of a recognised private school;
- (y) any other matter which is to be, or may be prescribed under this Act;

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before Mizoram Legislative Assembly while it is in Session and if, before the making of any modification in the rule or the Assembly agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulments shall be without prejudice to the validity of anything previously done under that rule.

28. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of this Act, the Mizoram Government may, by order not inconsistent with the provisions of this Act, remove the difficulties;

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

....

MIZORAM SCHOOL EDUCATION
RULES, 1986.

CHAPTER I

PRELIMINARY

*Short title and commencement - (1) These rules may be called the Mizoram School Education Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions - In these rules, unless the context otherwise requires,-

- (a) "Act" means the Mizoram School Education Act, 1986.
- (b) "Government" means the Government of Mizoram.
- (c) "Affiliating Board" means the concerned Board referred to in clause (s) of Section 2;
- (d) "Formal" means a Form annexed to these rules.
- (e) "Senior Secondary/Junior College stage" means a stage of school education from classes XI to XII (both inclusive).
- (f) "Secondary stage" means a stage of education from classes VIII to X (both inclusive)
- (g) "Middle Stage" means a stage of school education from classes V to VII (both inclusive);
- (h) "Primary stage" means a stage of education from classes I to IV (both inclusive);
- (i) "Pre-primary stage" means a stage of school education previous to the primary stage;
- (j) "Nationalised Bank" means a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970(5 of 1970);
- (k) "Scheduled Bank" means a bank referred to in the Second Schedule to the Reserve Bank of India Act, 1934(2 of 1934);
- (l) "Section" means a section of the Act;
- (m) "District Education Officer" means the Education officer in charge of a district;
- (n) "District" means the educational region comprising the areas in Mizoram, specified by the Director in this behalf for the purposes of organisation, supervision, inspection and control of schools located therein.

CHAPTER II

REGULATION OF EDUCATION

3. District - (1) Mizoram shall be divided by the Govt. into educational divisions, to be called "Districts" and Sub-Division for the purpose of regulation of education therein.

(2) Every District shall consist of two or more sub-division.

(3) The District and Sub-divisions in Mizoram at the commencement of these rules shall be deemed to have been formed under sub-rule (1).

(4) The Administrator may, if he is of opinion that for the better regulation of education in Mizoram it is necessary so to do alter the limits, or the number of Districts and Sub-division, whether in existence at the commencement of these rules of formed thereafter;

4. Classification of schools - The schools in Mizoram shall be classified by the Director into any of the following categories, namely:-

- (a) (i) pre-primary schools, that is to say, schools imparting education below the primary stage,
- (ii) primary schools, that is to say, schools imparting primary stage of education, whether or not in addition to any education below the primary stage,
- (iii) middle schools, that is to say, schools imparting middle stage of education, whether or not in addition to any education below the middle stage,
- (iv) Secondary schools, that is to say, schools imparting secondary stage of education, whether or not in addition to any stage of education below the senior secondary stage/junior college stage.
- (v) Senior secondary schools/Junior college.

whether any such school is run by :-

- (A) any individual, group of individuals, trust or society other with aid, or without aid, from the Administrator or any local authority, or
- (B) any local authority or the Director ;
- (b) Government Teachers Training Institute ;
- (c) Government Industrial School ;

- (d) Government Social Education and Community Centre in rural areas ;
 - (e) Institutions which prepare candidates for such examinations in Arabic, Persian or Sanskrit as are recognised by the Central Government or which prepare candidates for examinations in such other languages as may be recognised by the Central Government;
 - (f) Government schools or aided private schools for fine arts, music, crafts or physical culture.
- (2) Whether the Director is of opinion that as a result of :-
- (a) the change in the policy of Government with regard to school education, or
 - (b) a school, falling in one category, ceasing to fall in that category or the acquisition by a school of a status justifying its re-classification to a higher or lower category, it is necessary so to do, he may re-classify such school into such category as he may think fit.

5. Free education - (1) The Administrator shall make suitable arrangements for imparting free education for all children until they complete the VIIIth class or until they attain the age of fourteen years, whichever is earlier.

(2) Save as otherwise provided in rule 149, no school maintained or aided by Government or any local authority shall levy any fee or other charge in relation to the education of the children studying up to the VIIIth class or until they attain the age of fourteen years, whichever is earlier.

6. Medium of instruction at the primary stage - (1) Teaching in a school at the primary stage shall as practicable, be in the mother tongue of the child unless the parents or guardian of the child requests otherwise in writing :

Provided that where the medium of instruction in a school is different from the mother tongue of the child, arrangement shall be made as far as practicable, by the Administrator for the education of the child through his mother tongue.

Provided further that in the case of an existing primary school in which education is imparted through the medium of any language other than the mother-tongue of the child, education may continue to be imparted in that school through the medium of such other language.

(2) The Administrator may direct the MBSE to make, as far as practicable, arrangements, within its jurisdiction, for imparting education in the mother tongue of the children.

(3) The mother tongue of the child shall be the language declared as such, in writing, by the parent or guardian at the time of admission of the child in the school.

(4) English shall be introduced as a subject of study in a school not later than class III of the primary stage where the medium of instruction in the school is other than English.

(5) The Director and other local authorities in Mizoram shall, as far as practicable, provide adequate facilities for teaching through the mother tongue at the primary stage of education, of children belonging to any linguistic minority.

7. Medium of instruction for children studying in the middle stage-

7. Medium of instruction for children studying in the middle stage- For children studying in the middle stage, the Administrator shall as far as practicable, make suitable arrangements for imparting education through the mother-tongue of such children and, for this purpose, may open, or cause to be opened, new sections or classes in any school in which education may be imparted to such children in their mother tongue, or where the opening of new sections or classes in any school is feasible, open for cause to be opened one or more new schools to that arrangements may be made for teaching through the mother tongue of such children.

Provided that in the case of existing middle school in which education is imparted through the medium of any language other than the mother tongue of the children, education may continue to be imparted in that school through the medium of such other language.

8. Medium of instruction at the secondary stage - (1) English shall be the medium of instruction at the secondary stage :

9. Three-language formula to be followed - In the teaching of languages in classes VI to X, the three-language formula, adopted by the Central Government, shall be followed.

10. Right of linguistic minorities to set up schools - Any linguistic minority which intends to set up school with the object of imparting education in the mother tongue of such linguistic minority, shall be entitled to do so and shall be entitled to receive grant-in-aid if the other conditions with regard to the grant-in-aid are fulfilled by such school.

Provided that if the Administrator is satisfied that there already exist sufficient number of schools in an area providing for teaching through the concerned minority language he may not permit the opening of more schools as aided institutions in that area :

Provided further that it shall be open to the management of a school run by a linguistic minority to decide that education shall be imparted at the school in a language other than the language of such linguistic minority and in such case the Administrator shall not be under any obligation to give grant-in-aid to such school.

11. Establishment of Science Centres - (1) The Administrator may establish not less than one Science Centre in a recognised school or elsewhere in a District and provide such Centre with such machinery, equipment apparatus and appliances as may be needed to make that Centre useful for science education.

(2) The Administrator may make arrangements for the sharing of facilities provided at the science Centre by all recognised schools in the District or by any other person in accordance with such programme as he may prepare for the purpose.

12. NUPW programmes - (1) The Administrator may establish not less than one workshop in a District to enable students of recognised schools to undertake various work experience programmes so that their education may be relatable to productivity.

4(2) The Administrator may make the arrangements for the sharing of facilities provide at the workshop in a District by all the recognised schools in the District or any other persons, in accordance with such programmes as he may prepare for the purpose.

13. Provisions of other facilities - The Administrator shall also provide for the following facilities, namely :-

- (a) Adult Education Centres ;
- (b) Bal Kendras ;
- (c) Balawadis ;
- (d) Education of children who have discontinued studies ;
- (e) Literacy centres

14. Provision for multiple entry in schools - Save as otherwise provided elsewhere in these rules, The Administrator may make arrangements, at any time of the year, for the admission of those students, who have discontinued studies, in any class of a recognised school to which he is, on a test, by such school, found to be suitable for whole-time studies.

15. Part-time education- The Administrator may also make provision for:-

- (a) part-time education in classes VI to VIII in respect of such children who, having completed education up to class V, could not continue studies on a whole-time basis.
- (b) special part-time education for functional literacy for children in the age group of 10 years to 14 years (noth inclusive).
- (c) adult education by opening such adult education centres or education extension centres as he may think fit.

16. Provision for remedial teaching- The Administrator may also make special provisions for remedial teaching in respect of students of recognised schools suffering from remedial deficiencies in studies or who have discontinued studies on account of such deficiencies.

17. Establishment of autonomous schools - (1) The Administrator may, if he is satisfied that the circumstances so require, permit such number of schools as he may select in this behalf to function as "autonomous schools" solely for the purpose of introducing innovations and conducting new experiments with regard to curriculum, methods of teaching and evaluation.

(2) Every autonomous school shall have the freedom to have its own syllabus and curriculum and the freedom to assess its students and hold examinations up to the end of the middle stage.

(3) Save as otherwise provided in this rule, every autonomous school shall be subject to the provisions of the Act and the rules made thereunder in respect of all matters other than those specified in this rule.

(4) The Administrator shall make provisions for the review of the work of every autonomous school once in every five years.

18. Physical education etc. - (1) In every school, suitable provision shall be made for social services, physical, cultural and recreational activities.

(2) The head of school shall organise a general system of school games so as to provide opportunities for participation by all students and provide the students needed for such games.

19. Residence of students - All students shall be required to reside under one or other of the following arrangements, unless exempted by the head of school :-

- (i) with parents or guardians ;
- (ii) in hostels approved by the Director; or
- (iii) at such other place as may be specified by the Director.

20. School hours - (1) The Director shall, by order, specify the time at which all schools, other than unaided recognised private schools, shall commence and conclude the daily school hours and different timings may be specified for schools running in one shift or multiple shifts :

Provided that the total school hours in a year for the middle and higher secondary stage of education shall not, ordinarily, be less than 1000 hours ;

Provided further that in addition to 1000 school hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.

(2) The unaided recognised schools may specify their own timings but, in any case, the total school hour in a year shall not be less than 1000 hours ;

Provided that in addition to 1000 school hours, a teacher may be required to devote not more than 200 hours in a year for remedial or other teaching.

21. Vacation and holidays - (1) Save as otherwise provided in sub-rule (3), the total number of working days, including examination days, for the middle and senior secondary / Junior college stage of education shall not be less than 210 in year.

(2) Subject to the provision of sub-rule (1), the following shall be the authorised holidays for recognised schools, namely :-

- (i) All holidays notified by the Administrator ;
- (ii) Summer Vacation for such period as may be specified by the Director ;
- (iii) Autumn or winter breaks for such total period as may be specified by the Director ;
- (iv) Special holidays, not exceeding 7 days in aggregate, with the previous approval of the Director.

(3) In addition to the holidays referred to in sub-rule(2), leave may be granted to students preparing for the examinations of the Affiliating Board for such period as may be specified by that Board :

Provided that preparatory leave shall be given only when the head of schools is satisfied that the courses of study have been completed at the school.

22. School hours and number of working days not to apply to informal education - School hours specified in rule 20 and the number of working days specified in rule 21 shall not apply in the case of informal, or out of school, or adult, education.

23. Discipline, punishment etc.- (1) The observance of rules of discipline and good behaviour shall be a condition essential to a student's continuance in a school.

(2) In case of breach of discipline by a student below the age of fourteen years, if the Director is satisfied that continuance of such student in the school in which he is studying, is likely to be detrimental to the general tenor or discipline of the school, he may send such student to such special school as he may think fit.

24. Striking off the name from the rolls- (1) The name of student may be struck off the rolls by the head of the school on account of :-

(a) non-payment of fees and other dues for 20 days after the last day for payment.;

Provided that nothing in this rule shall apply in case students of class VIII and below, studying in Government or aided schools, or in schools run or aided by the appropriate authority, except where such students have attained the age of fourteen years ;

(b) continued absence without leave for six consecutive days by a student who has attained the age of fourteen years.

(2), In the case of absence of any student who has not attained the age of fourteen years, from a school without leave for six consecutive days, the head of school shall intimate such absence to the parent or guardian of such student.

(3) In respect of payment of fees, however the head of the school may grant not more than 10 days' of grace in deserving cases on application to the parent or guardian.

(4) Notwithstanding anything contained in sub-rule (1), no student's name shall be struck off the rolls except after giving the parent or guardian of such student a reasonable opportunity of showing cause against the proposed action.

25. Forbidden Practices - (1) No student shall indulge in any of the following practices namely :-

(a) spitting in or near the school building except where the spitting is made in any spittoon provided by the school ;

(b) disfiguring or otherwise damaging any school property ;

- (c) smoking ;
- (d) any form of gambling ;
- (e) use of drugs or intoxicants except on prescription by a registered medical practitioner ;
- (f) rowdyism and rude behaviour ;
- (g) use of violence in any form ;
- (h) casteism, communalism or practice of untouchability.

(2) The Administrator may, on the advice of the Advisory Board amend or add to the forms of practices forbidden under sub-rule (1).

(3) If any student, who has not attained the age of fourteen years, indulges in any of the practices referred to in sub-rule(1), the Director may shift him to such special school as he may think fit.

26. Forms of disciplinary measures - (1) The following shall be the disciplinary measures which be adopted by a school in dealing with :-

- (a) all students-
 - (i) detention during the break, for neglect of class work, but no detention shall be made after the school hours,
 - (ii) corporal punishment.
- (b) students who have attained the age of fourteen years -
 - (i) fine,
 - (ii) expulsion
 - (iii) rustication,

(2) For the avoidance of doubts it is hereby declared that the disciplinary measures specified in clause (b) of sub-rule(1) shall not be imposed on any student who has not attained the age of fourteen years.

(3) Fine may be imposed on a student who has attained the age of fourteen years in the following cases namely :-

- (i) late of attendance ;
- (ii) absence from class without proper application from the parent or guardian ;
- (iii) truancy ;
- (iv) wilful damage to school property ;
- (v) delay in payment of school fees and dues ;

(4) (a) Corporal punishment may be given by the head of the school in cases of persisting impertinence or rude behaviour towards the teachers, physical violence, intemperance and serious form of misbehaviour with other students.

(b) Corporal punishment shall not be inflicted on the students who are in ill health

(c) Where corporal punishment is imposed, it shall not be severe or excessive and shall be so administered as not to cause bodily injury.

(d) Where cane is used for inflicting any corporal punishment, such punishment, shall take the form of strokes not exceeding ten, on the palm of the hand.

(e) Every punishment inflicted on a student shall be recorded in the Conduct Register of such student.

(5). Expulsion shall debar a student from being re-admitted to the school from where he is expelled but shall not preclude his admission with the previous sanction of the Director to any other school.

(6) Where a student is rusticated, he shall not be admitted to any school till the expiry of the period of rustication.

(7) No student shall be expelled or rusticated from a school except after giving the parent or guardian of the students a reasonable opportunity of showing cause against the proposed action.

Notes: (i) Expulsion or rustication shall be resorted to only in cases of grave offences where the retention of the student in the school is likely to endanger its moral tone of discipline.

(ii) Except in the case of any expulsion or rustication from an unaided minority school, the punishments or expulsion and rustication shall not be imposed without the prior approval of the Director.

27. Medical Officers - (1) Every recognised school appoint a Medical Officer on such part-time or whole time basis as may be necessary for looking after the health of children of the school.

(2) The Medical Officer shall be assisted by such Compounder or Dispenser on a part-time or whole time basis, as may be necessary.

(3) In the case of girls' schools, only lady doctors and lady compounders or nurse shall be appointed.

(4) In the case of co-educational schools, not less than one lady doctor or female nurses shall be appointed.

(5) Detailed instruction in regard to attendance by Medical officers and other medical staff, remuneration and other matters shall be specified by the Administrator, on the advice of the Advisory Board.

28. Maintenance or establishment of hostels in schools -

(1) The Administrator shall, to the extent necessary and practicable, establish, or assist in establishing hostels for students studying in in aided schools.

(2) Recognised unaided schools may, if they consider it necessary, establish, in consultation with the Advisory Board, hostels, subject to the fulfilment of such conditions as may be specified by the Administrator.

(3) Admission of any student to a hostel shall not be refused on grounds only of religion, caste, race, place of birth or any of them.

(4) Adequate percentage of seats in the hostels shall be reserved in consultation with the Advisory Board, for children belonging to the weaker sections of the society, and, in particular, the Scheduled Castes and Scheduled Tribes.

5. (a) A hosteler shall be liable to be expelled at any time for serious misconduct if when his retention in the hostel is likely to endanger its moral tone and discipline.

(b) Before expelling a hosteler, the head of school shall send a detailed report to his parent or guardian and also to the Director for his approval of such expulsion.

(c) On receipt of the Director's approval, orders for expulsion shall be passed by the head of school under intimation to the parent or guardian.

Provided that no student shall be expelled from a hostel except after giving the parent or guardian of the student a reasonable opportunity of showing cause against the proposed action.

(5) Detailed instructions regarding the scale of accommodation, scale of furniture, scale of hostel fees, facilities for the Hostel Superintendent, duties of wardens, medical and other care of the hostelers and other facilities ; and conditions for admission in any hostel shall be specified by the Administrator, on the advice of Advisory Board.

29. Registers and records - The Director shall specify what registers and records are to be maintained by a school and what returns and records shall be submitted by a schooled action.

30. Examination, assessment, evaluation, promotion etc.-

(1) The Director shall, on the advice of the MBSE issue detailed instructions regarding assessment, evaluation and promotion of students from one class to another.

(2) He may also issue instructions for programmed learning and informal system of education.

31. School libraries- The Director may issue detailed instructions regarding the maintenance and use of school libraries.

32. Power to issue instructions - The Administrator may, if he is of opinion that in the interest of school education in Mizoram it is necessary so to do, issue such instructions in relation to any matter not covered by these rules, as he may deem fit.

CHAPTER III

OPENING OF NEW SCHOOL OR CLASSES OR CLOSURE OF EXISTING
SCHOOLS OR CLASSES

33. Notice of intention to open a new school - (1) With a view to enabling the Administrator to arrange for the planned development of school education in Mizoram, every individual, association of individuals, society or trust, desiring to establish a new school, not being a minority school, shall, before establishing such new school, give an intimation in writing to the Administrator of his or their intention to establish such school.

(2) The intimation, referred to in sub-rule (1), shall contain the following particulars, namely :-

(a) the Sub-Division in which the new school is proposed to be established, and the approximate number of students likely to be educated in such school;

(b) the stage of education intended to be imparted in the new school.

(c) the number of schools of the intended stage in existence in the Sub-Division where the new school is proposed to be established and the population of such Sub-Division.

(d) Whether, the person proposing to establish the new school have any alternative Sub-Division in view; and if so, the particulars of such alternative Sub-Division with respect to the matters specified in clauses (a) and (c);

(e) the particulars including measurements of the building or other structure in which the school is proposed to be run;

(f) the financial resources from which the expenses for the establishment and running of the school are proposed to be met and whether any application is proposed to be made for any aid;

(g) the composition of the managing committee of the proposed new school until the new school is recognised and a new managing committee is constituted in accordance with the scheme of management made under the Bill;

(h) the proposed procedure, until its recognition under the Bill, for the selection of the head of the school and other teachers and non-teaching staff and the minimum qualifications for their recruitment ;

(i) the proposed scales of pay for the head of the school and other teaching and non-teaching staff until the school is recognised under the Bill;

(j) admission, tuition and other fees which would be levied and collected until its recognition under the Bill, from the students of the proposed new school;

(k) any other facility which is proposed to be provided for the students of the proposed new school.

(3) The Administrator may, after considering the particulars specified in the intimation given to him under sub-rule (2) and after making such inquiries as he may think fit, inform the person or persons by whom the intimation was given to him whether or not opening of the proposed new school would be, in his opinion, in the public interest :

Provided that the Administrator shall, if he is of opinion that the number of schools existing in the Sub-Division where the new school is proposed to be opened is deficient to meet the needs of that Sub-Division inform the person or persons by whom the intimation was given to him that the opening of the new school in such Sub-Division would be against the public interest and may indicate, to such person or persons, any other Sub-Division which, in his opinion needs the establishment of a new school, and thereupon it would be open to such person or persons to open a new school in the Sub-Division indicated by the Administrator.

34. Opening of new classes in schools - (1) No recognised school, not being an unaided minority school without giving full jurisdiction, shall open any new class other than the ones which have received approval from the appropriate authority.

(2) In the case of unaided minority schools, opening of new classes shall be subject to such norms as may be specified by the appropriate authority.

35. Closing down of a school or any class in a school - No managing committee shall close down a recognised school, not being an unaided minority school, or an existing class in such school without giving full justification and without the prior approval of the Director, who shall, before giving such an approval, consult the Advisory Board.

36. Absorption of surplus teachers, etc. - (1) Where as a result of :-

(a) the closure of an aided school or any class or classes in any aided school; or

(b) Withdrawal of recognition from an aided school; or

(c) Withdrawal of aid from an aided school, any student or employee, as the case may be, shall be, absorbed, as far as practicable, in such Government school or aided school as the department may specify :

Provided that the absorption in Government service of any employee who has become surplus shall be subject to the availability of a vacancy and shall be subject further to the concerned employee possessing the requisite qualifications for the post and has not been retrenched by the management of the aided school on any ground of closure of the school or any class or classes of the school, or withdrawal of recognition or aid from the school :

Provided further that where any such surplus employee is absorbed in a Government school, he shall be treated as junior to all the persons of the same category employed in the Government schools on the date immediately preceding the date on which he is so absorbed in an aided school, he shall rank as junior to all the persons of the same category employed in that school, he shall rank as junior to all the persons of the same category employed in that school on the date immediately preceding the date on which he is so absorbed.

(2) Where any surplus teacher is absorbed under sub-rule (1):-

(a) the salary and other allowances last drawn by him at the school from which he has become surplus shall be protected.

(b) his provident fund account shall be transferred to the school in which he is so absorbed, and thereupon such provident fund shall be governed in accordance with the rules and regulations in force in that school in relation to provident funds and

(c) the period of his qualifying service in the school in which he had worked before such absorption and any previous period of qualifying service, if any, in any recognised aided school in Mizoram shall be taken into account for the purpose of computing his pension and other retirement benefits.

(3) Without prejudice to the provisions of sub-rules (1) and (2), where a teacher becomes surplus by reason of the closure of any class or section thereof or the discontinuance of the teaching of any subject, such teacher shall be absorbed in the first instance as far as practicable, in such Government or aided school as the Administrator may specify, and if the class or section which was closed is reopened by the former school, or if any new class or section thereof is opened by such school or if the subject, the teaching of which was discontinued, is re-introduced by such school, or the strength of the teaching staff of the former school is increased, such teacher shall be re-absorbed in the former school; but if such re-absorption does not take place within a period of five years from the date of absorption of such teacher in the Government or aided school, such teacher shall be regularly absorbed in such Government or aided school, as the case may be.

(4) Re-absorption of a teacher in a former school shall not affect his continuity of service or his seniority in relation to that school or his emoluments, provident fund, gratuity and other retirement benefits.

Explanation - For the purposes of sub-rules (3) and (4), "former school" means the school from which a teacher had become surplus.

37. Transfer of provident fund and other money in certain cases - Where a teacher leaves an aided school, whether in Mizoram or outside and joins any other aided school in Mizoram it shall be lawful for the chairman committee of school left by such teachers, to transfer to the aided school joined by such teachers, the money standing in the provident fund to the credit of such teacher on the date when he had left the school and any other amount due to him by way of contribution towards pension and other retirement benefits, and it shall be lawful for the chairman committee of the aided school so joined by the teacher to credit the said amounts to the provident fund and other account of the teacher and to take into account the period of approved service rendered by the teacher in the first mentioned school for the purpose of computation of his pension and other retirement benefits.

CHAPTER IV

SCHEME OF MANAGEMENT

38. Scheme of management of recognised schools - (1) The Scheme of management in relation to a recognised school shall provide that :-

(a) the Chairman of a recognised aided school shall consist of not more than fifteen members; and the chairman of a recognised unaided school shall consist of not more than twentyone members ;

(b) subject to the total number of members specified in clause (a), every chairman shall include the following, namely :-

- (1) the head of the school ;
- (ii) one parent, who is a member of the Parent-Teachers' Association of the school, constituted in accordance with such instructions as may be issued by the Administrator, and is elected by that Association ;
- (iii) two teachers of the school, to be elected by the teachers of that school from amongst themselves ;
- (iv) two other persons (of whom one shall be woman); who are, or have been, teachers of any other school or of any college, to be nominated by the Advisory Board ;
- (v) two members, to be nominated by the Director, of whom one shall be an educationist and the other an officer of the Directorate of Education, Mizoram; not below the rank of the Principal of a Senior secondary school/Junior College.
- (vi) the remaining members to be nominated or elected, as the case may be, in accordance with the rules and regulations of the society or trust by which the school is run :

Provided that in the case of an unaided minority school, such members of the managing committee, as are required by this rule to be elected, may, instead of being elected by nominated by the Society or trust by which such unaided minority school is run :

Provided further that in the case of an unaided minority school the educationist to be nominated by the Director shall be a non-official who shall belong to the minority by which the school is established and run.

(2) The scheme of ^{management} shall also provide for the following, namely :-

- (a) the term of office of the members of the managing committee and the manner of its reconstitution or filling of any vacancy occurring therein;
- (b) the manner of election to the managing committee ;
- (c) that for the purpose of elections to the managing committee, the head of the school shall be the returning officer and shall conduct, and be in charge of, the elections ;
- (d) that any change in the composition of the managing committee of the members referred to in sub-clauses (ii) and (iii) of clause (b) of sub-rule (1) shall be communicated to the Director within seven days from the date when such change takes place ;
- (e) the duties, powers and responsibilities of the managing committee, which shall include control over appointments, disciplinary action, and control on staff, and shall also provide that no financial irregularity is committed or any irregular procedure is followed ;
- (f) that the managing committee shall ensure that the school gets the full complement of the teaching staff.

(g) that the managing committee shall ensure that the school gets furniture, science equipment, library books and other teaching aids, and requisite sports materials ;

(h) the duties, powers and responsibilities of the head of the school, which shall provide that he shall :-

(i) function as the head of office of the school under his charge and carry out all administrative duties required of a head of office ;

(ii) be, the drawing and disbursing officer for the employees of the school except that in the case of an unaided school, he may perform only such functions as drawing and disbursing officer as may be specified in the instructions issued by the Director;

(iii) be responsible for the proper maintenance of accounts of the school, school records, service books of teachers, and such other registers, returns and statistics as may be specified dates, the returns and informations required by the Director ;

(v) make, in the case of unaided schools, all payments (including salaries and allowances of teachers and other non-teaching staff) in time and according to the instructions governing such payment :

Provided that where he is so authorised by the Administrator, make, in case of an aided school, all such payments according to the instructions governing such payments ;

(vi) ensure that the tuition fees, where levied, are realised and appropriately accounted for and duly appropriated for the purpose for which they were levied ;

(vii) make purchase of stores and other materials required for the school in accordance with the rules governing such purchase and enter all such stores in the stock register and shall scrutinize the bills and make payments ;

(viii) conduct physical verification of school property and stocks at least once a year and ensure the maintenance of stock registers neatly and accurately ;

(ix) be responsible for proper utilisation of the Pupils' Fund;

(x) make satisfactory arrangements for the supply of good drinking water and provide other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment, lavatories, play grounds, school garden and other properties are properly and carefully maintained ;

(xi) supervise, guide and control the work of the teaching and non-teaching staff of the school ;

(xii) be in charge of admission in the school, preparation of school timetable, allocation of duties and teaching load to the teachers, and shall provide necessary facilities to the teachers in the discharge of their duties and conduct of school examinations in accordance with the instructions issued by the Director from time to time; and he shall discharge these duties in consultation with his colleagues ;

- (xiii) plan the year's academic work in advance in consultation with his colleagues and hold staff meeting at least once in three weeks review the work done during the month and assess the progress of the pupils ;
- (xiv) help and guide the teachers and promote their professional growth and towards the end, actively encourage their participation in courses designed for in-service education;
- (xv) promote the initiative of the teachers for self-improvement and encourage them to undertake experiments which are educationally sound ;
- (xvi) supervise class room teaching and secure co-operation and coordination amongst teachers of the same subject area as well as inter-subject coordinations ;
- (xvii) arrange for special remedial teaching of the children belonging to the weaker sections of the community as also of other children who need such remedial teaching ;
- (xviii) arrange for informal and non-class room teaching ;
- (xix) plan and specify a regular time-table for the scrutiny of pupils according to their needs ;
- (xx) organise and co-ordinate various co-curricular activities through the house system or in such other effective way as he may think fit ;
- (xxi) make necessary arrangements for organising special instructions for the pupils according to their needs ;
- (xxii) develop and organise the library resources and reading facilities in school and ensure that the pupils and teachers have access to and use of books and journals of established value and usefulness ;
- (xxviii) send regularly the progress reports of the students to their parents or guardians ;
- (xxiv) promote the physical well-being of the pupils, secure high standards of cleanliness and health habits, and arrange periodical medical examinations of the students and send medical re-ports to parents or guardians ;
- (xxv) devote at least twelve periods in a week to teaching of the pupils ;
- (j) the educational and other qualifications of the manager and his duties and responsibilities; the position of chairman vis-a-vis the managing committee;
- (k) no employee of an aided school (other than the head of school) shall be appointed as the chairman the head of school may be appointed the chairman of a school whether aided or unaided ;
- (k) appointment of the chairman, the terms and conditions of his appointment removal of the chairman ; filling up of casual vacancy in the office of the chairman ; duties and responsibilities of the chairman ;
- (l) bills (including bills relating to the salaries and allowances of the teachers and non-teaching staff)

shall be jointly signed by the chairman and the head of the school ; but where the head of the school is also the chairman, such bills shall be signed jointly by the head of the school and another member of the managing committee specially authorised by that committee in this behalf;

- (m) that the administration and academic work of the school shall be attended to by the head of school, and, except where the head of school is the chairman, the chairman shall not interfere with the day-to-day administration and academic work of the school ;
- (n) members of the managing committee of an aided schools shall not be entitled to any remuneration. Honorarium of allowance but may be permitted to draw allowances for attending meetings of the managing committee at a rate not exceeding the rate of daily allowance or travelling allowance admissible to the non-official members of the committees, boards, and the like in accordance with the orders issued by the Government of India from time to time :

Provided that if the head of school or a teacher happens to be a member of the managing committee, he shall draw his remuneration in his capacity as the head of school or teacher as the case may be:

Provided further that the allowances paid to the members of the managing committee for attending meetings thereof shall not be a charge on the school fund ;

- (o) no member of the managing committee shall be entitled to participate in any meeting at which his personal conduct is under discussion ;
- (p) in the case of an unaided minority school, the form of the contract referred to in sub-section (1) of section 15 and the manner in which every contract of service shall be preserved ;
- (q) the managing committee shall be subject to the control and supervision of the trust society by which such school is run.
- (r) chairman shall not be at the same time the chairman of any other school and a person shall not be at the same time the chairman of the managing committee and the chairman.

(3) The managing committee of an existing school shall make the draft of scheme of management after the commencement of these rules and shall, within 90 days from such commencement submit such draft to the appropriate authority for its approval :

Provided that the appropriate authority may, after giving to the managing committee a reasonable opportunity of being heard, make such alterations or modifications in the draft scheme of management as the circumstance of the case may require.

(4) The managing committee of an existing school shall bring within ninety days from the date of the scheme of management by the authority the composition thereof in conformity with the scheme of management as approved by the appropriate authority .

CHAPTER V

1.

GRANT-IN-AID

39. Aid to existing schools to continue - Every aided school shall, so long as it fulfils the conditions for receiving aid, continue, subject to the provisions of these rules, to receive such aid.

40. Power of Administrator to determine the number of aided schools - The Administrator or any other officer authorised by him in this behalf shall determine, every year, the total number of recognised unaided schools to which grant-in-aid may be given.

41. Application for grant-in-aid - Every application for grant-in-aid by a school shall be made in Form II and shall be addressed to the Administrator or any officer authorised by him in this behalf, and every application for the yearly assessment of grant-in-aid shall be made in Form III.

42. Power to Administrator to cause the school to be inspected - Where an application is made for any grant-in-aid in relation to a school, the Administrator shall cause such school to be inspected by an officer authorised by him in this behalf as regards the suitability or otherwise of the school to receive such aid.

43. No aid to be given unless suitable undertakings are given by the managing committee - No school shall be granted aid unless its managing committee, given an undertaking in writing that it shall comply with the provisions of the Act, these rules and such instructions as may be issued, from time to time, by the Director with regards to the grant-in-aid and that the breach of any provision of the Act, these rules or of any instruction issued by the Director in this behalf shall render such school liable to be removed from the grant-in-aid list.

44. Conditions for grant-in-aid - A school seeking grant-in-aid shall have -

- (a) a permanent income, whether from endowments or other sources (excluding fees and the Pupils Funds) which, when supplemented by grant-in-aid, shall be adequate to discharge its obligations under the Act and to enable it to carry on its work efficiently ;
- (b) a reserve fund of an amount which shall not be less than the amount indicated in the Table below or the amount specified by rules and regulations of the Affiliating Board, whichever is higher ;

Provided that the amount specified in the Table below shall be subject to review, every five years, by the Advisory Board;

- (c) the reserve fund shall be the property of the school shall be maintained in its name and shall be kept deposited in a scheduled bank or a nationalised bank or a post office and such account shall ordinarily be operated jointly by the Director or any officer authorised by him in this behalf and the chairman of the school ;

Provided that where it is urgently necessary to draw any money from the reserve fund to meet any emergent expenditure or to meet the salary and allowance of the employees of the school in the event of the omission or failure of the managing committee to discharge the obligations imposed upon it by sub-section (2) of section 10, the account may be operated by the Director alone.

Scale of minimum obligatory reserve fund

Senior Secondary Schools having up to 500 students ...	Rs. 10,000
Senior Secondary Schools having 501 to 750 students ...	Rs. 12,000
Senior Secondary Schools having 751 to 1000 students ...	Rs. 15,000
Senior Secondary Schools having more than 1000 students ...	Rs. 20,000
Middle Schools, irrespective of the number of students ...	Rs. 5,000

45. No grant-in-aid for unqualified staff - (1) In order to be eligible to receive grant-in-aid, a school shall employ adequate number of qualified teaching and other staff as approved by the Director under the forms of post fixation or as has been specified by him from time to time.

(2) Save as otherwise provided in sub-rule (5) of rule 98, the pay of unqualified teachers shall not be an admissible charge for the assessment of grant-in-aid for the school unless an exemption has been made by the Director in this behalf.

46. Enrolment and attendance - The number of students on the rolls of an aided school shall not fall below the number on the basis of which aid was initially granted to such school, and the number of working days of such school shall not fall below 210 in a year; and where the number of students falls below seventy-five per cent of the first mentioned number or the number of working days falls below 210, a proportionate reduction may be made in the grant-in-aid payable to such school.

47. Grant-in-aid for a stage of education - Where a school receiving grant-in-aid for classes, comprising one stage wishes to secure grant-in-aid for another stage, the managing committee or the chairman of such school shall submit a fresh application in respect of the stage for which such grant is desired.

48. Stoppage, reduction or suspension of grant-in-aid - Subject to the provisions of rule 65, any grant-in-aid to a school may be stopped, reduced or suspended at any time by the Administrator -

- (a) if the managing committee of the school fails, without any reasonable excuse, to comply with any provisions of the bill or these rules or any instruction given by the Administrator or
- (b) if one or more of the conditions for the recognition discipline, organisation or instruction in the school is unsatisfactory; or
- (c) if, as a result of lack of discipline, the academic standards are likely to be adversely affected; or
- (d) if one or more of the conditions for the recognition of a school or the grant of any aid to a school have been violated;

Provided that no aid shall be stopped, reduced or suspended except after giving to the managing committee of the school a reasonable opportunity of showing cause against the proposed action.

49. Managing committee to pay its share towards salary and allowances of employees, etc. - The managing committee of a school in relation to which aid has been reduced or suspended, shall, if it runs the school after such reduction or suspension of aid, discharge the obligations referred to in sub-section (2) of section 10.

50. Power of Administrator to withdraw from the reserve fund and make payment of managing committee's share of salaries and allowances - Where the managing committee omits or fails to deposit its share of the salaries and other allowances of the employees of the school, the Administrator may authorise the Director to draw such amount from the reserve fund as would be sufficient to meet the managing committee's share of the salaries and allowances of the employees.

(2) The Administrator may also authorise the Director to draw any sum from the reserve fund where such withdrawal from the reserve fund becomes necessary to make any emergent repairs in the buildings of the school or for any other emergent purpose.

51. Payment of managing committee's share of salaries and allowances where aid has been stopped reduced or suspended - Where aid to any school has been stopped, reduced or suspended, and the managing committee of the school has, by reason of such stoppage reduction or suspension, omitted or failed to deposit its share of the salaries and allowances of the employees of the school, the Administrator shall pay or cause to be paid, the managing committee's share of the salaries and allowances of the employees and authorise the Accounts Officer of the Directorate of Education, Mizoram, to draw in part or in full the aid which would have been payable to the school but for such stoppage, reduction or suspension and utilise the sum so drawn towards payment of the managing committee's share of the salaries and allowances of the employees of the school, and when such withdrawal and payment is made by the Accounts Officer he shall keep separate accounts for the withdrawal and expenditure.

52. Categories of aid - (1) Aid shall be of two categories, namely :-

(a) maintenance grant ; and

(b) building grant.

(2) Maintenance grant shall be of two kinds, namely :-

(a) recurring maintenance grant and

(b) non-recurring maintenance grant.

(3) The recurring maintenance grants are :-

(a) Staff grant ;

(b) Provident fund grant ;

(c) pension and retirement benefit grant ;

(d) medical benefit grant ;

(e) benefits specified in Chapter X ;

(f) grants for the purpose of books and journals which are essential for the library ; and

(g) grants for the acquisition of essential equipments of the school .

53. Recurring maintenance grant (1) Recurring maintenance grant shall be given to aided schools at the rate of ninety-five per cent, of the difference between the approved expenditure on the items in relation to which recurring maintenance grant may be made and the income from fees and such other items as may be specified by the Director.

(2) Special fee, if any, levied with the approval of the Director for the teaching of sciences, music or any other subject shall be included in the total fee income and such special fee shall be expended in full for the purpose for which it has levied :

Provided that no special fee shall be levied for teaching in the primary or middle stage.

54. Approved expenditure - The approved expenditure for recurring maintenance grants shall comprise salaries of the staff appointed with the approval of the Director to the extent of the number of posts which have been sanctioned and approved by the Director for the purpose of aid in accordance with the post-fixation made by the Director from time to time.

55. Non-recurring maintenance grant - Non-recurring maintenance grant shall be of the following categories, namely :-

- (a) contingent grant ;
- (b) rent grant ;
- (c) depreciation grant for school ;
- (d) hostel grant and depreciation hostel grant ;
- (e) grant for equipment, furniture, games and sports materials and the like ;
- (f) biennial or triennial grants for the purchase of books for the library and for the setting up of a book bank.

56. Contingent grant - (1) Contingent grant shall be admissible to a school to the extent of the ninety five per cent, of the actual expenditure incurred during the period of twelve months immediately proceeding the financial year for which the grant is made, subject to such ceiling on items as may be approved by the Director from time to time.

(2) The approved items of contingent expenditure shall be such as are specified in Appendix I.

(3) Contingent grant may not be paid unless the audited annual accounts and sundry records, like vouchers, receipts and the like, are produced, as required by instructions issued by the Director from time to time.

57. Rent grant - Rent grant for buildings taken on hire (Not being a building taken on hire from any person managing the school) and used for instructional purposes shall be assessed annually and shall be an amount equal to ninety-five per cent, of such assessed rent subject to a maximum limit of three hundred rupees per month, or such higher limit as the Mizoram Government may, from time to time, specify :

Provided that no charge on account of upkeep and repairs of the building shall be added to the rent charged by the landlord.

58. Depreciation grant for the school - Schools using their own buildings which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate of Rs. 12,00. per month for each room used for instructional purposes but not exceeding Rs. 300,00 per month for the whole building or such higher sum as the Central Government may, from time to time, specify.

59. Hostel grant - Maintenance grant to a hostel attached to an aided school shall be made at the rate not exceeding ninety-five per cent of the excess of approved expenditure over the income from hostel fees specified by the Director, subject to the condition that the average attendance of students in residence for the period of twelve months immediately preceding the financial year for which the grant is made is not less than ten.

60. Depreciation grant for hostel - The aided schools which have their own hostel buildings and which have been constructed without any grant from public funds shall be allowed depreciation grant at the rate of Rs. 12,00 per month for each 150 square metres of area under actual occupation by boarders and for kitchen buildings at the rate of Rs. 8.00 per month and at the rate of Rs. 15.00 per month for the Superintendent's quarters or at such higher rates as the Central Government may, from time to time, specify.

61. Depreciation fund - Depreciation grant given to a school or its hostel shall be deposited by the managing committee in a depreciation fund account to be opened in a scheduled bank or a nationalised bank in the joint name of the Director or any other officer authorised by him in this behalf and the chairman of the school, and no money shall be withdrawn from the said account for the normal maintenance expenditure.

Provided that the Director may, in special circumstances permit an aided school to utilize the said funds for extraordinary repairs, additions or alterations to the building or for such other purposes as might yield regular income to the school.

62. Grant for equipment, furniture etc. - (1) Grant for the purchase of equipment, furniture, appliances or games and sports materials or the like shall be paid annually and shall be not less than two-thirds of the total expenditure actually incurred in the purchase of approved articles of such specifications as may be laid down by the Director.

(2) No grant shall be admissible on the expenditure for the conveyance or cartage of such equipment furniture or appliances.

(3) No grant shall also be admissible under this head of ordinary repairs of furniture and equipment and purchase of consumable articles for science, drawing, domestic science or agriculture; and the expenditure on these items shall be, incurred from the contingent grant or from the special fee, if any, levied for the teaching of such subject.

63. Conditions relating to the payment of grant for equipment etc. - The grant for the purchase of furniture, equipment or appliances, games and sports materials or the like, shall be paid subject to the following conditions, namely :-

- (a) that the Director is satisfied that the purchase for which the grant is made has actually been made and that the articles are of the approved kind and specification ;
- (b) the managing committee of the school gives an undertaking, in writing, that -
 - (i) no articles purchased with the grant shall be struck off from the school property register or the stock register and no book shall be removed from the catalogue of library books unless it has been previously declared as un-serviceable by a properly constituted Condemnation Board constituted by the Directorate of Education Mizoram;
 - (ii) all such un-serviceable articles shall be written off and disposed of by the managing committee in accordance with the instructions of the Director ;

Provided that where the value of any un-serviceable article exceeds rupees five hundred, it shall not be written off without the previous sanction of the Director ;

- (iii) the scale proceeds, if any, shall be refunded to the Government in the same proportion in which the grant was drawn for the purchase of the article ;
- (iv) if the school ceases to be a school of the status approved by the Director or an aided school or it has been maintained in a state of inefficiency, or the articles are used for purposes other than those for which they have been purchased, then the Director shall have a lien on the article for the recovery of a sum which bears such proportion to the present market value of the articles as the grant bears to the market value of such articles as the time when the grant was made ;
- (v) non-recurring grant may be sanctioned by the Director at the rate of not less than two-thirds of the approved expenditure subject to a maximum of one thousand rupees in each individual case.

64. Application for grant of furniture, etc. - (1) Applications for grant for the purchase of furniture, equipments, appliances and games and sports materials shall be submitted in Form I to the Administrator by the 1st day of September of the financial year preceding that in which the grant, if approved, is to be paid, and a detailed list, with the cost of each item, shall be invariably furnished with each application.

(2) The decision of the Director shall be communicated to the managing committee of the school by the 31st day of December of the Year in which the application is made.

65. Procedure for purchase of furniture - The purchase of equipment, furniture, appliances and games and sports materials and the submission of grant papers shall be made in accordance with such procedure, and shall be governed by such conditions, as may be specified by the Director from time to time.

66. Building grant - Building grant may be paid for the following purpose only to those schools which are qualified to receive maintenance grant, for -

- (a) purchase, construction or extension of school or hostel buildings;
- (b) payment of debts incurred in the purchase, construction or extension of school or hostel buildings.

(2) No grant shall be admissible under sub-rule (2) for ordinary and extraordinary repairs and for the upkeep of a school building, and any grant made under clause (b) of sub-rule (1) shall be made only in special cases.

67. Quantum of building grant - No building grant shall ordinarily exceed one-third of the total expenditure actually incurred subject to a maximum of rupees one lakh or any higher amount which may, after the commencement of these rules, be approved by the Mizoram Government.

68. Application for building grant - (1) Applications for building grant shall be submitted, along with the plans, estimates and specifications for the building, in such form, as may be specified by the Administrator.

(2) Every application for building grant shall comply with such conditions, including execution of an agreement, as may be specified by the Administrator.

69. Income from building - Any income derived by letting out a portion or whole of the building used for instructional purposes or for hostel shall be regarded as miscellaneous income of the school and shall be deducted from the total rent or depreciation grant due to it, in accordance with the following criteria, namely :-

(i) in the case of school buildings which have been constructed after obtaining building grant from the Administrator or public funds only two-thirds of the total amount recovered from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the grant payable to the school ;

(ii) in the case of school building which have been constructed without assistance from buildings grant or public funds, one-third of the the total amount of income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the depreciation grant payable to the school ;

(iii) in the case of schools which are housed in rented buildings the entire income derived by the school from any canteen, tuck-shop or any employee living in the school premises shall be adjustable against the rent grant if the rent of the school building is within the specified limit; but where the rent paid is in excess of the specified limit, that part of the income which reduces the liability to the specified limit, shall be taken into account for adjustment against rent grant.

70. Grant not admissible on the salary of manager - (1) If the chairman of a school is a person other than the head of the school and such chairman is working on a salaried basis, no grant shall be admissible in relation to the salary of such chairman.

(2) Where the head of the school also functions as the chairman thereof, no salary or other remuneration shall be payable to him for functioning as such chairman.

71. Conditions of inadmissibility of grants - (1) No aid shall be admissible on any special increment, allowance or financial benefit given to the employees unless the same has been previously approved by the Director.

(2) No aid shall be granted in respect of any employee who is retained in service subsequent to the attainment by such employee of the age of superannuation unless such retention is made in accordance with these rules or with prior approval of the Director or in accordance with the general instructions issued by the Director.

(3) No aid shall be admissible in the case of an employee rendering gratuitous service.

Provided that if an employee is approved by the Director to work on part time and salaried basis the admissible grant in his case shall be calculated at the rate of pay specified for similar category of teachers employed in Government schools and in proportion to the time spent by him for teaching work other than religious instruction.

(4) The minimum number of weekly period of actual secular instruction required to qualify a teacher for full staff grant, shall not be less than that laid down from time to time for a teacher of a similar grade in a Government school :

Provided that the staff grant may be reduced or disallowed if this condition is not fulfilled.

CHAPTER VI
SCHOOL PROPERTY

72. Particulars of school property to be furnished to the appropriate authority - The chairman or managing committee of every aided school shall furnish to the appropriate authority, in Form IV, statements (in triplicate) of all movable properties of the school.

73. Transfer of school property - Where any school property movable or immovable has been acquired wholly or partly out of the funds provided by the Administrator by way of aid, such property may be transferred without the previous approval of the appropriate authority if such school property is declared by the appropriate authority to be obsolete, surplus or unserviceable, and every such disposal shall be made by public auction or in such other manner as may be specified by the appropriate authority.

74. Form and time for appeal - Any person aggrieved by the grant or refusal of permission under sub-section (2) of section 7 may prefer an appeal to the Administrator within thirty days from the date of communication of the grant or refusal of permission to transfer school property, and every such appeal shall be preferred in the form of an application and contain the particulars of the school property proposed to be transferred :

Provided that the Administrator may, if he is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days extend the period by such further period not exceeding thirty days, as he may think fit.

CHAPTER VII

RECRUITMENT AND TERMS AND CONDITIONS OF SERVICE OF
EMPLOYEES OF THE PRIVATE SCHOOLS OTHER THAN
UNAIDED MINORITY SCHOOLS

75. Recruitment - (1) Nothing contained in this Chapter shall apply to an unaided minority school.

(2) Recruitment of employees in each recognised private school shall be made on the recommendation of the Selection Committee.

(3) The Selection Committee shall consist of :-

(a) in the case of recruitment of the head of the school :-

- (i) the Chairman of the managing committee ;
- (ii) in the case of an unaided school, an educationist nominated by the managing committee, and an educationist nominated by the Director ;
- (iii) in the case of an aided school, two educationists nominated by the Director, out of whom at least one shall be a person having experience of school education ;
- (iv) a person having experience of the administration of schools, to be nominated, in the case of an unaided school by the managing committee, or in the case of an aided school, by the Director ;

(b) in the case of an appointment of a teacher (other than the head of the school) :-

- (i) the chairman of the managing committee or a member of the managing committee nominated by the chairman;
- (ii) the head of the school ;
- (iii) in the case of a primary school, preferably a female educationist having experience of school education ;
- (iv) in the case of an aided school, one educationist to be nominated by the Director, and one representative of the Director;
- (v) in the case of appointment of a teacher for any class in the middle stage or any class in the senior secondary/junior college stage, an expert on the subject in relation to which the teacher is proposed to be appointed, to be nominated, in the case of an unaided school by the managing committee, or in the case of, an aided school, by the Director.

(c) in the case of an appointment of any other employee, not being an employee belonging to Class IV.

- (i) the Chairman of the managing committee or a member of the managing committee, to be nominated by the Chairman;
- (ii) head of the school ;
- (iii) a nominee of the Director ;
- (iv) in the case of an aided school, two officers having experience of the administration of school, to be nominated by the Director ;

(4) Nomination of any educationist or expert as a member of the Selection Committee shall be made out of a panel prepared for the purpose by the Advisory Board.

(5) The Chairman of the selection committee, shall be nominated by the Director from among the members.

(6) The Selection Committee shall regulate its own procedure.

(7) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school, the managing committee shall record its reasons for such non-acceptance and refer the matter to the Director for his decision and the Director shall decide the same.

(8) Where a candidate for recruitment to any post in a recognised school is related to any member of the Selection Committee the member to whom he is related shall not participate in the selection and a new member shall be nominated in the case of an aided school, by the managing committee, in place of such member.

(9) No managing committee shall entertain any application for employment from a person who is already serving as teacher in a recognised school, whether aided or not, unless the application from such person is duly forwarded by the chairman of the school in which such applicant is serving:

Provided that every application from such person shall be forwarded by the chairman but any application in excess of three in a year shall not be forwarded unless the managing committee, for reasons to be recorded by it in writing so directs :

Provided further that no such teacher shall be relieved of his duties except after the expiry of a period of :

- (i) three months, in the case of a permanent teacher, from the date on which notice of intimation to leave the school is given ; and
- (ii) one month, in the case of a teacher who is not permanent teacher, from the date on which notice of intimation to leave the school is given :

Provided also where the managing committee is in a position to provide for substitute for such teacher earlier than the respective period specified in the foregoing provision the managing committee may relieve the teacher of his duties on the expiry of such earlier period.

76. Relaxation to be made with the approval of the Director- where the relaxation of any essential qualification for the recruitment of any employee is recommended by the appropriate selection committee, the managing committee of the school shall not give effect to such recommendation unless such recommendation has been previously approved by the Director.

77. Appointing authority - (1) The appointment of every employee of a school shall be made by its managing committee.

(2) Every appointment made by the managing committee of an aided school shall, initially, be provisional and shall require the approval of the Director.

(3) The particulars of every appointment made by the managing committee of an aided school shall be communicated by such committee to Director (either by registered post acknowledgement due or by messenger who will obtain an acknowledgement of the receipt thereof) within 15 days from the date on which the appointment is made.

(4) The Director shall be deemed to have approved an appointment made by the managing committee of an aided school if within 30 days from the date on which the particulars of the appointment are communicated to him under sub-rule (3). He does not intimate to the managing committee his disapproval of the appointment.

(5) Where any appointment made by the managing committee of an aided school is not approved by the Director, such appointment may (pending the regular appointment to the post) be continued on an adhoc basis for a period not exceeding three months and the salary and allowances of the person so continued on an adhoc basis shall qualify for the computation of the aid to be given to such school.

78. Prohibition against the employment of dismissed employees- No aided school shall employ, except with the previous approval of the Director, an employee who has been dismissed from service by another aided or Government school or any other institution. *establishment*

79. Minimum Qualifications for appointment of teachers - Until separate rules specifying the minimum qualifications of teachers of schools, whether aided or not, are made by the Administrator in consultation with the Advisory Board and after giving the Affiliating Board or the appropriate authority, as the case may be a reasonable opportunity of being heard, the minimum qualifications for employment as a teacher.

(a) in a recognised unaided school shall not be lower than those specified by the Affiliating Board ;

Provided that where no minimum qualifications have been specified by the Affiliating Board, the minimum qualifications shall be such as have been specified by the appropriate authority :

Provided further that the managing committee of such school may specify qualification higher than those or in addition to those, specified by the Affiliating Board or the appropriate authority, as the case may be, but no such higher or additional qualification shall be specified in relation to a teacher who is already serving the school ;

(b) in an aided school, shall be those as have been specified by the Administrator for appointment to corresponding posts in Government schools :

(c) where a post (other than that of a teacher) in a school, whether aided or not, correspond to any post in the Government schools, the minimum qualifications for recruitment to such post shall be such as may be specified by the Director.

80. Appointment of part-time teachers to be permitted in primary schools or primary stage of any school - (1) It shall be lawful for the managing committee of a primary school or the managing committee of a school having a primary stage to appoint for the primary stage, a female teacher on a part-time but regular basis ;

Provided that not more than twenty per cent of the total strength of teachers of the primary school or primary stage, as the case may be, shall be appointed on a part-time basis.

(2) The salary and allowances admissible to a female teacher appointed on a part-time but regular basis shall be one-half of those of a full time teacher appointed on a regular basis.

Provided that medical facilities and other benefits (not being pensionary, provident fund or retirement benefits) admissible to a part-time female teacher shall be the same as are admissible to a full-time teacher.

(3) If any part-time female teacher is appointed on a whole time basis, one-half of the period of service rendered by such female teacher on a part-time basis shall be reckoned as qualifying service for the purpose of computation of pension and other retirement benefits admissible to her.

81. Minimum qualifications for recruitment to other posts.- In the case of an employee other than a teacher the qualifications for recruitment shall be the same as are specified by the Administrator for appointment to corresponding posts in Government schools.

82. Power to relax qualifications - (1) The Affiliating Board, or in the case of primary or middle schools, the appropriate authority, may, in case of non-availability of trained or qualified teachers in a particular subject, relax the minimum qualifications for such period as it may think fit :

Provided that no such relaxation shall be made except with the previous approval of the Director.

(2) The minimum qualifications may also be relaxed by the Affiliating Board or the appropriate authority, as the case may be, in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes :

Provided that such relaxation shall be made in accordance with the orders on the subject made by the Mizoram Government from time to time.

83. Age limit - The minimum and maximum of age limit for recruitment to a recognised private school, whether aided or not, shall be the limits specified by the Administrator for appointment to corresponding posts in Government schools:

Provided that the age limit may be relaxed in the case of a candidate belonging to the Scheduled Castes or Scheduled Tribes or any other special category of persons in accordance with the orders on the subject made by the Mizoram Government from time to time.

84. Probation - (1) Every employee shall, on initial appointment, be on probation for a period of two years; which may be extended by the appointing authority by another year and the services of an employee may be terminated without notice during the period of probation if the work and conduct of the employee, during the said period, is not, in the opinion of the appointing authority, satisfactory :

Provided that no termination from the service of any employee on probation shall be made by an aided school except with the previous approval of the Director.

(2) If the work and conduct of an employee during the period of probation is found to be satisfactory, he shall be on the expiry of the period of probation or the extended period of probation as the case may be, confirmed with effect from the date of expiry of the said period:

(3) Nothing in this rule shall apply to an employee who has been appointed to fill a temporary vacancy for a limited period.

85. Medical certificate and character certificate -

(1) Every appointment in a recognised private school, whether aided or not, shall be subject to the physical fitness and good character of the appointee.

(2) A candidate selected for appointment shall be required to produce a medical certificate of fitness from a hospital established or maintained by Government or any local authority or from a registered medical practitioner approved for the purpose by the Director and two certificates from two different members of Parliaments or members of Legislative Assembly of Mizoram or gazetted officers or members of a local authority, not related to the candidate certifying the character of the appointee.

(3) In the case of an aided school, a copy of the medical certificate and a copy each of the certificates of character shall be enclosed with the grant in aid papers claiming, for the first time, the salary grant of the appointee.

86. Fixation of pay-(1) The initial pay of an employee, on first appointment, shall be fixed ordinarily at the minimum of the scale of pay :

Provided that a higher initial pay, in the specified scale of pay, may be given to a person by the appointing authority :

Provided further that no higher initial pay shall be granted in the case of an aided school except with the previous approval of the Director.

(2) The pay of an employee on promotion to a higher grade or post shall be determined by the same rules as are applicable to the employees of Government Schools.

87. Filling of vacancies - Every vacancy in an aided school shall be filled by promotion or by direct recruitment in accordance with such rules as may be made by the administrator in this behalf.

88. Seniority - (1) Seniority of employees shall be determined by the order of merit in which they were selected for appointment to the concerned post, those selected on an earlier occasion being ranked senior to those selected later.

(2) Inter seniority between direct recruits and promotes shall be determined according to the rotation of vacancies between direct recruits and promotes which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.

89. Retirement age- (1) Except where an existing employee is entitled to have a higher age of retirement, every employee of a recognised private school, whether aided or not shall hold office until he attains the age of 60 years; and in case of clerical staff 58 years.
Provided that the managing committee may grant extension to a teacher for a period not exceeding two years in the aggregate, if in the opinion of the managing committee such teacher is fit for such extension and has no mental or physical incapacity which would disentitle him to get such extension.

Provided further that no such extension shall be granted in the case of a teacher of an aided school except with the previous approval of the Director :

Provided also where a teacher attains the age of superannuation on or after the 1st day of November, of any year such teacher shall be re-employed upto the 30th day of April of the year immediately following.

(2) Notwithstanding anything contained in sub-rule(1) where a teacher has obtained a National or State Award for rendering meritorious service as a teacher or where he has received both the National and State Awards as aforesaid, the period of service of such teacher may be extended by such period as the Administrator may, by general or special order, specify in this behalf.

90. Leave of absence - Every employee of a recognised private school, aided or not, shall be entitled to such leave as are admissible to employees of a corresponding status in government schools.

91. Confidential reports - (1) Confidential reports in relation to the heads of schools and other employees of recognised school, whether aided or not, shall be maintained in the form specified by the Administrator in this behalf.

(2) The form referred to in sub-rule(1) shall consist of two parts, of which the first part shall contain factual assessments with regard to his performance is recorded in the second part of the report :

(3) The signature of the concerned employee shall be obtained on the first part of the confidential report before any opinion with regard to his performance is recorded in the second part of the report :

Provided that if the head of the school or other employee refuses to affix his signature to the factual assessment of his work, the authority recording the confidential report shall make a record of such refusal and complete in confidential report.

(4) The confidential report shall be recorded, every year, by the head of the school in respect of the employees working under him and every such confidential report shall be reviewed by the managing committee.

(5) The confidential report in respect of the head of the school shall be recorded, every year, by the chairman of the managing committee and every such confidential report shall be reviewed by the managing committee.

(6) Any adverse entry in the confidential report, in relation to any head of the school or other employee shall be communicated to him by the chairman of the managing committee and every such communication shall be made in accordance with the instruction issued by the Mizoram Government in respect of the employees of that Government.

(7) Any employee of an aided school who is aggrieved by any adverse entry in his confidential report may, within thirty days from the date on which such adverse entry is communicated to him, prefer an appeal against such entry to the Director, and the Director may, after giving to the managing committee a reasonable opportunity of showing cause make such alterations in the entries in the confidential report as he may think fit and may, for the purpose require

the managing committee to produce the concerned confidential report.

(8) The confidential report in relation to the head of the school shall be kept in the safe custody of the chairman of the managing committee and the confidential reports in relation to the other employees of the school shall be kept in the safe custody of the head of the school.

92. Private tuitions - No teacher shall undertake private tuitions or private employment or otherwise engage himself in any business.

93. Number of hours to be devoted to the teaching of students-(1) Every teacher shall devote in a year not less than 1200 hours to the teaching of students out of which not more than 200 hours may be required to be devoted for the coaching, in the school premises, of weak or gifted students, whether before or after the school hours :

Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him such rate as may be determined by the managing committee, for every hour in excess of 1200 hours devoted by him to the teaching of students.

(2) In the case of an aided school, the extra remuneration referred to in sub-rule(1) shall be subject to the previous approval of the Director and shall qualify for aid at the rate of 95 per cent. of such extra remuneration, and in the case of an unaided recognised school, such extra remuneration may be recovered from the students at such proportionate rates as may be determined by the managing committee.

94. Suspension-(1) Subject to the provision of sub-sections (4) and (5) of section 8, the managing committee may place an employee of a recognised private school, whether aided or not, under suspension :-

- (a) where a disciplinary proceeding against such employee is contemplated or pending ; or
- (b) where a case against him in respect of any criminal offence is under investigation or trial ; or
- (c) where he is charged with embezzlement ; or
- (d) where he is charged with cruelty towards any student or other employee of the school ; or
- (e) where he is charged with misbehaviour towards any parent, guardian, student or employee of the school; or
- (f) where he is charged with the breach of any other code of conduct.

(2) No order for suspension shall remain in force for more than six months unless the managing committee, for reasons to be recorded by it in writing, directs the continuation of the suspension beyond the period of six months:

Provided that where a suspension is continued beyond a period of six months, the Director may, if he is of opinion that the suspension is being unreasonably prolonged, revoke the order of suspension.

(3) An employee of a recognised private school, whether aided or not, shall be deemed to have been placed under suspension by an order of the appointing authority ;

(a) with effect from the date of his detention, if he is detained in custody for a period exceeding forty eight hours on a charge of an offence which in the opinion of the managing committee involves moral turpitude ;

(b) with effect from the date of his conviction, if in the event of a conviction for an offence involving, in the opinion of the managing committee, moral turpitude, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent on such conviction.

Explanation - The period of forty-eight hours referred to in his rule shall be computed from the commencement of detention or conviction, as the case may be, and for this purpose, intermittent periods of detention shall be taken into account.

(4) where a penalty of dismissal, removal of compulsory retirement from service imposed upon an employee is set aside or rendered void, in consequence of, or by, a decision of a court of law or of the Tribunal, and the disciplinary authority on a consideration of the circumstances of the case decides to hold further inquiry against such employee on the same allegations on which the penalty of dismissal removal of compulsory retirement was originally imposed, such employee shall be deemed to have been placed under suspension by the managing committee from the date of original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made in these rules shall continue to remain in force until it is modified or revoked by the managing committee or the Director.

(b) Where an employee is suspended or is deemed to have been suspended and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the managing committee may for reasons to be recorded by it in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceedings

(c) An order of suspension made or deemed to have been made under these rules may, at any time, be modified or revoked by managing committee or in the case of an aided school, by the Director.

95. Subsistence allowance-(1) An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely :-

(a) a subsistence allowance at an amount equal to one-half of the pay last drawn by him and in addition to such pay, dearness allowance at the appropriate rate to be paid in the same manner as salary :

Provided that where the period of suspension is extended beyond twelve months, the managing committee shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of past twelve months as follows :-

- (i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible for the period of first twelve months, if, in the opinion of the managing committee, to be recorded in writing, the period of suspension has been prolonged, for reasons not directly attributable to the employee ;
- (ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible for the first twelve months, if, in the opinion of the managing committee, to be recorded in writing, the period of suspension has been prolonged due to reasons directly attributable to the employee ;
- (b) any other compensatory allowance admissible, from time to time, on the basis of pay of which the employee was in receipt on the date suspension :

Provided that the employee shall not be entitled to the compensatory allowance unless the managing committee is satisfied that the employee continues to meet the expenditure for which compensatory allowance is admissible ;

- (c) no payment of subsistence allowance shall be made unless the employee furnishes a certificate to the effect that he is not engaged in any other employment, business, profession or vocation .

Provided that in the case of an employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him ; where these subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(2) If the managing committee fails to pay any subsistence allowance or compensatory allowance within thirty days from the date from which the payment becomes due, the employee may appeal to the Director, who may pass appropriate orders :

Provided that in the case of an aided school, the managing committee shall deposit with the Administrator its share of the subsistence allowance and the Administrator shall make arrangements for the payment of the subsistence allowance admissible to an employee under suspension.

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National Institute of Educational
Planning and Administration
17-B, SriAurobindo Marg, New Delhi-110016
DOC. No. 3411
Date. 20.11.86

(3) If any doubt arises with regard to the application of this rule, the same shall be resolved in accordance with the orders issued by the Mizoram Government in respect of its employees.

(4) Where a suspended employee is exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal, the salaries and allowances of such employee minus the subsistence allowance received by him from the date on which he was suspended.

96. Penalties and disciplinary authority - The following penalties may, for good and sufficient reasons, including the breach of one or more of the provisions of the Code of Conduct, be imposed upon an employee of a recognised private school whether aided or not, namely :-

(a) Minor penalties :-

- (i) censure ;
- (ii) recovery from pay the whole or any part of any pecuniary loss caused to the school by negligence of breach of orders ;
- (iii) withholding of increments of pay ;

(b) Major penalties :-

- (i) reduction in rank ;
- (ii) compulsory retirement ;
- (iii) removal from service, which shall not be a dis-qualification for future employment in any other recognised private school ;
- (iv) dismissal from service, which shall ordinarily be a disqualification for future employment in any aided school.

Explanation - The following shall not amount to a penalty within the meaning of this rule namely :-

- (a) stoppage at the efficiency bar on the ground of unfitness to cross the bar ;
- (b) retirement of the employee in accordance with the provisions relating to superannuation or retirement;
- (c) replacement of a teacher, who was not qualified at the date of his appointment, by a qualified one ;
- (d) discharge of an employee appointed on a short-term officiating vacancy caused by the grant of leave, suspension or the like,

97. Disciplinary authorities in respect of employees- The disciplinary committee in respect of every recognised private school, whether aided or not, shall consist of -

- (i) the chairman of the managing committee of the school;
- (ii) a nominee of the Director in the case of an aided school, or a nominee of the appropriate authority, in the case of an unaided school :

(iii) the head of the school except where the disciplinary proceeding is against him and where the disciplinary proceeding is against the Head of the school, the Head of any other school, nominated by the Director ;

(iv) a teacher who is a member of the managing committee of the school, nominated by the Chairman of such managing committee.

98. Procedure for imposing minor penalties - No order imposing a minor penalty shall be made except after informing the employee in writing of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation against the proposed action.

99. Procedure for imposing major penalty - (1) No order imposing on an employee any major penalty shall be made except after an inquiry, held, as far as may be, in the manner specified below :-

(a) the disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed to be held and a copy of the charges together with the statement of the allegations on which they are based shall be furnished to the employee and he shall be required to submit within such time as may be specified by the disciplinary authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person ;

(b) on receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if considers it necessary so to do, appoint an inquiry officer for the purpose ;

(c) at the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry regarding his findings on each of the charges together with the reasons therefor ;

(d) the disciplinary authority shall consider the record of the inquiry and record its findings on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed, it shall -

(i) furnish to the employee a copy of the report of the inquiry officer, where an inquiry has been made by such officer ;

(ii) give him notice in writing stating the action proposed to be taken in regard to him and calling upon him to submit within the specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action ;

(iii) on receipt of the representation, if any, made by the employee, the disciplinary authority shall determine that penalty, if any, should be imposed on the employee and communicate its tentative decision to impose the penalty to the Director for his prior approval ;

(iv) after considering the representation made by the employee against the penalty, the disciplinary authority shall record its findings as to the penalty which it proposes to impose on the employee and send its findings and decision to the Director for his approval and while sending the case to the Director, the disciplinary authority shall furnish to him all relevant records of the case including the statement of allegation, charges framed against the employee, representation made by the employee, a copy of the inquiry report, where such inquiry was made and the proceedings of the disciplinary authority ;

(2) No order with regard to the imposition of a major penalty shall be made by the disciplinary authority except after the receipt of the approval of the Director.

(3) Any employee of a recognised private school who is aggrieved by any order imposing on him the penalty of compulsory retirement or any minor penalty may prefer an appeal to the Tribunal.

100. Payment of pay and allowances on reinstatement -

(1) When an employee who has been dismissed, removed or compulsorily retired from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, as the case may be, the managing committee shall consider and make a specific order -

(a) with regard to the salary and allowances to be paid to the employee for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be ; and

(b) whether or not the said period shall be treated as the period spent on duty.

(2) Where the managing committee is of opinion that the employee who had been dismissed, removed or compulsorily retired from service has been fully exonerated, the employee . . . shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired from service or suspended prior to such dismissal, removal or compulsory retirement from service as the case may be :

Provided that where the managing committee is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee it may, after giving a reasonable opportunity to the employee to make representations and after considering the representation, if any, made by the employee, direct, for reasons to be recorded by it in writing that the employee shall be paid for the period of such delay only such proportion of the salary and allowances as it may determine.

(3) The payment of allowances shall be subject to all other conditions under which such allowances are admissible and the proportion of the full salary and allowances determined under the proviso to sub-rule (2) shall not be less than the subsistence allowance and other admissible allowances.

CHAPTER VIII

CODE OF CONDUCT FOR TEACHERS AND OTHER EMPLOYEES

101. Employees of recognised schools to be governed by the Code of Conduct - Every employee of a recognised school, whether aided or not, shall be governed by the Code of Conduct as specified in this Chapter, and every such employee shall be liable to the disciplinary action, specified in rule 94, for the breach of any provision of the Code of Conduct :

Provided that in the case of an employee of an unaided minority school, the penalties for the breach of any provision of the Code of Conduct shall be such as may be specified in the contract of service between the management of the school and the concerned employee.

102. Code of Conduct for teachers - (1) The Code of Conduct for the teachers of the recognised schools, including unaided minority schools, shall be as follows :-

(a) No teacher shall -

- (i) knowingly or wilfully neglect his duties :
- (ii) propagate through his teaching lessons or other wise communal or sectarian outlook, or incite or allow any student to indulge in communal or sectarian activity ;
- (iii) discriminate against any student on the ground of caste, creed, language, place of origin, social and cultural background or any of them ;
- (iv) indulge in, or encourage any form of malpractice connected with examination or any other school activity ;
- (v) make any sustained neglect in correcting class-work or home-work done by students ;
- (vi) while being present in the school, absent himself except with the previous permission of the head of the school from the class which it is required to attend ;
- (vii) remain absent from the school without leave or without the previous permission of the head of the school ;

Provided that where such absence without leave or without the previous permission of the head of the school is due to reasons beyond the control of the teacher, it shall not be deemed to be a breach of the Code of Conduct, if on return to duty, the teacher has applied for and obtained, ex post facto, the necessary sanction for the leave.

(viii) accept any job of a remunerative character from any source other than the school or give private tuition to any student or other person or engage himself in any business :

(ix) prepare or publish any book or books, commonly known as keys, or assist, whether directly or indirectly in their publication ;

(x) engage himself as a selling agent or canvasser for any publishing firm or trader ;

- (xi) ask for or accept (except with the previous sanction of the Director, in the case of an aided school, of the managing committee, in the case of an unaided school), any contribution, or otherwise associate himself with the raising of any funds or make any other collections, whether in cash or in kind in pursuance of any object whatsoever, except subscription from the members of any association of teachers;
- (xii) enter into any monetary transactions with any student or parent ; nor shall he exploit his influence for personal end; nor shall he conduct his personal matters in such a manner that he has to incur a debt beyond his means to repay ;
- (xiii) accept, or permit any member of his family or any other person acting on his behalf to accept, any gift from any student, parent or any person with whom he has come into contact by virtue of his position in the school.

Explanation -(a) The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relation or personal friend having no dealings with him in connection with the school.

Note- A casual meal, light or other social hospitality of a casual nature shall not be a gift.

- (b) On occasions, such as weddings, anniversaries, funerals or religious function when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept gift if the value thereof does not exceed Rs. 100 ;
- (xiv) practice, or incite any student to practice, casteism, communalism or untouchability ;
- (xv) cause, or incite any other person to cause, any damage to school property ;
- (xvi) behave, or encourage or incite any student, teacher or other employee to behave in a rowdy or disorderly manner in the school premises ;
- (xvii) be guilty of or encourage, violence, or any conduct which involves moral turpitude ;
- (xviii) be guilty of misbehaviour or cruelty towards any parent, guardian, student, teacher or other employee of the school;
- (xix) organise or attend any meeting during the school hours except where he is required or permitted by the head of the school to do so ;
- (xx) be a member of any Political Party ;
- (xxi) an active part in party politics ;
- (c) every teacher shall -
 - (i) be punctual in attendance and in respect of his class-work and also for any other work connected with the duties assigned to him by the head of the school;
 - (ii) abide by the rules and regulations of the school and also show due respect to the constituted authority.

(2) Nothing contained in sub-rule (1) shall be deemed to take away or abridge the right of a teacher :-

- (a) to appear at any examination to improve his qualifications;
- (b) to become or to continue to be, a member of any literary, scientific or professional organisation ;
- (c) to make any representation for the redressal of any bona fide grievance subject to the condition that such representation is not made in any rude or indecorous language ;
- (d) to organise or attend any meeting outside the school hours, subject to the condition that such meeting is held outside the school premises ;

Provided that where any teachers organisation or association does not have any facility to hold any meeting outside the school premises, a meeting of such organisation or association for the bona fide purposes may be held within the premises but before or after the school hours with the previous permission of the head of the school.

(3) The breach of any condition specified in sub-rule (1) shall be deemed to be a breach of the Code of Conduct.

103. Code of Conduct for other employees - The Code of Conduct specified for teachers shall, so far as may be, apply to other employees of a recognised private school, including an unaided minority school.

CHAPTER IX ADDITIONAL BENEFITS

104. Every employee of a recognised private school, not being an unaided minority school, shall be entitled to the following additional benefits namely :-

	Middle and Secondary schools,	Primary Schools
1	2	3
(1) Children's Education Allowance	As payable by Mizoram Administration to its employees.	As payable by the appropriate authority to its employees.
(2) Re-imbusement of Tution Fees.	Free education or re-imbusement of tution fee as payable by Mizoram Administration.	Free education or re-imbusement of tution fee as payable by the appropriate authority to its employees.
(3) Travelling Allowance and Daily Allowance.	According to the rules made by the Mizoram Administration.	According to the rules made by the appropriate authority.
(4) Leave Travel Concession.	According to the rules made by the Mizoram Administration.	According to the rules made by the appropriate authority.

105. Power to specify procedure for payment of salaries etc-
(1) The Administrator shall in consultation with the Accountant General, Assam etc. specify the detailed procedure for payment of pay and allowances, pension and gratuity re-imbursment of medical bills, accounting of Provident Fund and payment of other allowances, such as childrens' educational allowances to, the employees of aided schools.

(2) The Administrator shall in like manner, specify the detailed procedure for the deposit made by the managing committee of recognised aided schools (not being unaided minority schools) of their share of the pay and allowances, pension, gratuity, provident fund and the benefits specified in rule 104.

CHAPTER X

UNAIDED MINORITY SCHOOLS

106. Recruitment - (1) Recruitment of employees in each recognised unaided minority school shall be made on the recommendation of a Selection Committee to be constituted by the managing committee of that school.

(2) The Selection Committee shall include :-

(a) in the case of recruitment of the head of the school :-

(i) the Chairman of the managing committee ;

(ii) an educationist, nominated by the managing committee ; and

(iii) a person having experience of administration of schools, nominated by the managing committee;

(b) in the case of recruitment of any teacher other than the head of the school :-

(i) The chairman of the managing committee ;

(ii) the head of the school ; and

(iii) an educationist, nominated by the managing committee.

(c) in the case of recruitment of any other employee:-

(i) the Chairman of the managing committee or any member of the managing committee nominated by the Chairman ;

(ii) the head of the school.

(3) The Selection Committee shall regulate its own procedure and in the case of any difference of opinion amongst the members of the Selection Committee on any matter, it shall be decided by the trust or society running the school.

(4) Where a candidate for recruitment to any post in an unaided minority school is related to any member of the Selection Committee the member to whom he is related shall not participate in the selection and a new member shall be nominated in his place by the managing committee of the school.

(5) The appointment of every employee of a school shall be made by its managing committee.

(6) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school the managing committee shall record its reasons for such non-acceptance and refer the matter to the trust or society running the school and the trust or society as the case may be, shall decide the same.

107. Minimum qualifications--(1) The minimum qualifications for appointment as a teacher of an unaided minority school shall not be less than those as are specified by the Affiliating Board.

(2) In the case of any employee other than a teacher the minimum qualifications for appointment shall be the same as are specified by the Administrator for appointment to the corresponding post in the Government schools.

(3) Where no minimum qualifications have been specified by the Affiliating Board in respect of the post of any teacher the minimum qualifications for recruitment to such post may be specified by the Administrator after considering such recommendation or suggestions as may be made by the unaided minority school in this behalf.

(4) Where a post (other than that of a teacher) in an unaided minority school does not correspond to any post in the Government schools. The minimum qualifications for recruitment to such post may be specified by the Director after considering such recommendations or suggestions as may be made by the unaided minority school in this behalf.

108. Power to relax - The Affiliating Board, or where no qualifications have been specified by the Affiliating Board for the post of a teacher in a particular subject, the appropriate authority may, in the case of non-availability of trained or qualified teachers in that subject, relax the minimum qualifications for such period as it may think fit.

109. Contract of Service -(1) Every contract of service, referred to in sub-section (1) of section 15 shall be entered into the form specified in the scheme of management before the employee is called upon to join his duties.

(2) A copy of the contract of service referred to in sub-section(1) of section 15, shall be forwarded to Administrator by the managing committee of the concerned unaided minority school either by registered post, acknowledgement due, or by a messenger within thirty days from the date on which the contract is entered into.

(3) On receipt of a copy of the contract of service The Administrator shall cause the particulars of such contract to be entered in a register to be maintained for the purpose to be known as the 'Register of Contracts'

(4) The Administrator shall also cause the copies of contracts received by him to be preserved in such manner as he may specify.

(5) If on a scrutiny of the copies of contract received by him. The Administrator is of opinion that the contract does not comply with the provisions of sub-section (3) of section 15 he may draw the attention of the school concerned to the deficiencies in the contract and require

the school to modify the contract so as to bring it in conformity with the provisions of sub-section(3) of section 15 and thereupon the school shall take urgent steps for the rectification of the contract.

(6) When a contract has been rectified under sub-rule (5) a copy of the contract as so rectified shall be forwarded to the Administrator for registration and on receipt of the copy of such contract the Administrator shall cause the contract to be registered in the manner specified in sub-rule (3).

CHAPTER XI ADMISSION TO RECOGNISED SCHOOLS

110. Power of Director to regulate admissions to aided schools - The Director shall regulate admissions to aided schools or to a class thereof either on the basis of an admission to aided schools or to a class thereof either on the basis of an admission test or on the basis of the results of a student in a class.

111. Admission test not to be held by aided schools - Save as otherwise provided in this Chapter, no aided school shall hold any test for admission to any class except with the written approval of the Director.

Provided that nothing in this rule shall prevent the holding of test for the admission to any class higher than Class I of such candidates as have not studied in any recognised school prior to their seeking admission.

112. Power to Director to regulate manner of admission - (1) The Director may specify the manner in which students shall be admitted to an aided school.

(2) The Director may prepare in each year a plan for the admission of students to the various classes in the aided schools in Mizoram.

(3) Admission of students to any aided school from an unrecognised private school may be regulated or prohibited by the Director.

(4) The Director may exclude any recognised aided school from the purview of the admission plan.

(5) The managing committee of an aided school not refuse admission of any student who is assigned to that school under the admission plan.

(6) Where the circumstances of a case so require the Director may, notwithstanding anything contained in the admission plan, direct the admission of any student to an aided school and on receipt of the direction the head of such school shall admit such student in the school.

113. Admissions to be without any distinction - Admission of students in aided schools shall be made without any distinction of religion, race, caste, place of birth, or any of them.

114. Manner of Admission-(1) No student shall be admitted to an aided school unless an application in the prescribed form signed by his parent or guardian has been submitted to such school.

(2) The parent or guardian shall state of birth of his child or ward in the application for admission.

(3) Every application for admission to an aided school shall be kept in a separate file and form part of the permanent record of the school.

115. Entry on the Rolls- A newly admitted student shall have his name entered on the rolls of the school on the date on which he first attends his class after making payment of all specified dues.

116. Admission to be made once a year - Admission shall ordinarily be made once a year and shall not be made after 31st day of August of the year, except where the Director being satisfied that for special reasons like migration of a student from a school outside Mizoram, the delay in seeking admission has been unavoidable and was due to circumstances beyond the control of the parent or the guardian of the student, directs the admission of such student after that date.

117. Admission of failed students not to be refused - A student who fails at any public examination shall not, on that account, be refused re-admission in the school or class by the school from which he had appeared at such examination.

118. Admission on transfer certificate - (1) No student who had previously attended any recognised school shall be admitted to any aided school unless he produces a transfer or school leaving certificate from the school which was last attended by him.

(2) Where a student seeks admission to an aided school on the basis of a transfer certificate granted by a school in any State or Union territory other than Mizoram such transfer certificate (except where such certificate has already been verified) be sent for verification and countersignature by the head of the school in which admission is sought to the education authority of the district in which the school from which the transfer certificate was obtained is situated.

(3) If such transfer certificate has not already been countersigned or verified of the transfer certificate and his admission shall be confirmed only on the receipt of the verified transfer certificate from the State or Union Territory concerned.

119. When migrating students may be admitted to higher class - A student coming from another recognised school shall not be admitted to a class higher than the one in which he was studying at his former school unless the transfer certificate states that he has been promoted to the next higher class.

120. Parent or guardian to submit an affidavit -(1) Where a candidate who had not previously attended any recognised school, applies for admission to class II or to any higher class up to class VIII of a recognised school the parent or guardian of such candidate shall give full history of the previous education of such candidate and furnish an affidavit on a non-judicial stamp paper duly attested to the effect that such candidate for admission had not attended any recognised school till then and he shall be required to state in affidavit the exact date of birth of such candidate.

(2) If a seat is available in the class to which an admission is sought, the head of the school, in consultation with the District Education Officer, shall arrange for a test to determine the suitability of the student for admission to that class and admission shall be granted if the student passes in this test.

121. Regulation of admission to Class IX (1) No student shall be admitted to class IX unless he has passed class VIII of a school.

(2) Students who, without having passed the examination for promotion from class VIII of a recognised school have appeared as private candidates at any public examination shall not be admitted to class IX or to any class higher than class IX.

122. Power of Administrator to grant exemptions-The Administrator may, if he is satisfied that the circumstances of a school are such that it is not possible for it to comply with all or by provision of this Chapter exempt any aided school for a limited period, not exceeding two years, from the operation of all or any of the provisions of this Chapter.

123. Power to issue departmental instructions - The Director may issue instructions with regard to any matter not covered by this Chapter, relating to admissions to aided schools.

124. Admission to recognised unaided schools - (1) The head of every recognised unaided school shall regulate admissions to a recognised unaided school or to any class thereof either on the basis of admission test or on the basis of result in a particular class or school.

(2) Subject to the provisions of sub-rule(1) the provisions of this Chapter shall so far as may be, apply to admission to a recognised unaided school as the apply to admissions to an aided school.

CHAPTER XII

PART A

FEES AND OTHER CHARGES IN AIDED SCHOOLS

125. Admission Fees-(1) No admission fee shall be charged or collected by an aided school for admission to any class up to class VIII.

(2) An admission fee Rs. 3/- per student shall be charged and collected by the aided school for admission to any class in the Senior Secondary/Junior College stage,

but where a student has already paid an admission fee shall not be charged on his promotion to any higher class in the same school but if he join any other aided school that other school may charge and collect admission fee from him.

(3) No admission fee shall be charged or collected by an aided school from a student who is exempted from payments of tuition fees, and only one-half of the specified admission fee shall be charged from a student who is required to pay tuition fees at the rate of one-half of the specified rate.

126. Tuition fees- Subject to such alterations in the scales of fees as may be made by the Director from time to time the rate of tuition fees for all classes in aided schools shall be as follows :-

Class	Grade I Per month	Grade II per month
I to VIII	Nil	Nil
IX	Rs. 15	Rs. 12
X	Rs. 18	Rs. 15
XI	Rs. 22	Rs. 20
XII	Rs. 25	Rs. 23

NOTE I : Grade I fee is to be charged from students whose parents income is not less than Rs. 9,000/- per annum. Grade II fee is to be charged from students whose parents income is less than Rs. 9,000/- per annum.

NOTE II: Where any student of class VIII or any class below that class has attained the age of fourteen years, he shall pay tuition fees at the rates of specified for class IX :

Provided that no tuition fee shall be charged for any class from any student who belongs to any Scheduled Caste or Scheduled Tribe.

127. Additional fee for science, music etc. - Every student of any class in the Senior Secondary stage shall pay an additional fee of one rupee per month for each Science or other subject requiring practical work or for Music.

128. Pupil's Fund - (1) Until the Administrator, by notification otherwise directs every school maintained or aided by Government or any local authority shall be authorised to charge from each student contribution to the Pupils Fund :-

- (i) in any class in the Primary stage, at the rate of fifty paise per month ;
- (ii) in any class in the Middle stage at the rate of one rupee and fifty paise per month and
- (iii) in the secondary stage at the rate of rupees two per month, in addition to the fees referred to in rules 126 and 127.

(2) The managing committee of every aided school shall prepared before the commencement of each academic year, a budget of items as are debitable to the pupils fund and submit such budget to the Director for approval.

(3) If the collections made by the school towards pupils fund fall short of the budgeted amount as approved by the Director, the deficiency shall be made good by the Director.

(4) The amount standing to the credit of the Pupils Fund shall be at the disposal of the head of the school and shall be spent in the interests of the students for various physical and co-curricular activities of the school or for such other purpose as may be specified by the Director.

129. Domestic Science and Home Science Fund- (1) Every school offering Home Science as a subject in the school may charge a Home Science fee from the girl students of the classes in the Secondary stage at the rate of fifty paise per month and the fee so collected shall be credited to a Fund, to be opened by the school and to be known as the 'Home Science Fund'.

(2) The monies standing to the credit of the Home Science Fund shall be spent in accordance with the instructions issued by the Director from time to time.

130. Development Fees - (1) The managing committee of an aided school may charge with previous approval of the Director, a development fee from the students in order to cover expenses incurred by in affecting special improvements on which no aid is admissible under these rules.

(2) Development fee may be charged at such flat rate as may be specified by the Director and shall be utilised for one or more of the following purposes namely :-

- (a) appointment of additional or more qualified teachers in excess of the number admissible under the rules relating to, post fixation or aid ;
- (b) provisions for teaching of special subjects approved by the Director for which no aid is admissible under these rules ;
- (c) purchase of any special teachings or audiovisual aids and other equipments which are not possessed by the school ;
- (d) provision of special amenities to students such as additional fund, supply of cool drinking water provision of material for hobbies craft and medical aid.

(3) Where any development fee is levied to meet the pay and allowances of additional or more qualified teachers such teachers shall be appointed on adhoc basis and shall have no claim whatsoever for regular appointment, seniority or benefits of provident fund, pension, gratuity or any other benefit admissible to the regular teachers of the school :

Provided that such teachers may apply for regular appointment as and when a regular vacancy arises in the school.

(4) Where any such teacher is selected for regular appointment shall have effect from the date of the regular appointment and not from the date from which such teacher is working in the school as a teacher paid from the development fee.

(5) Appointment of teachers who are paid from the development fee shall be subject to these rules in so far as they relate to the appointment of regular teachers in the school.

131. Separate accounts for Development Fee-The managing committee of an aided school levying development fee shall maintain a separate account of the development fee levied and collected by it and such separate account shall be opened to inspection or audit at any time by the Director or any officer authorised by him in this behalf or by the Accountant General, Assam etc.

132. Utilisation of Development Fee - Development fee shall be utilised exclusively for the purpose for which it is levied and collected and shall in no circumstances whatsoever, be used for meeting the managing committee's share of expenditure on the maintenance of the school.

133. Ban on the levy of unauthorised fees or fund - No fee, fund or contribution, other than those specified by these rules, or permitted by the Director in writing shall be charged by any aided school.

134. Donations not to be levied compulsorily - (1) No aided school shall levy or collect any donation compulsorily from any student or any parent or guardian of any student.

(2) No aided school shall collect any donation through its student for the aid of teachers or for any fund for the aid of teachers.

(3) Voluntary donations collected by the managing committee of an aided school shall be accounted for separately and may, at the discretion of the managing committee, be utilised for meeting the managing committee's share of the expenses referred to in sub-section (2) of section 10.

(4) In computing the grant-in-aid voluntary donations by the managing committee of an aided school not be taken into account.

135. Collection of fees or donation with the approval of the Director-(1) The managing Committee of an aided school, may with the previous approval of the Director, also invite voluntary contributions from the parents or guardians for the construction of any building for the school or its hostel.

(2) No appeal for any such contribution as is referred to in sub-rule (1) shall be made at the time when admissions are made to the concerned school or when results are declared by that school.

PART B
FEE CONCESSIONS

136. Definition of fees - In this part the expression 'Fees' includes science fee, music fee or any other fee which may be levied and collected from a student.

137. Fee concession-(1) The head of the school may exempt deserving students whose parents or guardians are not financially solvent to pay the fees specified by these rules, from payment of the whole or one-half of such fees for a period of twelve months commencement from the 1st day of February of each year or from the date of admission of the child or ward, whichever is later, and such exemption shall be regulated in the manner specified in sub-rule(3).

(2) Exemption made to any student under sub-rule(1) shall so long as the conditions for eligibility for exemption are fulfilled and the student continues in the school, be renewed from year to year.

(3) Up to a limit of twenty per cent of the total number of students on the rolls of the school in all the classes in the higher secondary stage as on the 7th day of Feb of the year may be exempted from the payment of the whole or one-half of the fees, and where any student is admitted after the 7th day of Feb., before the 31st day of May, of that year upto a limit of twenty per cent of the students so admitted may exempted from the payment of the whole or one-half of the fees.

(4) The proportion of the students receiving exemption from the payment of the whole or one-half of the fees may be varied in any of classes in the higher secondary stage at the discretion of the head of the school, so, however, that the number of students enjoying exemption from payment of the whole of the fee shall not exceed fifteen per cent of the students of any time of the year.

(5) The percentage of the students receiving exemption from payment of the fee shall be calculated on the total number of students in all the classes in the higher secondary stage, reduced by the number of students granted exemption from payment of fee under the provision relating to :-

- (a) the concession to students belonging to the Scheduled Castes or Schedules Tribes ;
- (b) students having brothers or sisters studying in the same school or a school under the same management ;
- (c) students who are wards of teachers.

(6) In calculating the number of exemptions, the fraction of one-half or more shall be treated as one.

(7) The number of exemptions from payment of the fee shall not be altered during the year except where, owing to the departure from the school of any student enjoying exemption a vacancy arises it shall be permissible to pass on the exemption enjoyed by the student so departing to any other deserving student of the school.

(8) Where the number of students eligible for receiving exemption from payment of fee is in excess of the number of students to whom exemption is admissible under these rules the exemption shall be made in order of merit on the basis of the results of the immediately previous annual examination or, if necessary on the basis of a special competitive examination held to determine the order of merit of the eligible students.

138. Brothers' and sisters' concession - (1) When two or more full brothers or sisters or step-brothers or step-sisters are studying in the same Government or aided school in Mizoram the brother or sister, as the case may be, in the higher class shall pay the specified fee at the full rates and other brothers or sisters shall pay fees at one-half of the specified rates.

Explanation - If two or more brothers or sisters are studying in the same class, the specified fee shall be paid by the elder brother or sister at full rates, and at one-half of the rates by the others.

(2) Where any exemption from fee is claimed in any Government or aided school by any parent or guardian on the ground that other children or wards of such parents or guardians are studying in any other Government school or aided school, the head of the school, in which such exemption is sought, shall before making any exemption from the payment of fees obtain a declaration from such parent or guardian to the effect that his other children or wards are studying in other Government school or aided school and no effect shall be given to such declaration unless it is countersigned by the head of the other Government school or aided school.

139. Concessions to children or wards of employees- (1) No fee shall be charged from the children or wards of the employees of an aided school.

(2) No fee shall also be charged from the children of the employees of the aided school who have retired from service or have died.

140. Withdrawal of the exemption - Any exemption from the payment of fee granted to a student under these rules may be withdrawn on the ground of his misconduct, irregular attendance or failure at the annual examination.

141. Contributions to Pupils' Fund not to be exempted - (1) Any student who is exempted from payment of any fee whether in full or in part shall not be exempted from contributing to the Pupils' Fund.

(2) Nothing in sub-rule (1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.

142. **Scholarship holders not eligible for any fee concession-**
(1) Students who holds scholarships shall not be eligible for exemption from the payment of any fee except where such exemption becomes necessary in the very special circumstances of the case and in such a case no such exemption shall be made except with the previous sanction of the Director.

(2) Nothing in sub-rule(1) shall apply to students belonging to the Scheduled Castes or Scheduled Tribes.

143. Fees payable for twelve months - All fees and funds shall be charged for a full period of twelve months from the student at the rates specified in these rules except in the following cases, namely :-

- (a) a student, who has been expelled or rusticated during a session shall not be required to pay fees are funds beyond the month in which he was expelled or rusticated ;
- (b) in the case of re-admission of a student to the school last attended or in any other school, fee shall be payable from the month from which he had left school in the same session ;
- (c) a second fee for the same month shall not be charged from a student on transfer from one Government or aided school to another Government or aided school;

Provided that he gives proof of payment of fees and funds in the former school.

144. Last date for payment of fees and contributions- All fees and contributions payable to a school by a student shall be payable by the 10th day of the month they are due :

Provided that where the school remains closed on the 10th day of the month, such fees or contributions shall be payable on the date following the 10th day on which the school re-opens :

Provided further that where the school remains closed for the long vacation fees and contributions shall be payable within ten days from the day on which the school re-opens after the long vacation.

145. Fine for late payment of fees etc.- (1) A fine for late payment of the fees of contributions due to a school shall be charged from the student at the rate of five paise for every day after the 10th for which the default continues.

(2) The head of the school may if satisfied that the delay in payment of the fees and contributions was unavoidable remit the whole or any part of the fine referred to in sub-rule(1)

146. Name of the student to be struck off for non-payment of fees and contributions - If a student omits or fails

due to a school, together with the fine due thereon by the last working day of the month in which they are due his name shall be struck off the rolls of the school on the last working day of the month and may be re-admitted on payment of all school dues including fresh admission fee :

Provided that in the case of non-payment of fees for the month of December in which the school closes in the middle of the month for long vacation the name of the student shall be struck off on the last working day of the month of January, If the fees remains unpaid up to that day.

147. Receipt to be granted for collection of fees and contributions - (1) A printed receipt in the form specified by the Director, shall be granted to a student for every fee or contribution collected by the school.

(2) The head of every aided school shall authorise one or more of the employees of the school to collect fees and contributions from the student and the receipt referred to in sub-rule(1) shall be given and signed by the person so authorised.

(3) Every employee collecting any fee or contribution from a student shall immediately after such collection enter the particulars of such collection in the attendance register of the class.

148. Collected amount to be deposited on the same day -

(1) Every employee collecting any fee or contribution shall deposit the amount collected by him with the cashier of the school by whatever name called on the same day on which the collections are made and it shall be the duty of the cashier to enter the amount so received immediately in the fee collection register and thereafter in the cash book and to append his initials thereto for the amount received.

(2) The attendance register fee collection register and the cash book shall be submitted by the cashier to the head of the school for comparison and the head of the school shall after verification, countersign the entries in those registers.

149. Maintenance of accounts of fees and contributions -

Accounts of fees and contributions collected by a school shall be maintained at the office of the school in accordance with the Government rules for the maintenance of public accounts and such accounts shall be liable to be inspected by the Director or any person authorised by him in this behalf and also by an officer from the office of the Accountant General, Assam etc.

PART C

PUPIL'S FUND

150. Pupils Fund Advisory Committee (1) The administration and expenditure of the pupils Fund in all aided schools shall vest in the head of the School, who shall be assisted and advised by a committee, to be called the "Pupils Fund Advisory Committee".

(2) The pupils' Fund Advisory Committee shall consist of:-

(a) the head of the school ;

(b) at least two teachers employed in the school to be nominated by the head of the school ;

(c) two students of the classes in the Higher Secondary stage, to be nominated by the head of the School.

(3) One of the teacher members of the pupils Fund Advisory Committee shall function as the secretary of the Committee in a properly maintained Minutes Book.

(4) The Minutes Book of the pupils Fund Advisory Committee shall function as the secretary of the Committee and shall maintain the minutes of the decisions taken at the meeting of the General, Assam etc.

(5) The function of the pupils Fund Advisory Committee shall be:-

(a) to discuss and pass budget for expenditure from the Fund;

(b) to deal with all other matters relating to the proper utilisation of the pupils' Fund.

(6) The pupils' Fund Advisory Committee may also give advice with regards to :-

(a) applications from the students, parents or guardians for exemption from the payment of any fee subject to such limit as may be specified by the Director, or

(b) any other matter which be referred to it by the head of the school.

CHAPTER XIII

SCHOOL FUND

151. Trust or society not to collect fees, etc., schools to grant receipts for fees etc., collected by it - (1) No fee, contributions or other charge shall be collected from any student by the trust or society running any recognised school; whether aided or not.

(2) Every fee, contribution or other charge collected from any student by a recognised school, whether aided or not, shall be collected in its own name and a proper receipt shall be granted by the school for every collection made by it.

152. School fund how to be maintained - (1) Every School Fund shall be kept deposited in a nationalised bank or a scheduled bank any post office in the name of the school.

(2) Such part of the School Fund as may be approved by the Administrator, or any officer authorised by him in this behalf, may be kept in the form of Government securities.

(3) The Administrator may allow such part of the School Fund as he may specify in the case of each school, (depending upon the size and needs of the school) to be kept as cash in hand.

(4) Every Recognised Unaided School Fund shall be kept deposited in a rationalised bank or a scheduled bank or in a post office in the name of the school and such part of the said Fund as may be specified by the Administrator or any officer authorised by him in this behalf shall be kept in the form of Government securities and as cash in hand respectively.

Provided that in the case of an unaided minority school, the proportion of such Fund which may be kept in the form of Government securities or as cash in hand shall be determined by the committee of such school.

153. Withdrawal from School Fund - Withdrawal from the School Fund or Recognised Unaided School Fund, as the case may be, shall be made jointly by the head of school and the manager of such school, or jointly by the head of the school and by any duly authorised member of the managing committee, where the head of the school is also the manager of the school.

154. Accounts of the school how to be maintained - The Accounts with regard to the School Fund or the Recognised Unaided School Fund, as the case may be, shall be so maintained as to exhibit, clearly the income accruing to the school by way of fees, fines, income from building rent, interest, development fees, collections for specific purpose, endowments, gifts, donations, contributions to Pupils' Fund and other miscellaneous receipts, and also in the case of aided schools, the aid received from the Administrator.

155. Collections for specific purposes to be spent for that purpose - Income derived from collections for specific purpose shall be spent only for such purpose.

156. Fees realised by unaided recognised schools how to be utilised - (1) Income derived by an unaided recognised schools by way of fees shall be utilised in the first instance for meeting the pay, allowances and other benefits admissible to the employees of the school:

Provided that savings, if any from the fees collected by such school may be utilised by its managing committee for meeting capital or contingent expenditure of the school, or for one or more of the following educational purposes, namely :-

- (a) award of scholarships to students ;
- (b) establishment of any other recognised school, or
- (c) assisting any other school or educational institution, not being a college, under management of the same society or trust by which the first mentioned school is run.

(2) The savings referred to in sub-rule (1) shall be arrived at after providing for the following namely :-

- (a) pension, gratuity and other specified retirement and other benefits admissible to the employees of the school ;
- (b) the needed expansion of the school or any expenditure of a development nature ;
- (c) the expansion of the school building or for the expansion or construction of any building or establishment of hostel or expansion of hostel accommodation.
- (d) co-curricular activities of the students ;
- (e) reasonable reserve fund, not being less than ten per-

(3) Funds collected for specific purposes, like sports, co-curricular activities, sub-scriptions for excursions or subscription for magazine, and annual charges, by whatever name called, shall be spent solely for the exclusive benefit of the students of the concerned school and shall not be included in the savings referred to in sub-rule (2).

(4) The collections referred to in sub-rule (3) shall be administered in the same manner as the monies standing to the credit of the pupils Fund are administered.

157. Amount received for scholarships to be spent for that purpose - Every amount received by the managing committee of any school, whether aided or not, for payment of scholarships to the students shall be utilised solely for payment of such scholarships as are paid and shall be preserved by the managing committee for the inspection of the Director or any officer authorised by him in this behalf.

158. Aided schools to keep accounts of all income - (1) Every aided school shall keep accounts of income from all sources and of all expenditure in the form in which such accounts are maintained immediately before the commencement of these rules.

(2) The accounts of the school shall be open to inspection by the auditors and inspecting officers authorised by the Director, and also by any officer, authorised by the Controller and Auditor General of India.

159. Unaided recognised schools to submit returns - (1) Every unaided recognised private school shall submit returns and documents in accordance with Appendix II.

(2) Every return or documents referred to in sub-rule (1) shall be submitted to the Director by the 31st day of July of each year.

(3) The account and other records maintained by an unaided private school shall be subject to examination by the auditors and inspecting officers authorised by the Director in this behalf and also by any officer authorised by the Controller and Auditor General of India.

CHAPTER XIV

OTHER DUTIES AND RESPONSIBILITIES OF CHAIRMAN AND MANAGING COMMITTEE OF SCHOOLS

160. Managing Committee how to run schools - Every managing committee shall run the school managed by it in the best interest of education of children and for the better organisation and development of school education in Mizoram.

161. Managing Committee not to create adverse situations - Every managing Committee shall allow a school managed by it to function normally and shall not cause any situation by which, or due to which the normal and smooth functioning of the school may be hampered nor shall it interfere in the day-to-day affairs of the school.

162. Managing committee to comply with the rules regarding recognition of schools, receipt and utilisation of the aid etc. - Every managing committee shall comply with the provisions of the

these rules with regard to the receipt and utilisation of aid and shall maintain in accordance with these rules, proper accounts of all fees and contributions received by it.

163. Managing committee to offer facilities for inspection- Every managing committee shall provide all reasonable facilities for the inspection of the school and also for the inspection of its account books, registers and other documents required by these rules to be maintained by such schools.

164. Managing Committee not to rule adversely to the interests of the school - The managing committee shall not conduct the affairs of the school in such way as to adversely affect the interests of the school.

CHAPTER XV

TERM OF OFFICE OF THE MEMBERS OF THE ADVISORY BOARD AND THE TRAVELLING AND OTHER ALLOWANCES ADMISSIBLE TO THEM

165. Term of office- (1) Every member of the Advisory Board shall hold office for a period of three years from the date on which he was nominated by the Administrator and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office, until his successor is nominated by the Administrator.

(2) No member of the Advisory Board shall hold office consecutively for more than two terms.

166. Resignation - (1) A member of the Advisory Board may by giving notice in writing to the Administrator, resign his membership of the Board.

(2) A resignation shall take effect from the date of communication to the member concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.

167. Vacancy in the office of a member - (1) A member of the Advisory Board shall be deemed to have vacated his office:

- (a) if he is of unsound mind and stands so declared by a competent court;
- (b) if he is an undischarged insolvent;
- (c) if he is convicted of an offence which, in the opinion of the Administrator, involves moral turpitude;
- (d) if he does not attend three consecutive meetings of the Advisory Board without obtaining leave of absence from the Administrator; or
- (e) if he ceases to have the status on the basis of which he was nominated by the Administrator.

(2) Any vacancy in the membership of the Advisory Board whether caused by resignation or by any of the reasons specified in sub-rule (1) or by death shall be filled by nomination and the person so nominated shall hold office for the remainder of the term in whose place he is nominated.

(3) The Advisory Board shall be functioning notwithstanding any vacancy in the membership thereof.

168. Travelling and other allowances - The members of the Advisory Board shall be entitled to such travelling or daily allowances as are admissible to non-official members of the committee,

boards or the like in accordance with the orders issued by the Central Government from time to time and shall not be entitled to any other remuneration.

CHAPTER XVI

INSPECTION OF SCHOOLS

169. Inspection and supervision of schools (1) The Director shall be responsible for the supervision and inspection of all recognised schools, whether aided or not

(2) For the purposes of sub-rule (1) the director may assign all or any of his functions relating to supervision and inspection to such officers sub-ordinate to him and as may be authorised by him in this behalf.

(3) Every officer authorised by the Director under sub-rule (2) shall discharge his powers of supervision and inspection and inspection under the direction, control and supervision of the Director.

(4) The Director may also form a team or pannel of persons with special knowledge and experience of different subjects taught in schools, to carry out inspection of a school.

(5) The Director may also carry out surprise inspections through any officer authorised by him in this behalf.

(6) Every person, other than the Director, inspecting a school shall, within fifteen days from the completion of the inspection of submit to the Director, the report as to the results of the inspection and shall simultaneously send a copy of the school concerned.

(7) Where the Director himself makes the inspection, he shall make a note of the defects or deficiencies noticed by him and shall send a copy of the school concerned.

170. Advance notice of inspection to be given to schools - Except where a surprise visit is considered to be necessary advance intimation of the proposal to carry out inspection of a school shall be given to the head of the school.

171. Inspection how to be made - (1) Every inspection shall be as objective as possible and shall be aimed at bringing about improvements in the standards of teaching in the school.

(2) In making the inspection the following items, shall be critically examined, namely :-

- (a) academic work, that is to say, actual teaching and its difference aspects;
- (b) library and its service to students and teachers ;
- (c) games and sports and their organisation;
- (d) co-curricular activities ;
- (e) cordiality or otherwise of the teachers of the school with the parents of the students and the community in general;
- (f) administration of the school ;
- (g) accounts of the school and their maintenance ;
- (h) the school plant and physical needs of the school ;

(3) The inspecting officer shall go to each class and watch the teaching by each teacher in at least two classes and shall specify note the matters specified in Form No. IV.

172. Number of school to be inspected by an inspecting officer in a year - Every inspecting officer shall inspect not less than fifty schools in a year and not less than ten per cent of the schools shall be inspected every year by an officer above the rank of an inspecting officer.

173. Inspection report - The report of every inspection shall be made in Form No. IV and shall contain information with regard to each matter specified in that Form.

CHAPTER XVII

MISCELLANEOUS

174.

174. Fees for appeal to the Tribunal - Every appeal to the Tribunal shall be filled on a non-judicial stamp paper of rupee one and shall be presented in the form of a petition.

175. Provisions of certain rules to apply to Government schools -
(1) The Provisions of these rules, in so far as they relate to the matters specified in sub-rule (2) shall also apply to Government schools and to schools run by local authorities.

- (2) The matters referred to in sub-rule (1) are :-
- (a) regulation of education ;
 - (b) admission to recognised schools ;
 - (c) fees and other charges to be levied in recognised aided schools, including fee concessions ;
 - (d) pupils' fund ;
 - (e) inspection and supervision of schools.

Mizoram School Education Rules

FORM I
(See Rules 41, 64(1))

GRANT - IN - AID FORM

PART I

Application for Aid

1. Name of school.
2. Name and designation of the person authorised to draw the grant.
3. Whether the Managing Committee would collect the sanction letter through their representative or it may be deputed.
4. Period up to which school is recognised.
5. Year up to which accounts of the school is finalised.
6. Year up to which audited accounts have been submitted to (a) the Administrator.
7. Amount of Reserve fund deposited in the joint account.
8. Number of teachers who have opted for the Triple Benefits Scheme.
9. Expenditure incurred during the month as per salary, etc. Provident Fund and arrear statement enclosed.

(i) Teaching staff	Salary Provident Fund	Plan	Non-Plan	Total
(ii) Ministerial staff	Salary Provident Fund			
(iii) Class IV	Salary Provident Fund			
(iv) Add difference between 8.1/3% and 5% Provident Fund (Column 5 of Part VII)				

Total	.....
Less tuition fee, etc.	.....
Net expenditure.	.....
Less 5%	.....
(Management's contribution) Less amount shown at item 9 (IV) above)	.....
Amount of grant payable	.....

Certified that I have checked the above particulars with the records and found them in order.

Place :

Date :

Chairman of Managing Committee.

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PART II

Grant-in-aid

Staff statement for the Month/Year.....School, _____

Serial	Name	Date of Birth in figures	Date of Qualifications academic and teaching	No of letter of approval of appointment	Date of appointment in school to present post	In case teacher has left, date of leaving
1	2	3	4	5	6	7

Basic pay as on 1st March	Date of next increment	Total salary paid during the month year	Total provident Fund deposited (management's share)	Period and nature of leave taken during the year	Part
8	9	10	11	12	13

Place :

Date :

Chairman of
Management Committee.

PART III
Grant-in-Aid

Statement showing expenditure on pay, allowances and provided fund for the month of.....

Sl No	Name of the teacher	Salaries paid in :							
		Designation Pay	Dearness pay	Dearness Allowance	House rent Allowance	City Allowance	Interim Relief	Children Education Allowance	Reimbursement of Travelling fare
		1	2	3	4	5	6	7	8

Salaries paid in				Provident Fund			
Travel-allowance	Leave Travel Allowance	Arrears if any	Total	Whether opted for Triple Beneficial Contributory Provident Fund or Government Pension Rules	Govt. contribution	Arrears of Provident Fund, if any	Total Remarks
9	10	11	12	13	14	15	16 17

Place :
Date :

Chairman of Managing Committee.

PART IV

Certificate of disbursement of salaries

1. Certified that the salaries for the month of..... as detailed in the salary statement were disbursed to all the members of the staff on the dates noted against each month and the Provident Fund deposited in Bank/Post Office.

Month Date of disbursement of Salary (Date of deposit of Provident Fund).

2. The salaries to the following members of staff however, could not be disbursed on account of reasons stated against each:

Name of the teacher. Amount Reasons for Non-disbursement.

3. Certified that the management has contributed not less than 5% of the total expenditure of the previous quarter.

Place :

Chairman

PART V

Grant-in-aid

Statement showing income from fees and fines etc, during the month/year.....No. of students in

(i) Secondary Department LX A B C X A B C XI A B C Total

(ii) Middle Department XI A B C VII A B C VIII A B C

Fees and Fines actually realised Rs.....(as detailed below)

Class	Ist Month Rs.	Rs.	II Month Rs.	III Month Rs.	Total Rs.
XI A					
XI B					
XI C					
X A					
X B					
X C					
IX A					
IX B					
IX C					
IX D					
Total					
VIII A					
VIII B					
VIII C					
VIII D					
VII A					
VII B					
VII C					
VI A					
VI B					
VI C					
VI D					
Total					
Grand Total					

Place :
Date :

Chairman of
Managing Committee,

PART VI

Grant-In-Aid

Statement showing the officiating arrangement made
..... For the month of
whether post of leave reserve sanctioned.....
yes/No.

Sl.No.	Name of the teacher proceeded on leave	Designation	Period of leave	Name of teachers employed in the leave vacancy
No. & date of appointment letter of Department	Date of appointment	Date of Discharge	Total salary paid during the month	
6	7	8	9	

Place :
Date :

Chairman of
Managing Committee

PART VII

Grant-in-aid

Statement of provident fund in respect of employees opted for triple benefit scheme.

Name of the employ- ee	Basic Pay plus Dearness Pay during the month	Provident Fund contribution of 8.1/3% of Basic pay plus Dearness Pay	Provident Fund contribution of 5% of Basic pay plus Dearness Pay	Differe- nce (3-4)	5% of column 5
1	2	3	4	5	6

Place :
Date :

Chairman of
Managing Committee.

FORM II
GRANT - IN - AID

PART A

Application Form For Yearly Assessment of Aid

FOR THE YEAR.....

1. Name of school.
2. Name & Designation of the person authorised to draw the grant.
3. Whether the managing committee would collect the sanction letter through their representative or it may be despatched.
4. Period upto which school recognised.
5. Year upto which accounts of the School finalised.
6. Year upto which audited accounts submitted to the Director.
7. Amount of Reserve Fund deposited in the joint.
8. No. of teachers who have opted for Triple benefit scheme.
9. Expenditure incurred during the year as per salary. Provident Fund and arrear statement enclosed.

	Plan	Non-Plan	Plan
--	------	----------	------

(i) Teaching staff Salary P.Fund	.....	.....	.....
(ii) Ministerial staff Salary P.Fund	.....	.....	.....
(iii) Class IV Salary P.Fund (I)	.....	.....	.....
(iv) Add different between 8.1/3 and 5% P.F. (Col.5 part I) Exdr. incurred on contingencies during the year.	.....	.....	.....
Total	.....	.....	.....
Less tuition fee etc.	.....	.....	.....
Net expenditure.	.....	.....	.....
Net 5%	.....	.....	.....
Management contribution	.....	.....	.....
Less amount shown at Column (4)	.....	.....	.....
Amount of grant payable	.....	.....	.....

Certified that I have checked the above particulars with the record and found them Head of school

Chairman of
Managing Committee.

PART B

Grant-in-aid

(To be filled and submitted along with the annual grant-in-aid papers).

1. Name of the school.
2. Name of the Society/Trust running the school
3. Whether the school is housed in a rented/owned building or in tents.
4. The amount of grant, if any, obtaining for the construction of school, building (Quote the sanction).
 - (i) Mizoram Administration.
 - (ii) Govt. of India.
 - (iii) Other states.
5. If the school is housed in a building owned by the Society/Trust running the school.
 - (i) The amount of depreciation at credit in the fund on 31st March of year.
 - (ii) Depreciation Grant applied for the current year.
 - (iii) No. of rooms with full details as to how they are being utilised.
6. If the school is housed in a rented building.
 - (i) The name of the Landlord.
 - (ii) The amount of rent payable annually.
 - (iii) Whether any rent deed has been executed with the Landlord.
 - (iv) Year upto which rent has been paid to the Landlord.
7. If the school is housed in the tents.
 - (i) Number and date of sanction letter under which the Management has been permitted to hire tents (copies of sanction to be attached.)
 - (ii) Number of tents hired and the period of hire and the hire charges.

Signature of the Chairman
of Managing Committee.

PART C

Grant-in-aid

Staff statement for the year.....

Serial Number	Name	Date of Birth	Qualifications teaching	No. of letter of approval of appointment of the Education Officer.	Date of appointment in the school	To the present post	In case teacher has left date of leaving
1	2	3	4	5	6	7	8

Basic pay as on 1st March	Date of net increment	Total salary paid during the year	Total Provident Fund deposited (management share)	Period and nature of leave taken during the year	Pay fixed on 27-5-70	Remarks
9	10	11	12	13	14	15

Place :
Date :

Chairman of
Managing Committee.

PART D

Grant-in-aid

Staff statement for the year.....

Sl. No.	Name of the employee	Designation	Detailed salary for the month of March			
			Pay as on 1st March	Date of next increment	Pay Dearness	Pay
1	2	3	4	5	6	7

Dearness Allowance	City allowance	Compensatory allowance	House Rent Allowance	Interim Relief	Other allowance	Total
8	9	10	11	12	13	

Consolidated salary paid in

Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March.
14	15	16	17	18	19	20	21	22	23	24	25
						Arrear paid	Grand Total	Remarks			
						26	27	28			

Place :
Date :

Chairman of
Managing Committee.

PART E

Grant-in-aid

Certificate of disbursement of salaries

1. Certified that the salaries for the year of..... as detailed in the salary statement were disbursed to all the members of the staff on the dates noted against each month and the Provident Fund deposited in Bank.

Month	Date of disbursement of salary	Date of deposit of Provident Fund in Bank/ Post Officer
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2. The salaries to the following members of staff however, could not be disbursed on account of reasons stated against each :

Name of the teacher.	Amount	Reasons for Non-disbursement.
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3.. Certified that the management has contributed not less than 5% of the total expenditure of the previous quarter.

Place :
Date :

Chairman of
Managing Committee.

PART F

Grant-in-aid

Statement showing income from fees and fines etc. during the year..... No. of students in.....

(i) Secondary Department IX A B C X A B C XI A B C Total

(ii) Middle Department VI A B C D VII A B C D VIII A B C D Total

Fees and Fines actually realised Rs.....(as detailed below)

Class Apr. May June July Aug. Oct. Nov. Dec. Jan. Feb. Mar. Total

XI A
XI B
XI C

X A
X B
X C

IX A
IX B
IX C
IX D

Total

VIII A
VIII B
VIII C
VIII D

VII A
VII B
VII C
VII D

VI A
VI B
VI C
VI D

Total

Grand Total

Place :
Date :

Chairman of
Managing Committee.

PART G

Grant-in-aid

Statement showing the officiating arrangement made during the year.....

Whether post of leave reserve sanctioned.....Yes/No.

Sl.No	Name of the teacher proceeded on leave	Designation	Period of leave	Name of teachers employed in the leave vacancy
1	2	3	4	5

Y

No. & date of appointment letter of Department.	Date of appointment	Date of Discharge	Total salary paid during the year
6	7	8	9

Place :
Date :

Chairman of
Managing Committee.

PART H

Grant-in-aid

Details Showing the Regular Appointment Made in school during the Year.....

Sl.No	Post to which appointed	Date of appointment	Chain of vacancy	No.&.date of the approval of Education Officer	Total Salary paid during the year	Remarks
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Place :
Date :

Chairman of
Managing Committee.

PART I

Grant-in-aid

Statement of provident fund in respect of employees opted for triple benefit scheme.

Name of the employee	Basic Pay drawn plus Dearness Pay during the year	Provident Fund contribution of 8.1/3 of Basic Pay	Provident contribution of 5% of Basic pay	Difference 5% of culu- mn (3-4)	Remarks
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Place :
Date :

Chairman of
Managing Committee.

PART II

Grant-in-aid

Statement of provident Fund for the Year.....

Sl.No.	Incumbent's Name	Balance as on 1st April	Schools share during the year	Incumbent's share
1	2	3	4	5
Interest	Total 3+4+5+6	Amount withdrawn	Balance as on 31st March in the pass book	
6	7	8	9	

Place :
Date :

Chairman of
Managing committee.

PARK K

Grant-in-aid

Statement showing the Details of Monthly Subscription to the contributory Fund by the Management .

Sl.No	Name of the employees	Date of appointment	Date of confirmation	Whether opted for (Triple Benefit scheme)(Pension)	&
1	2	3	4	5	

Pay as on 31st March	March	April	May	June	
Pay Dearness Pay	6	7	8	9	10

July	August	September	October	November	December
11	12	13	14	15	16

January	February	Arrears deposited during the year	Total	Remarks
17	18	19	20	21

Place : _____ Chairman of Management
Date : _____ Committee

PART L

Grant-in-aid

Statement showing the Details of Employment of the School Under Suspension

Sl.No	Name of the employee	Period - Form To	Number and date of approval of the Department for suspension
1	2	3	4

Action taken to finalise the case in brief	Total allowance paid during the year	Remarks

PART M

Grant-in-aid

Statement showing the Contingent Expenditure during the Year.....

Name of the School

- 1. Total Number of Sections
- 2. Additional Sections
- 3. Total number of Science Sections
- 4. Additional Science Sections

Item	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
------	-----	-----	------	------	-----	------	-----	-----	-----	-----	-----	-----	-------

- 1. Repairs of furniture.
- 2. Stationery.
- 3. Library.
- 4. Electricity.
- 5. Water Charges.
- 6. Postage.
- 7. Periodicals.
- 8. Science Contingencies.
- 9. Petty Repairs.
- 10. Annual Repairs.
- 11. Miscellaneous.
- 12. Agriculture.
- 13. Audit Fees.
- 14. Telephone.
- 15. Oiveries.
- 16. Building Rent.
- 17. Hire Charges of Tents.

Place :
Date :

Chairman of
Managing Committee.

FORM III
(See Rule 72)

Statement of Movable and immovable properties

Name and address of the school &
As at the time of grant-in-aid as on ...

1. Extent of site including playgrounds and nature of ownership.
2. Total area of
 - (a) Class rooms
 - (b) Other building including hostels, if any.
3. Number of class rooms and size of each.
4. Whether the buildings are tiled, and floor is cemented or paved or otherwise ?
5. Furniture :
 - Table
 - Chairs
 - Almirahs
 - Benches
 - Desks
 - Black boards
 - Boxes
 - Stools etc
6. Science and other apparatus.
7. Appliances :
 - Maps
 - Charts
 - Pictures
 - Modules, etc
8. Number of books in the school library
9. Particulars of electric fittings, water supply and sanitation
10. Equipments for games and athletics
11. Audio-Visual equipments such as :
 - Television sets
 - Film strips projectors
 - Radios
 - Magic lanterns
 - Epidiascopes, etc.
12. Craft equipment
13. Investments in Government securities etc.
14. Other items, if any.

Chairman of Managing
Committee

Place : School
Date :

*School includes the land, building, playgrounds, and hostels of the school and the movable properties such furniture, books, apparatus, maps, and equipments pertaining to the school.

FORM IV

(See Rule 171(3) and rule 173

FORM OF INSPECTION REPORT

PART A

1. (a) Name of the School.
- (b) Date of establishment.
- (c) Date of last recognition as : Primary/Middle/Higher Secondary School.
- (d) Subjects taught (group-wise/stream-wise).
- (e) Areas from where students come to the school.
- (f) Names of feeder schools
- (g) Date of last inspection.
- (h) Date of present inspection.

*2. Follow up action taken by the school or Managing Committee on the last Inspection Report :

Suggestions given	Steps taken for improvement	Evidence of improvement
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*3. Staff statement giving qualifications of the teaching staff :

(a) Teaching staff - showing the name of the teacher, qualifications (showing subjects taken in B.A and M.A) : Date of first appointment with grade : Date of posting at the school ; present grade and pay and the date from which appointed ; classes and subjects taught and number of periods per week.

- (i) Total number
- (ii) Teacher-pupil ratio
- (iii) Minimum, maximum and average periods per teacher per week
- (iv) Whether teaching staff is adequate
- (v) Period for which post lying vacant- categorywise
- (vi) Names of teachers transferred from the school during the year and last two years.

(b) Clerical and other Class IV staff- Showing, name qualifications, date of first appointment in school with grade present pay date, from which present post held :

*4. Scale of fees and contributions to Pupils' Fund, stage-wise :

- (a) (i) Whether fees and funds charged are in accordance with the rates prescribed under the rules ?
- (ii) Whether any compulsory levy or other charges have been collected from students, if so the details.

- (b) Pupils' Fund :
 - (i) Details of various funds.
 - (ii) Whether accounts maintained property ?

* A separate sheet may be attached for giving information.

5. Total amount spent out of Pupils' Fund and balance on the day of inspection

*6. Furniture :

- (a) Requirements
- (b) Available in stock
- (c) Unserviceable

7. Managing Committee :

- (a) Names of members and addresses of the Managing Committee.
- (b) Whether Committee formed according to the Rules.
- (c) Number of meetings held in the past one year.

8. Finances :

Source of income -

- (i) Grant-in-aid
- (ii) Fees, contribution
- (iii) Other charges and payments.
- (iv) Endowments
- (v) Donations
- (vi) Gifts
- (vii) Any other.

9. The School Plant :

- (i) Is the building adequate.
- (ii) Are playgrounds available, if not, how are games and other physical training programmes organised.
- (iii) No. of rooms required
- (iv) Any repairs or other needs urgently to be attended to.

10. Service conditions of staff :

- (a) Whether the Managing Committee is following the specified rules of recruitment, promotion, confirmation, superannuation and agreement forms duly executed ?
- (b) Whether payment of salaries are made regularly and in time ? Indicate the dates on which salaries were paid during the last 12 months.
- (c) Whether provident fund accounts maintained and subscribed regularly ?

*11. Examinations :

Class	2nd year	3rd year
-------	----------	----------

- (a) Class -wise pass percentage for the last three years. No. of students remaining in the same class for more than a year.
- (b) What percentage of school funds are utilised in conducting :

- (i) Periodical tests
- (ii) Half-yearly and annual examinations.

12. Remedial teaching and other help given to weak students :

- (i) Class
- (ii) Subject
- (iii) Number of students.

PA-R T B.

Supervision/Inspection of the Academic Work (Actual teaching and its different aspects)

The Supervisor/Inspector whether alone or in a team shall thoroughly supervise the teaching of an individual teacher and the work done by students. Inspection shall be as objective and critical as possible. It shall be effective aimed at bringing about improvements in the standards of teaching-learning situation.

Points to be observed and notes made on the following :-

- (1) (a) How has the teacher planned his lesson ?
(b) The type of lesson/notes written by the teacher and how far are they useful ?
- (2) Whether the teacher has covered the specified course and syllabus for the term and has adhered to it in the programme of teaching ?
- (3) Was the lesson taught on the day of inspection already scheduled and planned for the day ?
- (4) (a) Were the questions put to the students thought provoking and well distributed ?
(b) How far the teacher encouraged the students to put question to him on the subject ?
- (5) What types of audio-visual aids were used by the teacher in the class and how far were they effectively used ?
- (6) (a) Did the teacher write a proper black-board summary ?
(b) How far was it a true synopsis of the lesson taught ?
- (7) Are the assignments given by the teacher and if so, are they judicious and scientifically given ?
- (8) (a) Does the teacher give the class-work to students regularly ?
(b) Is it regularly corrected and followed up ?
- (9) (a) How much work is given by the teacher ?
(b) Is it regularly corrected and followed up ?
- (10) How far is the assignment for class work and home work assessed and evaluated ?
(b) Has any record of such assessment been kept by the teacher and if so, how ?
- (11) (a) What methods were used by the teacher in teaching the lesson and how far was the method effective ?
(b) How far was the lesson taught by the teacher effective ?
(c) How far did the students grasp the subject ?
(d) How far did the teacher achieve the objectives of the lesson ?

- (12) (a) Are periodical tests held? If so, at what intervals?
(b) What type of papers are given to the students?
(c) How are they evaluated?
- (13) How are the tests and examinations in schools organised?
- (14) How far are modern techniques in setting and evaluation of papers used?
- (15) How is the record of tests and examinations kept in the school? Is it properly maintained?
- (16) (a) Are progress reports of students regularly sent to the parents?
(b) Are they signed by the class teacher and the Head of the Institution?
(c) Are they kept in proper and safe custody?
- (17) (a) What remedial steps have been taken by the teacher to remove the weakness of students in different areas?
(b) Does he keep any record of such students and of the progress achieved by them?
- (18) (a) What efforts has the teacher made in helping the gifted children?
(b) Is there any record of their progress and achievement kept?
- (19) (a) What projects, if any, has the teacher taken up in the school?
(b) How far are the students and teacher involved in the project?
(c) How far have the objects of the project been achieved?
- (20) (a) Have any innovations and new experiments been made by the teacher?
(b) If so, with what results?
- (21) How does the teacher encourage love for the subject and love for reading amongst the students?
- (22) (a) What efforts has the teacher made in improving the handwriting of his students?
(b) How far has he succeeded in it?
- (23) (a) Does the teacher write his diary properly and regularly?
(b) How far does it help him and the authorities in assessment of his work?
- (24) (a) Did the teacher keep a class-library?
(b) If so, how is it organised and with what results?
- (25) (a) How does the teacher control his class?
(b) How are his relations with his students?
- (26) (a) Has the teacher participated in any seminars, refresher course, summer-institutes or in-service training programmes?
- (27) (a) Has the teacher contributed any articles or published any text-book etc.
(b) If so, give particulars.
- (28) (a) Has the teacher (in the case of Primary School) been able to ensure optimum enrolment in his class and avoid dropouts by the retaining those children who have joined the school?
(b) If so, indicate steps taken by him in this direction.

- (29) (a) Has the teacher received any recognition, award or prize from the School, community or the government.
(b) If so, give particulars.
- (30) A critical and objective impression as a whole of the teaching learning situation observed by the Inspector may be recorded.

PART C

Library Facilities

1. Does the school have an adequate library, standard books and a reading room for students and teachers both ?
2. What kind of dailies, weeklies and educational and other journals subscribed by the school ?
3. How far are they used by the students and with what results ?
4. How has the library service been organised in the school ?
5. What is the system of issue of books, reference books and journals etc ?
6. How far has the librarian succeeded in inculcating the habit of general amongst the students who go to the library ?
7. (a) What help is being rendered by the librarian and the teacher to the students as far as reading of books and journals, etc. is concerned ?
(b) How far has it been effective ?
8. (a) What is the system of purchase of books in the school ?
(b) Is it proper and helpful in building up a good library ?
9. How are the books and new arrivals displayed by the Librarian ?
10. Are the seating arrangements in the Library and Reading Room adequate and proper ?
11. Is there any library period in the school time-table ? If so, who attends it ?
12. The average number of books issued by the Librarian daily to the students.
13. (a) Is physical verification made every year ?
(b) Who makes it ?
(c) Has it been properly done ?

PART D

Physical Activities, Games and Sport in the school

1. Does the school have adequate play-ground ?
2. If so, how are they maintained ?
3. If not, how is the physical education programmes including Physical training exercises, gymnastics, games and sports organised by the school ?
4. How are the games and sports organised by the school ?
(if the play-ground is available)
5. Are games available to all the students or only to a few ?

6. How does the school propose to provide games to all ?
7. (a) Are games and sports materials adequate in the school ?
(b) If not, give the deficiencies.
8. What percentage of the school-fund are utilised for ?
 - (a) Organisation of games and sports ;
 - (b) Purchase of games material and other equipments ;
 - (c) Participation in the tournaments and competitions ;
 - (d) Refreshment to the players.
9. What are the achievements of the school at ?
 - (a) Zonal
 - (b) District
 - (c) State
 - (d) National level competitions or tournaments.

PART E

Co-Curricular Activities

1. What specific co-curricular programmes or activities are organised by the school, give particulars ?
2. What is the percentage of the participation in each programme by the :
 - (i) Students
 - (ii) Teachers
3. On what systems are the co-curricular activities organised (House system class or perfect system) ?
4. How do these activities fit within the school time-table ?
5. How much time is devoted on these activities by the students and teachers:
 - (i) Within the school hours
 - (ii) Outside the school hours.
6. How are Group activities organised by the School ?
7. How far do these programmes help individual talent to grow ?
8. How and in what manner are these activities evaluated ?
9. What record is kept of the participation :
 - (i) of students
 - (ii) of teachers along with names ?
10. How far does it give the correct picture of the achievements of the students and the teachers ?
11. Is any weightage given for achievement in this programme to the students for promotion to the students for next class ?

12. What facilities, if any, have been provided for :
 - (i) SUPW Programme
 - (ii) Workshop Practice.
 - (iii) Development of Hobbies
 - (iv) Dance, Hrana and Music
 - (v) Other activities such as National Cadet Corps, Scouting, Girl Guides etc :
13. What percentage of the school funds are utilised for various activities under the co-curricular programme ?
14. How does school celebrate various functions and important days (e.g. United Nations Day, Independence Day, Republic Day, Anniversaries of great men etc .
15. Is any record of such activities kept by the school and in what manner ?
16. What type of incentives are given by the school to the students for the meritorious performance in :
 - (i) Studies
 - (ii) Games and Sports
 - (iii) Co-curricular Activities.
 - (iv) Other activities.

PART F

Relation of school with parents and the Community in General

1. Does the school have a Parent-Teacher-Association ?
 - (i) How is it organised ?
 - (ii) What co-operation and help is received by the school from the parents in various school programmes ?
2. How much and what is the involvement of parents in the school activities ;
 - (i) Academic
 - (ii) Games and Sports
 - (iii) Co-curricular Programmes.
3. How are the Parent-Teachers Association fund utilised and on what purposes?
4. How far does school participate in various activities of the community (in rendering Social Service or other types of help)
5. What success has been achieved by the school in enlisting and ensuring support of the community in this programme ?

14

PART G

School Administration

1. How has the Head of School distributed the school work amongst his colleagues ?
2. Has the Time table been drawn :

- (i) In advance of the academic year ?
 - (ii) Has the work been equally distributed amongst the teachers ?
3. Does the Head of school take classes himself and teach as require under rule 59(2)(xxv):
- (i) Subjects and classes taught.
 - (ii) Number of period taught.
4. (i) How many subjects can the Head of School effectively supervise ?
- (ii) What does he do in respect of other subjects, how are they supervised?
5. How have the subject facilities been organised ?
6. (i) What type of record is kept by the Head of school for supervision of teaching work ?
- (ii) Inspection of Home-work
 - (iii) Class-work of students
 - (iv) How does he plan the inspection of this work ?
7. How far has his supervision been effective and useful ?
8. (i) How are staff meetings organised by the Head of school and how often ?
- (ii) How and in what manner is the record of such meetings kept ?
 - (iii) How far have these meetings been effective in bringing about cordial relations amongst the staff, students and the Head of school ?
9. (i) How are other activities organised by the Head of School ?
- (ii) Games and sports.
 - (iii) Co-curricular Activities
 - (iv) Other activities involving the community.
 - (v) National Cadet Corps, Scouting and other activities.
10. How much co-operation and help is received by him from his staff, parents and the community in the School Programmes ?
11. (i) How does he manage, control and organise the office work ?
- (ii) How much time is devoted by him for.
 - (a) Office Work
 - (b) Supervision Work
 - (c) Teaching Work
 - (d) Other Activities
12. (i) How does he maintain the school record ?
- (ii) Is proper and upto date statistics maintained and if so, in what form ?
 - (iii) Does he furnish statements, returns and other required statistics to various authorities in time ?
13. (i) Has the Head of school formulated any "Institutional Plan " for the school ?
- (ii) If so, with what results ?

14. What incentives have been given by the Head of school to the students for meritorious performance in studies, Games and Sports, co-curricular and other activities of the school.
15. Are cumulative record cards of the students maintained by the school, if so, in what manner
16. (i) Does the school publish a magazine ? If so, how many times in the year,
(ii) What is the contribution of the students in it ?
(iii) How much does an issue cost the school ?
17. (i) What arrangements have been made by the school for a regular Medical check-up of the students ?
(ii) Is there a qualified Doctor, Pharmacist or Nurse ?
(iii) How many times is the Medical Check-up done in a year ?
18. What percentage of school funds are spent on Medical Aid and check-up of students ?
19. What percentage of school funds is spent on purchase of medicines and other appliances every year ?
20. Educational and Vocational Guidance :
(i) What facilities have been provided for Educational and Vocational Guidance of students ?
(ii) How far have they helped the students in the choice of subjects and vocations ?
(iii) Is there a Guidance Counsellor in the school, if so, how much time does he devote in the school for providing guidance to the students ?
21. (i) Are there any Career Masters in the school ?
(ii) Do they maintain proper record of the psychological tests served and guidance given ?
(iii) Is this work followed up, if so, how ?
22. Does the school use prescribed books duly verified by the Director of the Affiliating Board ?
23. (i) How are his relations with the Members of the Managing Committee ?
(ii) How does he maintain records and proceedings of the meetings of the Managing Committee ?
24. How does the Head of school maintain the school plant ?
25. What efforts have been made by Head of school to raise the academic and other standards of school ?
26. What are his main problems and difficulties in running the school smoothly and efficiently ?

PART H

Accounts of the school and their Maintenance

- (a) What are the sources of income of the school ?
- (b) Are payment of salaries to staff made by the 7th day of each month ?
- (c) How are the records pertaining to the fees and funds as specified by the Director maintained by the school ?
- (d) When was last Audit done ?
 - (i) By A.G.C.R.
 - (ii) By Internal Auditors.
 - (iii) By Chartered accountants.
- (e)
 - (i) Have the observations or requirements of the Audit been settled
 - (ii) What are the pending Audit objections ?
 - (iii) Reasons for delay, if any, in their settlement
- (f) Have the purchases been made according to rules ?
- (g) The Test check of the Vouchers, Cash Book and Stock Registers may be made and remarks about their maintenance be given .
- (h) Are the stocks verified annually and if so, what action has been taken on the deficiencies, noted if any ?
- (i) Is the Cash Book regularly maintained and verified by the Head of School ?
- (j) Who handles the Cash in the school and what are the arrangements of keeping it safe ?
- (k) How are the accounts of fees and funds maintained in the school
(General report may be given) ?

PART I

The School Plant and its Maintenance

1. (i) Is the school being run under a Pukka Building or prefabricated Building ?
 - (ii) Tents
 - (iii) Partly in tents and partly in buildings.
2. Whether proper lighting, ventilation and laboratory facilities exist and if so, are they adequate ?
3. Whether the class-rooms have enough space for existing enrolments ?
4. (i) Whether drinking water facilities have been provided in the school ?
 - (ii) Are the water taps sufficient in number to meet the requirements of school if not what other arrangement have been made by the Head of school for this purpose ?
5. (i) Whether electric connection exist in the school and if so, are the electric installations kept safe from danger ?
 - (ii) Are they regularly inspected by :-
 - (a) The Head of school.
 - (b) The P.W.D.

6. (i) Whether the minor repairs to the school building and its appurtenances being regularly done by the P.W.D.
(ii) Does the school also get repairs done, at its own cost, and if so, how much money has been spent during the year?
7. Whether the school building and the school premises are kept neat and tidy?
8. Has any project for beautification of school been taken up by the Head of school, and if so, with what results?

PART J

Attendance and Discipline

1. Does the Head of the school and members of the staff come punctually to the school?
2. If not, what steps have been taken by the Head of school to ensure punctuality and attendance of the whole teaching and non-teaching staff?
3. What is the average of students in the school?
4. What steps have been taken by the Head of the school to check amongst the employees and students:
 - (i) Late attendance.
 - (ii) Truancy.
5. Does the Head of the school maintain discipline amongst students and employees of the school?
6. Brief remarks about the behaviour of the students and employees and on the general tone tenor of the school may be recorded.

PART K

Observance of Rules and Instructions

1. Does the school maintain all the records and registers, etc. and other documents which have been specified by the Director?
2. Does the school have a copy of the Mizoram School Education Act, 1986 and the Rules made thereunder?
3. Does the school possess necessary books of rules and regulations on different subjects, viz. Fundamental Rules, General Financial Rules, Treasury Rules, Leave Rules, Latest Pension Rules, Classifications, Control & Appeal Rules, and the like?
4. How does the school maintain different orders and instructions issued by the Director or other authorities from time to time?
5. Does the Head of school maintain a table showing the statements, returns and statistics which he has to submit to the Directors and other authorities on different dates of the year?

6. Does the school follow the rules and regulations in so far as appointments, leave General Provident Fund, admissions, promotions to the next higher class and other rule or instructions issued by the Director from time to time?
7. Have lapses been found in carrying out the instructions the the Director, If so, give particulars.

Guidelines for the Supervisors and Education Officers:

The Supervision of Inspection shall:-

- (i) aim at providing academic guidance to the teachers and help the institution in promotion of higher standard of education;
- (ii) not be fault-finding of teachers and their work, but concrete suggestions for improvement of teaching, class work, home work and its correction thereon shall be given;
- (iii) help the institution in organisation of co-curricular and extra-curricular programme in a manner conducive to the all round development of the school.
- (iv) The supervisor/Inspector shall:
 - (a) formulate a clear definite plan of supervising the subjects and classes of each teacher;
 - (b) focus his attention on the teaching-learning situation and not only upon the teacher as a person;
 - (c) emphasize upon the professional growth of teachers by developing powers of self-direction;
 - (d) give the teachers requisite freedom to try out new experiments, methods and innovations in the process of teaching;
 - (e) help the teachers to understand the role of the school, the objectives to be achieved through the teaching-learning process in this school.

Responsibility of the Supervisory Staff

- (i) An objective assessment of the adequacy, efficiency and effectiveness of the work of teachers, and also of the total school programme in all its aspects.
- (ii) Encourage exchange, between different schools and sharing all experiences in raising the standard of education.
- (iii) To provide link between the Education Department and Mizoram Administration schools, teachers and management and keep in close touch with the parents and community in general for ensuring their cooperation.
- (iv) Ensure that public funds are utilized by the schools prudently for the purpose for which they were received and that the rules and departmental instructions are properly complied with by the schools.

- (v) So organize the administrative work pertaining to his office and conducting of enquiries, sending reports to the schools or Education Department and Mizoram Administration in such a manner that it may not interfere with his supervisory work.
- (vi) As provided under Sub Section (1) of section 24 of the Mizoram School Education Bill, 1981 sub-clause, (1) Each school shall have to be inspected at least once in each financial year.
- (vii) The Education Officer shall specify the months, dates and timing of inspection for the schools during which period the school shall be inspected.
- (viii) At the commencement of the year each education officer or Inspector shall prepare a schedule of inspection for ensuing year, indicating the school within his jurisdiction which will be fully inspected either by a team or panel or by himself individually; and shall also mention the time and month when inspection is proposed to be carried out.
- (ix) The Education Officer or Inspector shall submit a copy of his plan to the Deputy Director and to the Director of Education for their approval.

How Inspection to be made :

- (i) During inspection the school work should be carried on as usual, so that the Inspecting Officer or a panel of Inspectors may be able to see all the aspects of the school programme and its organisation. No disturbance in the normal functioning of the school need be done, except under very special circumstances if the Inspector so considers necessary.
- (ii) In addition to a full-fledged inspection which may last for two to three days, Education Officer/Inspector should also visit without advance notice, the school within his jurisdiction to see the working of the school or any particular aspect of its working or to observe the progress of any significant work or experiment taken up by the school or by way of followup action on the suggestions given by him earlier.
- (iii) After each inspection whether full-fledged or a surprise visit, Education Officer/Inspector shall point out the weakness or deficiencies noticed by him with a purpose to remedy those defects. The points of strength shall also be carefully described to enable other schools to derive benefit out of them. Work of merit shall be given commendations due to it and negligence or dereliction of the responsibility and incompetence shall be clearly marked out.
- (iv) Every Inspecting Officer shall devote in a school as much time as a just assessment of its programme and nature of difficulty require him to do.

Panel Inspection :

- (i) In senior Secondary/Junior College which provide instructions in a variety of school subjects, full inspection shall be made by a team or panel of subject experts.

- (ii) The approval of the Director may be taken before the team or panel for inspection work is constituted.
- (iii) The Education Officer or Inspector shall be the Chairman of the team which may consist of not less than three members, according to the size and organisation of the school to be inspected.
- (iv) The members of the team or panel shall be selected from amongst those persons who have a special knowledge and experience of secondary education and who are considered to be experts in school subjects.
- (v) The subject experts/specialist member of the team or panel shall inspect the work of the school relating to their own field of specialization. In addition, it shall be the responsibility of the whole team or panel to acquaint itself with the school programme in its totality the academic side, the organization, corporate life and the quality of education it offers to the students.

Discussion with Heads of the Institutions. Teachers
and others:

The Education Officer or Inspector before concluding the inspection of a school shall discuss with head of the institution and teachers or wherever necessary with the manager, his impression of the working of the school and give concrete suggestions for improvement of standard and other activities.

Inspection Report

- (i) The Zonal Education Officer shall receive the comments of the members of the team or panel and thereafter as Chairman shall prepare on behalf of the panel and in consultation with them, a detailed report on the inspection or supervision carried out by the team or panel as given in Form IV.
- (ii) The inspection report shall be prepared in the final form within 15 days of the conclusion of the inspection and shall be sent to the Director of Education and copy to the Deputy Director of Education of the District and the school concerned. Notes on the visits or surprise inspection of the schools shall be sent by the Education Officer separately or may be recorded in the log-book of the school concerned.
- (iii) A copy of this note shall also be sent the perusal of the Deputy Director of the District and the Director of Education.
- (iv) The Education Officer shall add a summary of the salient features of its detailed inspection report and shall also indicate in margin the names of the authorities which are expected to take immediate action on the points and observations made in the inspection report.
- (v) The Education Officer or Inspector shall see that follow up action is taken after the inspection is over.

APPENDIX I
(See Rule)

List of approved items of contingent expenditure

1. Repairs and renewal of furniture and other appliances.
2. Stationery.
3. Library books and periodicals.
4. Electric charges
5. Postage
6. Petty repairs of school buildings.
7. Annual repairs to schools where on rent, actual or estimated, is allowed.
8. Science contingencies, (Consumable and non-consumable).
9. Equipment; appliances & material for teaching of ;
 - (a) History.
 - (b) Geography.
 - (c) SUPW Programme.
 - (d) Workshop Practice.
 - (e) Geometrical and Mech. Drawing.
 - (f) Drawing and Painting
 - (g) Games and Sports equipment and material.
- 10 Agricultural Farm.
11. Auditors fee
12. Liveries
13. Telephone charges
14. Water charges
15. Miscellaneous.

APPENDIX II

(See Rule 159(1))

Returns to be submitted by Un-Aided Recognised Schools

1. Budget estimates of receipts and payments of ensuing year.
2. Final Accounts i.e. receipts and payment account, income and expenditure and balance sheet of the preceeding year, (duly audited by the Chartered Accountant).
3. Enrolment of students as on 30th April.
4. Pattern of concessions/scholarship, etc.
5. Staff statement.
6. Schedule or fees/funds etc.
7. Statement showing the dates of disbursement of salaries.

PROCEDURE FOR PAYMENT OF SALARIES ETC.

Mizoram Administration in Exercise of the Powers Conferred by Rule 105 of the Mizoram Education Rules 1986 made the following procedure.

- (1) for payment of pay and allowances, pension and gratuity, re-imbursment of medical bills, accounting of provident fund and payment of other allowances to the employees of the aided schools; and
 - (2) for the deposits by the managing committee of recognised aided schools of their share of the pay and allowances pension, gratuity, provident fund and the benefits specified in rule 104 of the said Rules :-
- 2 This procedure shall come into force on 1.1.1987

PROCEDURE

1. (1) School Staff Account

(i) The Managing Committee of the school shall open, apart from the school Fund Account, an account to be called "School Staff Account" in a nationalised or a scheduled Bank or Post Office. The School Staff Account shall consist of share of the Managing Committee and grant-in-aid of the Government in relation to :-

- (a) pay and allowances ;
- (b) medical facilities ;
- (c) pension ;
- (d) gratuity ;
- (e) provident fund ;
- (f) other prescribed benefits

(ii) fees and fines and other receipts in relation to pay and other allowances what so ever.

(2) The School Staff Account shall be operated jointly by the-

(i) Head of the school or in his absence by a member of the staff authorised by the Managing Committee to act as Head of the school ; and

(ii) Director of Education or any other officer authorised by him in this behalf ;

(3) The pay and allowances shall be disbursed from the school Staff Account by the 7th of the month following that to which they relate.

2. DEPOSITS

The Managing Committee of the School shall deposit in advance in the School Staff Account :-

Upto 15th day of the precedings month, its share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits. The share of the Managing Committee shall be computed on the basis of monthly approved expenditure reduced by the amount of grant and the estimated income in account of fees, fines and other receipts. The amount to be deposited by the Managing Committee each month shall be provisionally determined on the basis of average monthly figures in the preceeding quarter. The adjustment shall be made at the time of finalisation of account of that year.

3. PAY AND ALLOWANCES

(1) Every aided school, shall apply for grant-in-aid in Form I appended to the Rules to the Director every quarter by 5th March, 5th June, 5th September, and 5th December on the basis of the actual expenditure incurred by it on account of pay and allowances and other additional benefits conferred upon it by the Act or the Rules during quarter. The advances grant shall be assessed and released accordingly. The school shall also submit its monthly bills for pay and allowances etc, in the form in use in Government Schools, every month.

(2) The arrears, if any, shall be claimed separately in Form I along with 'due and drawn statement' and other relevant documents. Form I shall be accompanied by the following certificates :-

(i) The management has deposited his share for pay and allowances etc. claimed in Form I .

(ii) The travelling allowance and medical bills have been got countersigned by the Competent authority and the expenditure does not exceed the allotment of funds placed at the disposal of the schools.

(iii) Necessary documents in respect of tuition fee and children Education Allowance has been obtained and kept on record.

(3) The monthly and supplementary bills received by the Director or any other officer authorised by him in this behalf shall be returned to the head of schools after checking countersignature by the officer authorised by the Director for arranging payment to its employees.

(4) On receipt of the cheque of grant-in-aid from the Director the Chairman shall deposit the cheque in the School Staff Account immediately. The Head of the school shall disburse the monthly salary and other payments due to each employee through crossed cheques. The date of payment of salary shall be intimated to the Education Officer and Accounts Officer concerned every month. The Education Officer concerned shall ensure that the disbursement of pay and allowances is made in time without any difficulty.

4. SUSPENSION OF GRANT

In case the Managing Committee of any school fails to deposit its share by the date prescribed in para 2 in the manner laid down therein, the Administrator, shall forthwith, apart from taking any other action, suspend the grant-in-aid of the school and may disburse or cause to be disbursed, pay and allowances through his officers, directly to the employees of the school.

5. IMPREST.

An imprest amounting of Rs 100/- in the case of school where the students on roll are upto 1000 and Rs 200/- where the number exceeds 1000 may be placed at the disposal of head of the school by the Managing Committee of the school, if necessary, to meet day-to-day petty expenses.

6. CHILDREN EDUCATION ALLOWANCE

(1) The Children Education Allowance shall be admissible to the employees of the aided schools with the approval of the competent authority as in the case of Government Schools and according to the rules and orders applicable to the employees of similar categories of Mizoram Administration. The employee drawing the children education allowance shall apply in the form prescribed by the Government from time to time in respect of their employees duly supported by a Certificate from the school in the form prescribed for the purpose by the Government which will be countersigned by the Education Officer concerned where the child studying. This certificate shall be submitted along with the first claim and then in July and January every year.

(2) After scrutiny of the claim a sanction shall be issued on preferring on the first claim and at beginning of each academic year when the child comes to the new class. The amount so sanctioned shall be claimed in the monthly form to pay bill. A Copy of the sanction will also be attached with the bill.

(3) Children Education Allowance register shall also be maintained in the following manner :-

Sl.No.	Name of the employees	Date of appointment	Pay of the employee	
1	2	3	4	
Name of the child & class in which studying	Date of birth	Rate of children Education allowance admissible	Period for which claimed	Signature of head of the school
5	6	7	8	9

7 TUITION FEES

(1) Free education or re-imbusement of tuition fee as payable by Mizoram Administration to its employees shall be admissible to the employees of aided School according to the rules and orders applicable to the employees of similar categories of Mizoram Administration and with the approval of the competent authority.

(2) The employees claiming re-imbusement shall apply in the prescribed form. He shall also furnish a certificate from Head of school in the form prescribed by the Government from time to time, at the time of preferring the initial claim and subsequently at the beginning and in the middle of each academic year or when the child is transferred from one school to another. After necessary scrutiny of the initial claim the amount of the tuition fee shall be claimed monthly in Pay bill form.

8. RE-IMBURSEMENT OF MEDICAL CHARGES

(1) The employees of the aided schools shall be entitled to the re-imbusement of medical expenses incurred in connection with medical attendance and treatment of employees and their families with the approval of the competent authority and in accordance with the provisions of the Central Services (Medical Attendance) Rules, 1944 as amended from time to time and the rules and orders issued on the subject by the Government. For purposes of these rules, the authorised medical attendants shall be the same as declared for the similar categories of the Mizoram Administration.

(2) The employees shall prefer the claim in the prescribed form duly supported by the prescription slip, essentiality certificate and cash memo of the medicines purchased, duly signed and verified by the authorised medical attendant. After necessary scrutiny by head of the school, a bill shall be drawn in the form prescribed by the Government from time to time and entered in the Medical Bill Register to be maintained for the purpose. The bill along with the list of medicines and documents submitted by the claimant shall there-after be forwarded to the Director for counter-signature and return to the respective schools. The claim of Head of the school shall be prepared in the prescribed form and submitted to the Director alongwith the relevant document for counter-signature.

(3) After receipt of the bill from the Director the school shall claim the grant separately in the form prescribed by the Government from time to time. The medical expenditure to be claimed shall not exceed the allotment of funds placed at the disposal of the school by the Director from time to time. The procedure for disbursement shall be the same as in the case of pay and allowances.

9. TRAVELLING ALLOWANCE AND LEAVE TRAVEL CONCESSION

(1) The Travelling Allowances and Leave Travel Concession will be admissible to the employees of the aided schools with the approval of the Competent authority and according to the provisions prescribed for the employees of Mizoram Administration for similar categories. The employees shall prefer the claim in the form prescribed by the Government from time to time. The head of school shall verify the claim for journeys, and forward the bill to the Director for countersignature and return. The claim of head of the school shall be submitted to the Director.

(2) After receipt of the bill, the school include these claims quarterly in Form II appended to the rules. The amount claimed shall not exceed the allotment of funds placed at the disposal of the school by the Director from time to time. The procedure for disbursement shall be the same as in the case of pay and allowances.

10 PENSION, GRATUITY AND GENERAL PROVIDENT FUND

(1) The employees of the aided schools shall be entitled to pension and gratuity with the approval of the competent authority and in accordance with the provisions applicable to the employees of similar categories of Mizoram Administration under existing pension rules. This rule shall be applicable to the employees of the aided schools who are appointed on and after the date of commencement of the Act and also to the existing employees if they opt for it within the stipulated period. The instruction relating to finalisation of pension and gratuity and disbursement thereof will be issued separately by the Directors.

(2) The share of the management towards pension and gratuity shall be determined according to the instructions issued by the Director from time to time.

(3) The General Provident Fund account of the employees who would contribute to it shall be kept in a nationalised or a scheduled Bank or Post Office and shall be maintained in the school according to the instructions issued by the Director from time to time.

11. CONTRIBUTORY PROVIDENT FUND TRIPLE BENEFIT SCHEME

The existing employees of aided schools, who opt to remain under contributory Provident Fund or Triple Benefit Scheme will be governed according to the rules and instructions in force on the subject immediately before the commencement of the Rules. The Provident Fund accounts shall continue to be maintained as at present.

12. ANNUAL ASSESSMENT

Every aided school shall submit all relevant documents to the Director as required under rule 32 of the Rules, for annual assessment of the grant.

13. ACCOUNTING AND AUDIT CHECKS

Necessary checks would be conducted through internal audit and the Director shall ensure that the accounts maintained by the schools are proper and correct.

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