

**MIZORAM**  
**EDUCATION & SOCIAL WELFARE DEPTT.**

**N.I.E.P.A. DOC. CEN.**

GOVERNMENT OF MIZORAM  
EDUCATION & SOCIAL WELFARE DEPARTMENT

NOTIFICATION

Dated Aizawl, the 26th Sept., 1985.

NO.ESS.325/74/56: The Lt.Governor (Administrator) of Mizoram is pleased to make Rules for Recurring Grants-in-aid for General maintenance of Recognised Educational Institutions in Mizoram as approved by Government of India, Ministry of Education & Social Welfare vide their letter No.F.48-14/75-UT. I dated 25.8.75 with the concurrence of Ministry of Finance vide their U.O.No.DY.8302+Edu.Unit/75 dated 30.7.1985.

1. PREAMBLE :

(a) Whereas the Union Territory of Mizoram is an economically backward hill area with more than 94% of its population belonging to Scheduled Tribes,

and

(b) Whereas the Government of Mizoram is anxious to quicken the ~~pace of~~ development of this backward area by generating local competence through improvement in the general level of education of the growing generations of its citizens,

and

(c) Whereas the Government deems it expedient to extent suitable assistance within the limit of its financial resources in the shape of recurring grants-in-aid for general maintenance to deserving educational institutions in Mizoram.

Now that the Lt.Governor of Mizoram, in the exercise of powers conferred upon him under Rule 12 of the D.I.P. Rules 1958 ( as amended) is pleased to frame the following rules to regulate such grants-in-aid to educational institutions in Mizoram.

2. SHORT TITLE :

These Rules may be called recurring Grants-in-aid for general maintenance Rules for the Educational Institutions in Mizoram.

3. Definitions :

In these Rules, unless the context required other/wise.

- i) " Administrator " means the Lt.Governor of Mizoram
- ii) " Government " means the Government of Mizoram
- iii) " Department " means the Deptt of Education and Social Welfare and the " Directorate " means the Directorate of Education and Social Welfare.

- iv) " Director " means the Director of Education & Social Welfare Mizoram.
- v) " Inspector " means the Inspector of Schools, Mizoram and includes for the purchase of these rules Asstt. and D.I.S. Mizoram.
- vi) " Institution " means any educational institution in Mizoram recognised by the Government.
- vii) " Committee " means the Managing Committee/ Governing Body, of an Institution duly constituted and approved by the Government.
- viii) " Chairman " means the Chairman of a Managing Committee/ Governing Body.
- ix) " Treasurer " means any one member of the Committee/ Governing Body declared to hold the office by a voted resolution of the Committee.
- x) " Secretary " means the Secretary of the Committee
- xi) " Grant " means recurring grants-in-aid for general maintenance of the institution, and includes all financials assistance given on this account to an institution in cash and/or in kind.
- xii) " Board " means a Board of Education/Examination to which and institution is affiliated for the purpose of any public examination conducted by the affiliated Board.
- xiii) " Affiliating University " means a University to which a college in Mizoram is affiliated for the purpose of the various examinations conducted by the University

#### 4. SCOPE AND COMMENCEMENT :

These Rules shall apply to institutions in Mizoram in the manner and to extent stipulated in the various sections and Sub-Sections of these Rules and shall come into force with effect from such date as the Government may be notified in the official gazette of Mizoram / publish.

#### 5. ELIGIBILITY :

The Government reserves the right to decide which of the institutions shall be considered for the purpose of grants-in-aid and subject to this over-riding power of the Government, and a institution shall conform to the following conditions before considered eligible for any kind of recurring grants-in-aid for general maintenance.

- (i) It shall have a Managing Committee/ Governing Body, duly constituted and approved by the Government.
- (ii) It shall normally have its own buildings and lands, the ownership of which should be legally vested in its duly constituted managing Committee/ Governing Body, such lands and buildings being considered adequate by the Department for effective Education at the various levels for which it runs the institution, provided that the Government may in very deserving cases relax this condition and consider the desirability of making recurring grants to otherwise well-run institutions accommodated in suitable rented buildings pending construction of their own buildings.

- iii) Within two years from the date of publication of these Rules, the Managing Committee/Governing Body of the Institution shall get itself registered under the Societies Registration Act 1860 (XXI of 1860) or a public trust constituted under any law for the time being in force unless of course it is already registered under any of these.
- iv) It shall be considered by the Department to serve a real need of the locality area wherein it is situated.
- v) It shall not start functioning without prior approval of the Department.
- ~~vi)~~ It shall not adversely effect the enrolment of any institution of the same type within two miles of its location.
- vii) It shall follow courses, curricula, syllabi and text-books for the various stages of education as prescribed by the authority competent to do so - D.E. for Classes A through VII, affiliating Board of Classes VIII through X and the affiliating University for collegiate classes and courses.
- viii) It shall not be run for profit to any individual or group of individual.
- ix) It shall not make any discrimination in admitting students on ground of religion, caste or creed.
- x) It shall make adequate arrangement for classes-room accomodation, play-field, and sanitation.
- xi) It shall take effective steps to promote discipline and orderly behaviour on the part of the students and the staff as also to maintain a high moral tone in the institution. Failure in this respect may result in suspension or withdrawal of the grant.
- xii) It shall be open to inspection by any officer authorised to do so by the Department.
- xiii) It shall maintain such records and registers as directed by the Director.
- (xiv) It shall promptly and accurately furnish such statistics, reports, and informations as may be called for by the Department or any other authorised officer.
- xv) It shall maintain full account of all its income and expenditure, the latter being supported by duly maintained acquitance rolls/vouchers. This must be annually audited by a competent persons/officers approved by the Director of Education. The annual audit report shall be considered by the Managing Committee of the Institution in a regular meeting soon after the submission of the report and attested copies of the audit report and managing Committees' resolution adopting the same shall be submitted to the Director of Education with copies to Inspector of Schools.
- (xvi) It shall not employ any teaching and / or other allied staff having qualification less than what may be approved by the Government/University.

- xvii) It shall not normally levy tuition and other approved fees from the students at rates higher than those charges from their counterparts in a Government institution at equivalent level, provided that such fees may be allowed to be raised by the Government in exceptional circumstances to a limited higher extent on grounds considered valid by the Govt. provided further that in addition to these approved fees the Managing Committee/Governing Body of an institution may levy a development/building construction fee from the parent/guardian of each student once a year upto the extent of two times the monthly tuition fee of his/her ward. A separate account shall be maintained for such collections and no amount from such collection shall be spent for repairs/construction/reconstruction of the Institution Building without prior approval of the Director.
- xviii) The Managing Committee/Governing Body shall have a constitution for running it smoothly and effectively as also rules for the transaction of its business duly approved by the Government and shall not make any amendment thereto without prior approval of the Government.
- xix) The Managing Committee/Governing Body of an institution upto High School level (Primary, Middle and High School) shall not consist of more than 9 members and at collegiate level not more than 11 members in all. The Head of the Institution shall be the member-Secretary of the Committee provided that the Government may, on valid grounds, allow another ~~member~~ member of the Committee to become Member Secretary of the Committee. Of the other members of the Managing Committee/Governing Body there shall be one representative of the guardians, one representative of the Education Department and one local leader, all the latter three being nominated on the recommendation of the Head of Institutions concerned by the D.I.S. in case of institutions ~~concerned~~ upto M.E. level, I.S. in case of High Schools and Director in case of Colleges. In addition to these, there shall be a representative of the Vice-Chancellor of the affiliating University in the case of Managing Committee/Governing Body of a college within its total limit of eleven members.

At least one meeting shall be held every six months, the minutes of which shall be recorded by the Secretary of the Committee in its next meeting and maintained as a permanent record in a minute book.

The Secretary shall work on behalf of the Managing Committee/Governing Body, receive grants and allotments of funds from the Department as and when made maintaining full accounts together with supporting vouchers of any expenditure made therefrom with the approval of the Managing Committee/Governing Body and furnish utilisation certificates along with a statement of accounts to the authority from whom the grants/allotments are received promptly within the period stipulated by him.

It shall be his duty also to ensure that all utilization certificates & statement of accounts furnished by him in respect of any grants/allotments are duly signed by him and the Chairman of the Managing Committee/Governing Body as a token of their authenticity.

The Government shall have power to re-adjust memberships of Committees/Governing Bodies of institutions to bring the same in conformity with the requirements of the affiliating Board/University in consultation with the authorities concerned, if considered necessary.

6. CATEGORIES OF RECURRING GRANTS-IN-AID FOR GENERAL MAINTENANCE

There shall be two board categories of recurring grants-in-aid for general maintenance, namely :-

- (a) Deficit grants-in-aid for general maintenance.
- (b) Adhoc grants-in-aid for general maintenance.

The institutions in Mizoram already receiving recurring Deficit grants immediately proceeding the introduction of these rules shall continue to receive the same provided that the Managing Committees/Governing Bodies of these institutions readjust themselves to conform to the rules formulated herewith within one year from the date of their introduction and are not deemed, at any time, to be grossly neglecting or infringing these rules. If they are found to be lacking in their ability to maintain a desirable standard of academic efficiency in their institutions, in which case the grants may be reduced to the level of adhoc grants or withdrawn completely or suspended at the discretion of the Govt.

The Administrator shall have power to add to the number of institutions to be brought under Deficit grant keeping due regard to their eligibility and availability of funds.

Besides conforming to the General conditions of eligibility as detailed under Rule 5 any institution brought under deficit grant shall confirm to the following other ~~the~~ conditions :-

- (a) It shall not have under its employment any unqualified staff. However, those unqualified staff already employed and serving in the institution for more than three years may be temporarily retained for a further period of two years to enable them to qualify themselves according to requirements. In case they fail to do so, they must be replaced by qualified staff.
- (b) It shall not keep under its employment by any staff beyond the age of 60 (sixty) except with the specific approval of the Government.
- (c) It shall have a minimum enrolment of 50 (fifty) in Classes I through III in the case of Primary Schools, 80 (eighty) in Classes IV through VI in case of M.E. School and 90 (ninety) in Classes VII through X in the cases of High Schools, 60 (sixty) in case of Colleges with only P.U.C. Classes and 150 (one hundred fifty) in case of Colleges teaching upto the degree level after securing affiliation for the same from affiliating University.
- (d) It must have been in existence for a minimum period of three (3) years running it effectively on its own resources and/or any adhoc grant if received from the Government.

- (e) It shall ensure that no teacher under its employment takes more than two private tuitions in case of institutions up to the High School level with the prior approval of the Inspector of Schools and more than one private tuition in the case of College with the prior approval of the Joint Director of Education.
- (f) It shall also ensure that no staff under its employment accepts and office not connected with the institution or indulges in active politics.
- (g) The staff under its employment shall give written undertakings agreeing to be governed by the Govt. servants conduct Rules and to perform all curricular and co-curricular duties entrusted to them by the Head of the Institutions.
- (h) It shall add or terminate any section or a class without prior approval of the Director, nor shall it enrol more than 40 students in a section of any class in case of institutions up to the Class X level without prior approval of the DEO and more than the number of students permitted by the affiliating University in a class in case of a college without the prior approval of the affiliating University.
- (i) It shall not appoint any of its staff on a scale of pay and allowances higher than what may be applicable in case of his counterpart in the Government service nor shall it allow any higher start or grant or any premature increment to any of its staff except with the prior approval of the Government subject to the relaxation that in case of the appointment of a qualified serving person from another recognised institution. The Director will have power to allow the Managing Committee to appoint him on the pay he was actually drawing in the other recognised institutions provided that such drawal in the other institution was previously approved by the Director.
- (j) Before any institution is brought under deficit grant ~~xxxxx~~ the teaching staff already in position in the institution shall be subject to a screening process by a Committee duly constituted for the purpose within the relevant provision of these rules and the Managing Committee / Governing Body of the institution shall undertake to dispense with the services of such members of the teaching & ministerial staff as may be considered unsuitable for continuance in the institution after being brought under deficit grant except under very special circumstances in which case Government's specific approval shall have to be obtained.
- (k) It shall not make appointment of any new teaching staff except from the panels prepared on the recommendation of selection Committees duly constituted under this rules for making approved panels which shall remain in force for one year from the date of their formation or till the same gets exhausted whichever is earlier.
- (l) The following selection committees, which will also act as screening committees, shall stand constituted with effect from the date of adoption of these rules.

In case of Headmasters and Assistant Teachers of Non-Government Primary & Assistant Teachers of Non-Govt. M.E. Schools :-

S.D.E.O.	- Chairman
one of the S.I/S under him nominated by the I/S	- Member Secretary
Chairman of the Managing Committee of the Institution for which the appointment has to be made.	- Member

In case of Headmasters of Non-Government M.E. Schools :-

- DEO - Chairman  
SDEO (concerned) - Member-Secretary.  
Chairman of the Managing Committee of the Institution for which the appointment has to be made. - Member.

In case of Headmasters and Assistant Headmasters of Non-Govt- High schools:-

- D.E. - Chairman  
One Dy. D.E. nominated by D.E. - Member  
DEO (concerned) - Member-Secretary.  
Secretary of the Managing Committee of the Schools. In case of the selection of Headmaster a representative of the Managing Committee as selected by the Committee. - Member  
Chairman of the Managing Committee of the School for which the staff has to be selected. - Member

In case of Assistant Teachers of High Schools:-

- DEO - Chairman  
ADEO - Member-Secretary  
SDEO - Member  
Secretary of the Managing Committee - Member  
Chairman of the Managing Committee - Member

In case of a College for the post of Principal and other Teaching Staff :-

- Director of Education - Chairman  
Joint Director of Education - Member-Secretary  
Principal, P.M. Govt. College - Member  
Chairman of the Managing Committee of the College - Member  
One Gazetted Officer not below the rank of Dy. D.E. in case of selection for the Principal, nominated by D.E. In case of other teaching staff, the Principal of the College. - Member

(m) The managing Committee/Governing Body duly constituted under these rules shall have power to appoint non-teaching staff of the institution subject to the limit of the strength authorised and approved by Director.



- (n) All appointment shall be made by the Managing Committee/Governing Body purely on a temporary basis for a period of one year, at the first instance during which period they will furnish six-monthly review reports on the work and suitability of the appointees to the Chairman of the respective selecting committee for consideration of the committee and in case the committee recommends retention of the services of the staff concerned, he shall then be deemed to be on probation for another period of one year after successful completion of which he shall be confirmed on the post soon after the same is sanctioned as a permanent post.

In case the services of any employee is found unsuitable by the Managing Committee/Governing Body during the period of temporary appointment his service may be terminated by the Committee after giving him one month notice, with approval of the Chairman of the Committee which selected the incumbent. During the period of probation, however, the service of such an employee can be terminated only with the approval of Director of Education who will take a decision after careful consideration of the reports of the Committee and that of the Inspector of Schools and communicate his decision to the Managing Committee/Governing Body which shall be binding on the same.

- (o) Teaching staff of the institution within the authorised strength shall be approved by the DEO in case it is up to or below Class X and by the Director of Education in case of postmatric institutions. All changes in the staff, whether due to additional appointment, or removal, etc. shall be notified to the Director.
- (p) It shall follow the rules and orders laid down for the corresponding type of institution under the Government in respect of concessions to Scheduled-Tribe/Caste-students, management of hostels, disciplines, holidays/vacations etc..
- (q) The Managing Committee/Governing Body shall not dispose with any of its immovable properties without prior approval of the Government.
- (r) In the event of any disagreement between the Managing Committee/Governing Body on the one hand the SDEO and or DEO on the other in case of institutions up to and below the Class X level, the matter shall be referred to the Director whose decision shall be final while cases of such disagreement with the Director in case of post-matric institutions, the matter must be referred to the Government, whose decision shall be final.
- (s) In the event of any difference of opinion, regarding interpretation and /or scope of any of the rules framed herein, the decision of the Government shall be final.
- (t) The Managing Committee/Governing Body of an institution brought under deficit grant shall pass a resolution binding themselves severally and collectively to observe all the rules and regulations for the same and to carry out all directions and instructions that may be issued by the Govt/Directorate while communicating the sanction.
- (u) It shall maintain a minimum reserve fund of Rs.250/- per institution up to the Primary level Rs.500/- for institutions upto M.E. level Rs.1,500/- for institutions upto class E level and Rs.5000/- for any post-matric institutions. The Managing Committee/Governing Body may be allowed to augment this fund by deposits from the savings of their share of contingencies. The Managing Committee/Governing Body shall not draw any amount from the reserve funds, without prior approval of the Director.

7. MODE OF CALCULATION OF DEFICIT GRANT :

In Calculating the quantum of deficit grants to an institution, the difference between approved income and approved expenditure shall be taken into account.

APPROVED INCOME SHALL BE DETERMINED BY :

(i) Multiplying the number of bonafide students of the various sections/classes of the institution by the approved tuition fee rates for the various classes and educating 50% of the total arrived at for contingencies, petty repairs of buildings, furniture-managements share of L.R. etc. for institutions upto the M.E. School level and 40% of the same for institutions above that level, namely, High Schools, Colleges etc. plus any public donations, if not received to meet expenditure on construction/repairs etc. of the institution building or for any specified students' amenities such as games, sports, excursion etc.,

In calculating the income of the institution approved fees for the Welfare and amenities of students shall not also be taken into accounts.

Approved expenditure shall include (i) pay and allowances of all approved staff actually in employment in the institution within the limits authorised by the Government at rates admissible to a corresponding staff under the Government.

(ii) In case any member of the staff is sent for a training course extending over a period of three months or more by the Government or by the Institution with the approval of the Director expenditure on account of his usual pay and allowances including admissible deputation allowances along with the expenditure on account of pay and admissible allowances in respect of qualified person actually appointed to officiate in the vacancy with the approval of the Director shall be computed as approved expenditure for calculation of deficit grants.

(iii) Expenditure on account of Government share of Provident Fund contribution, the management's share being payable from the fee income allowed to be retained by the Managing Committee/Governing Body for contingencies.

(iv) Expenditure on account of any special allowances/special pay allowed to a member of the teaching staff for performance of any duties in addition to his normal duties, provided such allowance is given to the member after obtaining specific prior approval of the Director.

(v) With effect from the date of taking an institution under deficit grant the initial pay and allowances of all the members of the staff shall be fixed for the purpose of calculation of approved expenditure by taking into account regular annual increments on the Government approved basis salary actually earned by them and actually paid to them by the institutions before such date. There after, regular annual increments shall be earned by them on due dates except when such increments are withheld and/or differed on valid grounds and the same shall be included in the calculation of approved expenditure.

(vi) The Deficit Grant-in-aid shall normally be continued from year to year and shall be payable in advance to the institution in four quarterly instalments subject to its submission of attested copies of acquitances rolls in respect of the authorised staff actually employed and paid during the previous period of one quarter together with attested copies of income earned by the institution during the same period. Before releasing any quarterly grant to an institution, the authority

releasing the grant shall make such adjustment in respect of the quantum of the grant admissible for the quarter under consideration, as may have become necessary due to unforeseen circumstances. All such adjustments not completed within one year at the latest after the quarter for which such adjustment has become necessary. Any adjustment not completed within this period shall be brought to the notice of the Director and shall be made only after obtaining specific approval of Director for such adjustment.

(vii) Ad-hoc Grant : Besides the institutions receiving Deficit grants other recognised institutions in Mizoram may be considered for ad-hoc grants provided they satisfy the conditions of eligibility detailed in Rule 5 as also such other conditions as may be insisted upon before making any ad-hoc grant.

(viii) The quantum of Ad-hoc Grant to an institution shall not normally exceed an amount needed to cover the deficit to meet the regular basic pay of the approved teaching staff at rates admissible to their counterparts in Govt. Institutions subject to the condition that such staff are actually in employment therein and are actually being paid by the institution at such rates plus a maximum of 50% of the total admissible allowances to similar staff in a Government institution of the same level.

(ix) The ad-hoc grant to an institution may be withdrawn or suspended by Director of Education if the Institution fails to fulfil the conditions of such grants.

(x) The mode of payment of ad-hoc grant shall be the same as detailed for institutions receiving deficit grant under the deficit grants.

#### 8. GRANT SANCTIONING AUTHORITY :

- (1) The Government shall be the competent authority to sanction any grant under these Rules.
- (2) The Government may, if it considers necessary delegate this power to the extent deemed appropriate to any of its subordinate authorities.

9. Notwithstanding anything contained in the various rules framed herein, the Administrator shall have power to relax the conditions in cases wherein he considers such action necessary to ensure faster development of areas or tribes belonging to the weaker sections of the permanent residents of Mizoram such as Pawis, Lakhers, and Chakmas.

Sd/- G.N. Chatterji,  
Secretary to the Govt. of Mizoram,  
Education & Social Welfare Departments