

In these Rules unless there is anything to the subject or Definitions contexts:-

- (i) Administration means Himachal Pradesh Administration
- (ii) Government Revenues means the revenues administered by the Himachal Pradesh Administration.
- (iii) The Department means the Education Department Himachal Pradesh

SECTION-GENERAL

Object of Grants

1A. Sums of money are annually set apart from the Govt. Revenues to be expended under these rules in Grants-in-aid for the purpose of encouraging and extending private enterprise in education. Subsidy grants are given only for purpose connected with secular instructions without reference to any religious denomination.

2. The Administration reserves to itself the right to allocate to District or other areas the maximum amount of money available in a given year for distribution. This allocation having been made the distribution of grants to schools not already on the grant-in-aid list will take into account for each District or other area the claims of backward areas and communities.

3. The Administration further reserves to itself the right to determine the number of schools in an area which shall receive grants-in-aid in order to meet the needs of education within that area. and apportion grant-in-aid among the schools accordingly.

4. Whenever under these rules the order of sanction of the Department is required the order of sanction of the Director of Education is meant, which should be obtained through the Inspector of Schools.

Whenever the sanction of the Inspector of Schools required and has been granted, the Director has power to revoke such sanction.

5. No grants from Government revenues may be made or increased otherwise than as provided in these rules except with the previous sanction of the Government of India.

6. Any inspecting officer authorised for this purpose, the Chairman of the Territorial Council or a member of the Education Sub-Committee of the T.C. any Distt. officer authorised by the Administration in this behalf, at any reasonable time without notice, visit and inspect the school and such of the records as are required by the Deptt. to be maintained provided that such officer excepting inspection officers shall not inspect

and comment upon the instructional efficiency of the school and may record their remarks in the Visit Book.

The Headmasters of centre school shall pay surprise visits to local body schools for boys in order to check the roll and attendance in the schools, see their general working, and report about the same to the Assistant District Inspector of Schools.

A member of the Education Sub-Committee of the Territorial Council should on visiting a school and send his report to the District Inspector of Schools in respect of the progress maintained and regular attendance of Boys and teachers. The Distt. Inspector of Schools will take into account such reports while endorsing the work of the teachers.

7. School committees in village shall be formed where panchayats do not exist. The committees may look after the repairs of the school buildings and provision of play grounds and equipments for the schools etc. The committee shall function only in an advisory capacity. The personnel of the committee will be selected by the Assistant District Inspector of Schools concerned with the prior approval of the Education Officer of the Territorial Council (now Government).

8. Grants are made in the form of maintenance grants, building ~~form of grants~~ grants and extra-ordinary equipment grants.

9. All correspondence with the Department on the subject of grant-in-aid must be addressed to the inspecting officer of the area concerned.

SECTION B.-CONDITIONS OF MAINTENANCE GRANTS.

10. Maintenance Grants. Maintenance grants are of the following kinds, any or all of which may be earned in the same schools.

- i) Maintenance grant.
- ii) Boarding House Grant.
- iii) Special grants.

11. Application for Maintenance Grant. Application for maintenance grants shall be submitted by the schools concerned to the District Inspector of Schools in the prescribed form (Appendix-II). On receipt of the application the Distt. Inspector of Schools shall inspect the school personally and make necessary enquiries and forward the application to the Department with his recommendations indicating the suitability or otherwise of the school for the purpose of payment of grant-in-aid. The decision of the Department regarding the admission or otherwise of the school to the Grant-in-aid list shall be communicated to the District Inspector of Schools for communication to the school authority concerned.

12. The following are the conditions on which maintenance grants are given to recognised secondary and primary schools--:
Conditions on which maintenance grants are given.

(a) that there is a managing committee approved by the Education Department, Himachal Pradesh. The Committee should be manned by three persons having the experience and managerial ability to carry out the purposes assigned to them. Any change in the personnel of the

Committee shall be notified by the Department within one month of the suggested month.

(b) that there is an average daily attendance of not less than 25 or, in the case of girls, 15 pupils in the school. The Administration may, at its discretion, relax this condition in the case of schools located in sparsely populated areas

(c) that the school premises are sufficiently commodious to provide at least nine square feet of floor space for each pupil in the primary classes and twelve square feet for each pupil in other classes, are healthy, well lighted, ventilated and draught-proof and are supplied with suitable office.

(d) that the school is supplied with sufficient and suitable furniture and equipment.

(e) that the staff is of good character and capable in point of number and attainments of conducting the work of the school efficiently.

(f) that the accounts of the institutions receiving grants-in-aid from the Administration will be liable for audit by the Indian Audit and Accounts Department and the Education Department of the Administration.

Note:- Under this rule it will be open to the Department to order or enquire into the conduct of any teacher employed in an aided school.

(g) that the organisation, discipline and tone are satisfactory, that the instructions are given in accordance with approved syllabuses and that the text books used are authorised by the Deptt.

(h) that the fees levied and concessions allowed are in accordance with the rules laid down by the department.

(i) that admission and attendance registers, a log book and accounts of income from all sources including subscriptions, endowments, fees, grants, etc., and of the expenditure are maintained in forms approved by the Department. That the accounts are submitted annually to the Department and these registers and the acquittance rolls of the staff and of scholarship holders and the file of vouchers for all contingent expenditure are made available to the inspecting officer when called for.

(j) that the income from subscriptions, endowments and other sources (excluding fees) suffices to ensure that the management can contribute at least 5 percent of the net expenditure from their own funds after the school is aided.

(k) that the inter-school rules prescribed by the Department are furnished.

(l) that all information and returns called for by the Deptt. are furnished.

(m) that the school in all its departments recognised or unrecognised is open to inspection as laid down in rule 6 provided that it shall be no part of the duty of any one inspecting an aided school to examine any pupil or to enquire into any instructions given in religious knowledge.

- (n) that the books and periodicals purchased for use in school are approved by the Department.
- (o) that the rules of the department and the directions as given by the department from time to time so far they are applicable to aided schools are complied with.
- (p) a Provident Fund is established and properly administered in accordance with the Standard Provident Fund rules (Appendix-III)
- (q) managements shall introduce such scales of pay and allowances for teachers and to the staff as are prescribed by the Government for corresponding staff in the Government schools.
- (r) managements shall comply with all orders and directions of the Education Deptt. of H.P. in the interest of maintaining educational standard.
- (s) that grant of leave to the employees of the aided schools shall be governed by the leave rules applicable to corresponding employees of Government service
- (t) the service conditions of the teachers shall be governed by the rules contained in Annexure 'J'.
- (u) the managing committee of an aided High or Hr. Sec. School shall have two members appointed by the Department. One of whom shall be a member of the inspecting staff of the Deptt. In the case of Primary and Middle Schools only one nominee of the Deptt. of Education shall be appointed by the Managing Committees.
- (v) the discipline, award of punishment etc. to the employees of the aided school shall be governed by Government, aided private schools, teachers (Discipline, Punishment Appeal) Rules reproduced in Annexure 'J'.

Note:- The above condition refer to all staff.

- (w) No pupil of re-ognised school shall be compelled to attend a class in which religious instruction is given or take part in any religious exercise.

A pupil absenting himself from religious exercises under the above paragraph shall suffer no disability on that account.

No pupil shall be refused admission to an aided school on the grounds of caste, creed or religion.

13. Refusal of grant. No grant shall be made in respect to a school the income of which from fees and endowments is sufficient to maintain it.

14. No aided school shall add any new class or department to the school without the prior sanction of the department. The grant-in-aid for the new classes and/or department shall be given only when all the conditions laid down in these rules or under any executive instructions of the department are fulfilled.

15. Grants are based on attendance, for the purpose of awarding the grant to each department or a school shall be considered as a Grants how based. Unit. The grant shall be based on the average attendance for the preceding year or for such shorter period as the school may have been in existence.

16. Management of the aided schools shall be required to meet 5% of the net approved expenditure in any school year. The balance

of the expenditure being met from the Government grant, the approved expenditure being the total expenditure approved by the Education Deptt. minus the income from fees, fines, etc. In case of girls schools and schools located in sparsely populated areas the Administration may, at its discretion authorise payment of grant-in-aid to the full extent of the difference between approved expenditure and approved income. This authority shall be exercised only by the Administration only in special circumstances where the school management is unable to meet the deficit from its own financial resources. The grants as assessed above shall be admissible subject to the maximum amount shown against each category of institution:-

- | | |
|-----------------------------------|------------|
| (a) High and Higher Sec. Schools: | Rs. 10.000 |
| (b) Middle Schools: | Rs. 6.000 |
| (c) Primary Schools: | Rs. 2.500 |

Amended vide H.P. Govt. letter No. EDN-II-C(10)-13/76 dated 17th March, 1977, reproduced hereunder:-

I am directed to say that the question of prescribing the staffing pattern and the maximum amount of grant-in-aid admissible to privately managed educational institutions has been under consideration of the government for some time past and now the same have been decided as under:-

(A) Staffing Pattern

- i) Staffing pattern of the privately run (recognised) Primary, Middle, High and Higher Secondary Schools, possessing all the classes depending upon the standard of the school will be the same as laid down for its own institutions, by the Shiksha Vibhag.
- ii) Staffing pattern for High Schools having only two Classes i.e. 9th and 10th Classes will be as under:-
 - 1) Trained graduate (Science) One
 - 2) Trained Graduate (Arts) One
 - 3) O.T. or L.T. One (if number of students in both classes is 20 or more. The services of teacher will however not be taken over by the Department on the ungradation of its own Middle School even if he/she has put in one year or more services).
 - 4) Peon One (If total number of students in IX and Xth class is 30 or more)
- iii) Staffing pattern for Middle School having VI to VIII Class will be as under:-
 - 1) Trained Graduate (Science) One
 - 2) Trained Graduate (Arts) One
 - 3) O.T. or L.T. One
 - 4) Art & Craft Teacher. One (only when the number of students bearing the subject is not less than 10)
 - 5) P.T.I. One
 - 6) Peon One (only when the number of students is not less than 30)

Contd.....P-6

The additional staff may be employed by the privately run institutions on the same pattern as is observed in the Government run schools in the State. No staffing pattern can be approved for schools having 12 classes (I to XII) of VI to VIII till the Government decides staffing pattern for its own schools on the introduction of 10+2+3 pattern.

B. GRANT-IN-AID

The maximum rates for the payment of grants to the privately managed institutions have been as follows:-

1) Hr. Sec. Schools (I to XI)	Rs. 11,000
2) Hr. Sec. Schools (VI to XII)	Rs. 12,000
3) High Schools (I to X)	Rs. 25,000
4) High Schools (VI to X)	Rs. 12,500
5) High Schools (IX to X)	Rs. 8,000
6) Middle Schools (I to VIII)	Rs. 12,000
7) Middle Schools (VI to VIII)	Rs. 12,000
8) Primary Schools (I to V)	Rs. 2,500

95% of the deficit which occurs is less than the condition that the additional expenditure will be met out of the sanctioned Budget provision after effecting savings.

17. For purpose of assessment of grant the expenditure on the salaries and allowances of staff shall be admissible for inclusion in the approved expenditure on account of teachers who possess the qualifications prescribed by the Department for the posts they are holding and that the approval of the Department has been obtained to their appointments to the posts, provided that:-

(a) if pay (including allowances) or increments paid to a teacher is in excess of the rate prescribed by the Department for teachers doing similar work in schools of the same grade under Govt., the pay or increment shall, for the purpose of calculating the grant be reduced to that rate.

(b) if the proprietor (or manager) of the schools is also a teacher in the school his pay (including allowances) and the value of free quarters shall, for the purpose of calculating the grants be fixed at the same rate as for a teacher performing similar duties.

(c) if a school entertains the services of Principal or other Controlling Officer in addition to a Headmaster, no grant shall be admissible on the salary of such Principal or Controlling Officer.

(d) If, as in the case of school maintained by missionaries or other charitable societies, teachers renders gratuitous services or are paid pay out of the proportion to the services rendered by them to the school, their services shall be assessed for the purpose of calculating grants at the rates obtaining for similar services in the school under Government regard being paid to the time devoted by such teachers, to secular instructions.

(e) if trained teachers are not available, an untrained or uncertificated graduate can be employed as a teacher with the prior approval of the department, the expenditure on his salary shall be treated as approved expenditure for the purposes of calculating grant-in-aid only for one year. The untrained teachers shall be

granted such pay as is payable to teachers of similar qualifications under the Government.

(f) if the work of the teacher is reported by the Inspectors to be satisfactory.

Note:- No grant-in-aid shall be allowed under this section on account of a teacher who has attained the age of 55 years or over in cases where a teacher has been granted extension by the Department.

The normal age of retirement of an aided school teacher shall be 60 but retention after 65 shall not be allowed for a teacher who continues to maintain his efficiency and whose fitness may be retained in service with the approval of the Department.

18. The teacher's acquittance rolls shall show the exact amount paid to and received by each teacher as pay and deductions must be shown separately. The maintenance of Accuracy of Acquittance Rolls shall be a condition for grant in part or whole part of withdrawal by the Department for breach of this rule.

19. The Department may exclude from employment in any recognised school a teacher whose certificate has been undesirable withdrawn or who has after due enquiry been declared persons as by the Director unfit to be a teacher. teachers.

20. The minimum weekly period of actual regular instruction required to qualify a teacher for full grant shall be not less than that laid down from time to time for a teacher of a similar grade in a Govt. School. Grants shall be reduced or may be disallowed on account of teachers not fulfilling these conditions.

21. The total maintenance grant awarded to a school, including aid from Government towards expenditure on tuition shall not exceed 85% of approved expenditure on tuition over the income from fees ~~awarded~~ fees. If a school contravenes any of the provisions of these rules or fails to carry out the orders and directions of the Department the Deptt. shall have the discretion either to withdraw a part or whole of the grant or remove the school from the list of schools eligible for grant-in-aid.

If in any year income from all sources exceeds the total expenditure, the excess amount shall be credited to the school Reserve Fund. The Reserve Fund shall be deposited in a branch of the State Bank of India or Post Office Saving Bank or in a Co-operative Bank approved by the Registrar of Co-operative Society, Himachal Pradesh, and a report to this effect made to the Inspector or Inspectress concerned.

The accounts of the School Reserve Fund shall be opened in the Joint name of the Manager of the school and the Director of Education or an officer nominated by him in this behalf. Withdrawals from the Reserve Fund shall be made with the prior approval of the Director of Education and the money withdrawn can only be utilised for such purposes as may be authorised by him. Failure to comply with these rules shall render the school liable to reduction of grant.

With the previous written approval of the Department the entire school Reserve Fund can be invested in Government securities.

Notes:- For the purposes of this rule income from tuition fees shall include in the income derived from fines of all kinds and from admission and late certificates fees.

22. Approved expenditure on tuition includes expenditure on:-

- (a) Establishment:-
 - (i) Teaching staff, including contributions from schools made towards approved Provident Funds maintained in accordance with rules other than the Standard Provident Fund Rules (reproduced in Appendix III).
 - (ii) Clerical Staff (including a Librarian) and servants, peons, chowkidars, sweepers, watermen etc. to the extent sanctioned by the Department.
 - (iii) Contingencies, in accordance with a scheme approved by the Department on account:-
 - (a) Equipment and the repair and renewal of furniture and apparatus.
 - (b) Rent (to which no charge on account of up keep or repairs to buildings, shall be added) at a reasonable rate and actually paid, of a school buildings (excluding accommodation for boarding).
 - (c) Ordinary repairs to school buildings in respect of which no rent is included under this article or allowed under Rule 14.
 - (d) Reasonable expenditure on account of summoning girls and conducting them from and to their homes and on school mothers.
 - (e) Books, periodicals, maps and other instructional material and teaching aids for the library and the maintenance of the school library.
 - (f) Petty contingent expenses at the rates prescribed by the Department.

23. For the purpose of determining the maximum grant for which a school is eligible the Inspector may include as approved expenditure on tuition:-

- (a) the estimated value of services rendered by teacher referred to in Rule 12 assessed as therein provided.
- (b) estimated rent, to which no charge on account of upkeep or repairs shall be added of school buildings (excluding accommodation for boarders) at reasonable rate.
- (c) Rent of quarters of the teachers of girls schools or of schools in remote and sparsely populated areas at the rates prescribed for similar staff employed in the Government. schools for similar category.

(d) Schools which have their own buildings constructed with Government grants will be allowed depreciation upto a maximum of Rs.12 p.m. for each room necessary for instruction and not exceeding Rs.300/- p.m. for the whole building. This would be in addition to the normal grant and will have to be deposited in the Maintenance Fund for the normal maintenance expenditure except in special circumstances with the previous permission of the Director of Education. No other estimated rent of the building for which depreciation is allowed will be admissible:-

Note:- A school which has received a grant-in-aid for its building shall not be eligible to receive any other grant-in-aid for its building.

24. Distribution of Expenditure to Tuition and Boarding In cases where expenditure is common to a school and the boarding house, it should be distributed between the two in proportion to the services rendered or accommodation provided. Where a grant-in-aid is charged an inclusion fee for tuition and boarding, the tuition fee shall be kept to be that which would have been levied under the rules, had he been a day pupil.

25. Expenditure may reduce or disallow expenditure The Inspector is empowered for the purpose of assigning the grant to a school to reduce or disallow expenditure which is obviously lavish or extravagant, whether on account of buildings, equipment, contingencies or menials or on account of teachers who, in the opinion of the Inspector are paid excessive pay or whose time is uneconomically spent in teaching very small classes, or which is inadmissible under these rules or which is in excess of the maximum from time to time he laid down by the Department.

No grant-in-aid shall be made in respect of unapproved section added to the existing classes.

26. Boarding Housing Grants Maintenance grants, not exceeding 95% of the excess of approved expenditure over the income from boarding house fees may be made in respect of school boarding house, in which the average attendance of pupils in residence for the previous twelve months was not less than five. The full grant on account of boarding house will only be admissible, if the locality is respectable, the sanitation satisfactory, the accommodation sufficient, see* annexure B appended to these rules; the rooms adequately ventilated, lighted and furnished and the boarders effectively supervised for the purpose of assessing grants, the rate of fee shall be the fee laid down for boarding house attached to Govt. schools (Appended to these rules *annexure 'A') save where a lower fee is charged with the sanction of the Department. The approved expenditure shall not be in excess of the scale laid down by the Department.

+The condition relating to the fee may be relaxed in the case of boarding houses attached to girls schools.

The authorities of a school boarding house may for purposes of grant-in-aid include as approved expenditure on the estimated rent of (i) boarding house buildings assessed at the rate of Rs.9/- per mensem per 600 square feet of area actually occupied by boarders at 50 Sq. ft. per boarder as laid down in *annexure 'B' to these rules and (ii) kitchen buildings and superintendents quarters at the rate of Rs.5 per mensem per kitchen and Rs.10 per mensem

respectively for buildings designed in accordance with and of the same dimensions as in the type plan for the boarding schools issued by the Department.

27. Except when otherwise stated, grants are annual grants and take effect from the beginning of the school year following that in which they are awarded. Heads are not liable to the manager or correspondent for any subject to the allotments made under section 17. If a school is newly established a special temporary grant may be allowed in advance.

28. If a school or hostel in respect of which a grant is payable ceased to be maintained, the grant in respect thereof shall cease to be payable from the date on which such school or hostel ceased to be maintained.

29A. The continuance, enhancement, withdrawal, or withdrawal of grants once awarded is subject generally to alteration of the conditions of the school as ascertained at the annual and with- or other inspection.

Withdrawal of grants

In cases of primary schools or the primary departments of secondary schools grants may be withdrawn if the inspecting officer reports the school or department as unnecessary.

29. The reduction in grant-in-aid upto the extent specified in Rule 23 may inter alia be made in the following cases:-

Average attendance to be reduced in certain cases

(a) If it appears that the number of pupils has been unduly swelled by the promotion or inclusion of the pupils unfit for a class or if pupils have been allowed to remain in the same class for more than two years, the reduction being in proportion to the number of such pupils.

(b) If the number of admissions to a class has been in excess of the accommodation available so as to cause serious over-crowding in accordance with the prescribed standards, in that class.

(c) if it appears that the attendance registers are not trustworthy

(d) if the number of schools working days in a year other than in very exceptional circumstances approved at the time by Inspector has fallen below 200.

30. Grants may under the orders of the department be reduced, suspended, withdrawn at any time if the tone, discipline, organisation or instruction is unsatisfactory, or for any other sufficient reasons, provided that, before such action is taken an enquiry (at which the school authority will be represented) shall be made by the Department the result of which shall be communicated to the correspondent.

If the defects are capable of immediate or early removal the school authority shall, on the first occasion be allowed a reasonable time to be fixed by the Department, within which to remedy them and if they are remedied to the satisfaction of the Department, the grant shall not be reduced or withheld.

Grants are liable to be withdrawn from any school if the management or the staff of the school take part in any action against the authority of Government or disaffection against any person to excite feelings of disloyalty or dissatisfaction against the Government or an enmity and hatred between different classes. Grant will not be withdrawn under this provision without giving opportunity to the school authority concerned to show cause why the grant should not be withdrawn.

Administration reserves to itself the right to modify, in the rules, of this Code not with standing to refuse or withdraw any grants at its entire discretion.

SECTION C. Grants Building and Appliances

21. The grants may be made for the following purposes to schools qualified to receive maintenance grants under any paragraph(s) of rule 13 as amended, provided that the management of the school in each case is registered.

- (a) The purchase, erection or extension of school or hostel buildings.
- (b) The payment of debts, incurred in purchasing erecting or extending school or hostel buildings etc.
- (c) The provision of books, furniture and apparatus.

No grant is admissible under this section for the ordinary and special repairs and upkeep of a school building nor for ordinary renewal and additions to school equipment and grants under (b) and (c), will be made only in special cases.

Application for grant

22. Applications for building and equipment grants must be made in the prescribed form Appendix VII and VIII and shall be submitted to the Inspector before the 1st of July each year. Plans and estimates must accompany each application for building grant and a detailed list showing the cost of each item must be submitted with each application for an equipment-grant.

REPORT OF Inspector on applications

23. The Inspector shall after scrutiny and enquiry, record his recommendation on each application and forward it to the Director of Education, in sufficient time for the inclusion of the item, if sanctioned to the budget for the following year.

Communication of order

24. The order passed, upon each application together with the date on which it is to take effect, shall be communicated to the controlling body of the school concerned.

25. The Department shall not consider applications for grants on account of buildings erected without its previous approval and the following instructions must invariably be complied with when submit an application for a building grant.

(a) the application shall be made in the form prescribed see appendix VII.

(b) rough plans and approximate estimates should be attached to the applications. If the applicant requires that these should be prepared by the Public Works Department, he should refer to the Divisional Officer, who will be entitled to levy fees on the scales in the Municipal Works Rules.

(c) it should invariably be stated that the portion of the grant applied for is on account of buildings for secondary schools and a portion for primary education.

- (d) Satisfactory evidence must be produced that:-
- (i) a building of the nature and size contemplated is required
 - (ii) the proposed rooms provide accommodation in accordance with the Standards prescribed
 - (iii) there is a likelihood of the school being permanently maintained in a state of efficiency
 - (iv) the school will observe departmental rules and regulations and will always be open to inspection by the Department
 - (v) there is a reasonable probability of the funds necessary to complete the building being forthcoming.

(e) in the case of building to be erected within the jurisdiction of a Municipal Committee or other local authority exercising control over the erection of buildings, the sanction of that authority to the proposals set forth in the plan must be previously obtained.

Bonds to be executed

38. No portion of any grant for a building shall be paid until the controlling authority of the school has executed and registered a bond in the approved form which may be obtained from the Inspector securing to Administration or the local body awarding the grant a prior lien on the building for the recovery of the amount paid as grant with interest thereon at 8% per annum in the event of the building ceasing to be applied to the purpose of Public school if the grade specified on the application or of any other grade approved by the Department, or ceasing to be maintained in a State of reasonable efficiency.

Note: All the first grants should be paid to schools irrespective of the amount, shall be subject to the provisions of this rule, but for subsequent grants towards extensions or alterations to a building on which Govt. already holds a lien, the school authorities shall not be called upon to execute a fresh deed when the amount of the grant is less than Rs. 500/-.

X

Condition of payment of Building

Grants:

39. No grant for a building shall be paid in full nor can payment of any portion of the grant be claimed as of right until the Department is satisfied that the building has been satisfactorily completed in accordance with the detailed plans and estimates, approved and signed by the Local Divisional Officer of the Public Works Department (Buildings and Roads Branch),

which must be submitted to the Director of Education, Bihar, Prades Govt. through the Inspector or Inspectress, as the case may be, and his final approval obtained before the work is completed. Advances, may, however, be made from time to time out of the grant sanctioned, if the Department is satisfied that the work is proceeding satisfactorily and provided that the total sum actually expended thereon bears at least the same proportion to the advances so made as the total estimated cost bears to the grant sanctioned.

In all cases where the total amount of the grant exceeds Rs. 500 the completion of the building to the satisfaction of the Department shall be held to mean in production of completion certificate in the form prescribed XXIX signed by a responsible officer of the Public Works Department or the Deputy Commissioner of the District in which the institution is situated. The same or college authorities apply direct to the Divisional Officer of the Public Works Department or to the Deputy Commissioner for this certificate stating that to the best of their knowledge the work or portion of the work for which the grant or portion of the grant is desired have been duly completed according to the Plans estimates approved by the Public Works Department.

Condition of
payment of
equipment grant

38. No portion of grant for the purchase of books, furniture or appliances, shall ordinarily be paid until the Department is satisfied that the purchase in aid of which the grant is made have actually been completed and the books furniture or appliances purchased have been approved by the Inspector.

Total grant admissible

39. No grant shall ordinarily exceed two thirds of the total expenditure in aid to which it is given in the case of building the purchase of site. The maximum amount that will be paid to a school in the form of building grant or grants shall be Rs. 1,00,000 (One lakh). This maximum, however will be awarded only in exceptional cases.

SECTION P Registers and Returns

40. Every school receiving a grant shall provide out of school funds:-

Registers etc. to be maintained,

- (a) Copy of these rules with subsequent amendments, if any.
- (b) a register of attendance (Appendix IV)
- (c) a register of admission and withdrawal (Appendix V)
- (d) a register of Statistics (Appendix IX)
- (e) a long book (Appendix VIII)
- (f) Acquittance rolls of staff/ menial servants and scholarships holders.
- (g) a register of school property (Appendix XI)
- (h) a register of library books (Appendix XII)
- (i) a register of private tuition.
- (j) a visitor book (in secondary schools only)

All registers shall be maintained in forms approved by the Department. Accounts shall be kept and be made available to the Inspecting Officers showing the details of income from fees and out of the expenditure entered in the register of statistic

Registers to be examined.

41. The Inspecting Officer shall examine the registers, log books, and accounts of the school at least once a year and shall report to the manner in which they are kept.

42. Entries in Log Book

42. The reports and remarks of the inspecting officer shall be recorded in the log book. All other authorised to inspect schools under rule 7 may records their remarks in the Visitor's book,

ANNUAL Report

43. The School authority shall submit to the inspecting officer, and at other times if called for and (as for, all returns which may be required. Whereas school is aided as to one part and unaided as to another, the annual return shall be prepared in such form as to show readily in the statement the grant expenditure etc between the two parts.

In the return of expenditure (Appendix XIII) and the registers of statistics (Appendix I B) only disbursements actually made shall be shown.

44. All the grants made under these rules shall be utilised by the institution concerned for the purpose for which they are sanctioned and a certificate to this effect shall be furnished to the Accountant General, (Himachal Pradesh and Chandigarh Administration) Simla by the institution concerned. The grants shall have to be utilised within a reasonable time during the year to which these relate and in case any portion there of is not required for the purpose for which it was sanctioned the same should be surrendered forthwith to the Administration before the close of financial year.

HIMACHAL GOVERNMENT AIDED PRIVATE SCHOOLS TEACHERS
(DISCIPLINE, PUNISHMENT AND APPEAL) RULES.

1. The following penalties may, for good and sufficient reasons, as hereinafter provided be imposed on a teacher in a Government aided private school namely:-

- (i) Censure.
- (ii) Withholding of increments.
- (iii) Withholding of promotion.
- (iv) Recovery from pay of the whole or some of the amount of loss caused to the school by mismanagement or misappropriation of school fees and funds.
- (v) Reduction to a lower stage in the time scale.
- (vi) Compulsory retirement.
- (vii) Termination of services.

Explanation. (1) The following shall not amount to punishment within the meaning of this rule:-

- (i) Stoppage at the efficiency bar on the grounds of unfitness to cross the bar.
- (ii) Retirement of teacher in accordance with the provision of the rules relating to superannuation or retirement.
- (iii) Replacement of an unqualified teacher (not approved by the Director of Education) by qualified person.
- (iv) Discharge of an teacher-appointed in a short term officiating vacancy caused by grant of leave, suspension etc.

Explanation; (2) The termination of service of a teacher who has satisfactorily completed the probation period will be treated as punishment unless the necessity for the post has ceased to exist in the meanwhile.

2. Suspension. The Managing Committee of a school may, with the prior consent of the District Inspector of schools concerned, suspend a teacher where disciplinary proceedings against him are contemplated or are pending or where a case against him in respect of any criminal offence is under investigation or trial. An order under this rule may be revoked by the authority which made the order or by the Director of Education.

3. Punishing Authority: The punishing authority in respect of Government aided private school teacher shall comprise:-

- (i) The Chairman of the Managing Committee of the School.
- (ii) The Secretary/Manager of the Managing Committee.
- (iii) a nominee of the Director of Education (not below the rank of a District Inspector if the case is against the head of the school). The punishing authority may coopt. the Headmaster/Principal of the school where action is proposed to be taken against a teacher of the school. He shall, however, have no right to vote.

The punishing authority may impose any of the penalties specified in Rule 1.

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4. Procedure for imposing Minor penalties: No order imposing any of penalties specified in clause (i) to (iv) of Rule 1 shall be passed except after (a) the teacher is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given opportunity to make any representation he may wish to make.

(b) Such representations, if any, is taken into consideration by the punishing authority.

5. Procedure for imposing Major Penalties: No order imposing on a teacher any of the penalties specified in clause (v) to (vii) of rule 1 shall be passed except after an enquiry held as far as may be, in the manner indicated belows.

(a) The punishing authority shall frame definite charges on the basis of the allegations on which an enquiry is proposed to be held such charges together with a statement of the allegations on which they are based shall be communicated in writing to the teacher and he shall be required to submit within such time as may be specified by the Punishing 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 the defence or if no such statement is received within the time specified, the punishing authority may itself inquire into such of the charges as are not admitted or, if it considers necessary to do, appoint an enquiry Officer for the purpose.

(c) At the conclusion of the enquiry the enquiring authority shall prepare a report of the enquiry recording its findings on each of the charges together with reasons thereof.

(d) The punishing authority shall consider the record of the enquiry and record its findings on each charge. If the Punishing Authority is of the opinion that any of the penalties specified in clause (v) to (vii) should be imposed, it shall:

- (a) furnish to the teacher a copy of the report of the enquiring authority, and
- (b) give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within specified time not exceeding two weeks such representation as he may wish to make against the proposed action.
- (c) On receipt of the representation, if any, made by the teacher as aforesaid, the Punishing Authority should determine what penalty, if any, should be imposed on the teacher and pass appropriate orders on the case.

6. Appellate Tribunals: All appeals against orders of the Punishing Authority will be heard by an appellate tribunal consisting of the Director of Education (Chairman) and two non-official members namely (i) a Manager of an aided school representing the Manager's Association; and (ii) a Principal/ Headmaster of an aided school.

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representing the teachers; both to be nominated by the Government. For this purpose the Manager Association as well as the recognised Teacher Association of aided school shall be asked to submit each off five names each out of whom the Government will nominate each off the Appellate Tribunal. The Manager and the Principal, Headmaster of a school to which the dispute relates shall not function as members of the Appellate Tribunal when that case is heard.

77.. Appeals(i) No appeal shall lie against any order of punishment specified in clause(i) of Rule 1.

(iiii) A teacher may make an Appeal to the Appellate Tribunal, in respect of penalties referred to in clauses(ii) to (viii) of Rule 1.

(iiiiii) A teacher may also appeal to the Appellate Tribunal against an order of the Management which denies or tends to his disadvantage his pay, allowances and other conditions of service.

(iiiv) No appeal shall lie against the decision of the Appellate Tribunal.

82.. Period of limitation for appeals. No appeal shall be entertained unless it is submitted within a period of thirty days from the date on which the appellant receives a copy of the order appealed against.

Provided that the Appellate Tribunal may entertain the appeal after the expiry of the said period if it is specified that the appellant had sufficient cause for not submitting the appeal in time.

9).. Consideration of appeals: In the case of an appeal against an order imposing the penalties (ii) to (viii) specified in Rule 1, the Appellate Tribunal shall consider:-

(aa) Whether the procedure prescribed in these rules has been complied with and if not whether such non-compliance has resulted in denial of justice.

(b) Whether the findings are justified and

(cc) Whether the penalties imposed are excess.

(i) setting aside, reducing, confirming or enhancing the penalty or

(ii) remitting the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case.

Provided that:-

(aa) No order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty

(b) The Appellate Tribunal shall not impose any enhanced penalty which the authority, which made the order appealed against is not competent in the case to impose.

2.. In the case of a appeal, against any order specified in sub-rule (iii) of rule 7, the Appellate Tribunal shall consider all circumstances of the case and pass such orders as it deems just and equitable.

The observance of these rules on the part of the Government Aided School Management shall be obligatory for the purpose of eligibility of grant-in-aid.

The Government aided Private School Teachers(Discipline Punishment and Appeal) Rule 1959 in addition to the teachers will also apply to the clerical and other staff employed in Government Aided Private Schools.