

**TAMIL NADU ABSTRACT AIDED
COLLEGES IN THE STATE**

Government of Tamil Nadu

Abstract

Aided Colleges in the State - Procedure and guidelines regarding payment of salaries to staff admission of student, appointment of staff - Detailed orders based on review committees recommendations - Issued.

Education (G1) Department

G. O. Ms. No. 116

Dated the 22nd January 1980

Read:-

1. G. O. Ms. No. 1158 Education dt. 23-5-1977
2. G. O. Ms. No. 555 Education dt. 20-3-1978
3. From the Director of Collegiate Education letter No. 46653 S4/79 dt. 16-10-79.

Order:

The administration of private aided colleges in this State is governed by the various rules framed by the Managements of the respective colleges, besides the rules stipulated by the University and Government regarding affiliation, payment of grant etc. The Government received several representations from the Managements of Aided colleges and the staff about certain difficulties in the adoption of the existing rules. In G. O. Ms. No. 1158 Education dated 23-5-1977 read with G. O. Ms. No. 555 Education dated 20-3-1978 the government issued orders to the effect that the Aided colleges will be paid salary grant on cent per cent deficit basis from June 1977, according to the schedules prescribed in the said G. Os. This relieved the Managements financial problems to a very great extent and the teachers were assured of prompt and regular payment of salary by this arrangement. However, there were still representations from the colleges and the staff for a comprehensive procedure ensuring authenticity of salary and deductions and payment on time. The Teachers Associations requested that the system regarding payment of salaries adopted in Karnataka State may be made applicable to the staff of aided colleges in this State also. The details in this regard were obtained from the Karnataka Government as well as from Government of Kerala, and a comprehensive procedure was evolved for adoption in this State. A 'package' scheme including payment of salaries to staff collection and use of fee from students, recruitment of employees and admission of students, powers and duties of college managements, code of conduct by employees and various other issues was placed before the committee constituted by government in G. O. Ms. No. 376 Education dated 9-3-1979 consisting of representatives of teachers, non-teaching staff, managements, Principals, Professors, vice-Chancellors of Universities and Government representatives to review and to suggest suitable proposals to Government for consideration. The Committee at its first meeting held on 25-6-1979 discussed the above issues and constituted a sub-committee under the Chairmanship of Fr. Kuriakose, Principal, Loyola college, Madras representing managements and teachers to examine the details of the proposals and to submit an agreed approach. The report of the sub-committee was discussed in detail at the next meeting of the Review Committee on 12-10-1979. The general consensus that emerged at

these discussions was that there was an unanimous desire that all colleges should be governed by a set of regulations which were fair and just and in furtherance of this objective, every member of the Review Committee supported the view for the issue of a Government Order covering the various aspects referred to the Sub Committee. On the basis of unanimity on the draft circulated at the time of the meeting, subject to minor amendments proposed by the review committee, Government pass the following orders which will apply to all aided colleges:

I. Payment of salaries to the Teacher or other person employed in a private college;

The Director of Collegiate Education on his/her nominee shall pay to the Secretary of the College Committee of the each private college in the manner provided herein, a grant called 'Salary Grant' equal to the salaries including all allowances, of such employees of the Institutions as may be approved by the Director of Collegiate Education from time to time and at the same rates as are prescribed for appointment to similar posts under Government.

2. The Secretary of the College Committee shall open an account called the 'Approved Staff Salary Account' in any of the Banks mentioned in Section 29 (B) of President's Act 19 of 1976 in the name of the Secretary of the College Committee. He shall cause every teacher or other person employed in a Private College to open an individual account in the same Bank.

3. On the 20th day of every month the Principal of the college will prepare a detailed establishment pay bill in the prescribed form along with necessary enclosures which shall be signed by the Principal and also by the Secretary of the college committee and forwarded to the Director of Collegiate Education of his/her nominee. If the above system is not followed, Government would make alternative arrangements for payment to the teacher or other person employed in a Private college, besides considering suitable action against those who fail to follow the revised system.

4. The Director of Collegiate Education or the Officer authorised shall check particulars in the bill, countersign it and sent it to the Secretary of the College Committee along with a grant-in-aid bill for the gross amount, after deducting the balance in the Approved Staff Salary Account. However minimum balance as prescribed by the Bank should be maintained in the Account. The Grant-in-aid bill along with enclosures showing the details of salaries of the teachers or other persons employed in a Private college and deductions shall be presented to the Treasury through Bank in which the Approved Staff Salary Account is maintained. The Bank will transfer on the last working day of each month (or any other day which is declared as the 'pay day' by the Government) from the Approved Staff Salary Account, to the individual accounts of each teacher or other person employed in a Private college a net amount equal to the salary and allowances of the whole or part of the month during which period he is on duty. Deductions will be made by the Bank towards Life Insurance Corporation, Provident Fund,

Professional Tax, Income Tax, House Rent, etc., as specified in the bill. The Secretary of the College Committee shall authorise the Bank to transfer the deductions so made to the respective agencies for credit to the accounts of employees. The Bank shall send lists of all authorised deductions made to the Director of Collegiate Education or his/her nominee and Secretary of the College Committee.

5. The contribution of educational agency towards Teachers' Provident Fund will continue to be met by the educational agency as at present.

6. No staff in excess of the approved strength shall be appointed. If any staff member is appointed in contravention of this provision, the grant on his/her behalf will not be allowed.

7. Arrear claims of staff arising on account of sanction of increment or leave at a later date will be authorised for payment by the Director of Collegiate Education or his nominee only after such claims are scrutinised by the Director of Collegiate Education or his nominee and approval is obtained.

II. COLLECTION AND USE OF FEES FROM STUDENTS:

The Education Agency/College Committee shall collect tuition fees from the students at the rates levied by them at present. The rate of tuition fee shall not be revised without the approval of the Director of Collegiate Education or his nominee.

2. The College may collect after the approval of Director of Collegiate Education or his nominee, Special fees for the following purposes, namely: Library, Laboratory, Medical examination, Magazine, Games, Reading Room, College Union, College Day, etc. at such rates as will be adequate for the purpose of meeting expenditure for such purposes and such fees shall be utilised only for the purpose for which they are intended for that college alone. The special fee account will continue to be operated by the Principal of the College as hitherto.

3. The Educational Agency/College Committee may collect miscellaneous fees for Application form, Admission, Registration and such other purposes at such rates as approved by the concerned University.

4. The Educational Agency/College Committee shall authorise the Principal to remit to the credit of the Staff Salary Account all tuition fees as also 'late fees fines' within 4 days of collection.

5. The Educational Agency/College Committee shall remit on or before the 15th day of each month to the credit of the individual Post Office Account of each employee an amount equal to 3 per cent of the basic Pay of the employee towards the Management's contribution to the Teachers Provident Fund pertaining to the Previous month.

5. The Management will however be paid non-salary grant of 30% as at present to meet the expenditure towards maintenance and upkeep of the college on the approved items of expenditure, The non-salary account will be operated by the Secretary of the College Committee as at present. This amount will be paid after audit.

7. Any surplus in Special fees account in excess of 20 per cent of the collections shall be credited by the Principal to the Staff Salary Account on 31st May of every year. However, the Director of Collegiate Education is authorised to grant exemption from this provision in individual cases on merits.

8. All fees, receipts and other incomes and all expenditure shall be fully exhibited in the Annual Financial Statement which shall be submitted to the Director of Collegiate Education or his/her nominee prepared in such form as he/she may prescribe by the end of June of each year.

III. GENERAL PROVISIONS:

1. The Educational Agency/College Committee shall refund to the State Government any excess payment that has been made to the Management towards the Grant-in-Aid if and when such excess is found after the audit of accounts for the period concerned is over.

2. In case the Educational Agency/College Committee commits breach of all or any of the terms and conditions herein contained or if it falsifies its accounts or other records or misrepresents facts or commits fraud, the State Government shall have the power and authority to stop, discontinue or withhold all or any of the payments to the Educational Agency/College Committee and/or to the employees and also to recover from the Educational Agency/Colleges Committee the amounts found due to the State Government after giving an opportunity to the educational agency for making its representation.

3. If it is found at any time that any wrong payment has been made by the Director of Collegiate Education to the Educational Agency/College Committee by mistake or otherwise, the Educational Agency/College Committee shall refund the same to the State Government immediately.

4. All sums found due to the State Government shall be recoverable from the Educational Agency/College Committee and its properties, movable and immovable under the provisions of the Tamil Nadu Revenue Recovery Act 1854 (Tamil Nadu Act II of 1854) as though such sums are arrears of land revenue and also in any other manner as the Government may deem fit.

IV. RECRUITMENT OF TEACHERS OR OTHER PERSONS EMPLOYED IN A PRIVATE COLLEGE AND ADMISSION OF STUDENTS:

The Educational Agency/College Committee shall continue to follow the existing procedure of recruitment of employees, with provision for appointment of candidates belonging to back

class, Scheduled Caste/Scheduled Tribe. The Director of Collegiate Education will issue detailed instructions in this regard.

2. The Educational Agency/College Committee shall follow the guidelines issued by the Government and the Director of Collegiate Education regarding admission of students, as outlined in G.O.Ms.No. 795 Education dated 19.5.1975 (Arts and Science Colleges) G.O.Ms.No.1059 Education, dated 24.5.1975 (Training Colleges) G.O.Ms.No.951 Education dated 15.6.1979(PG courses), Director's proceedings No.52734 S3/78 dated 9.5.1978(admission time to time. The rule of reservation ordered by Government in G.O.Ms.No.223 Education dated 18.2.1972 and G.O.Ms.No. 371 Education dated 12.6.1972 shall also be followed while making admission of students.

V. CERTAIN POWERS AND DUTIES OF EDUCATIONAL AGENCY/COLLEGE COMMITTEE:

1. The Educational Agency/College Committee shall obtain from each teacher or toher person employed in a Private College an undertaking that he/she will faithfully observe the Code of Conduct prescribed as also the regulations of the college and recognises the Management's right to exercise disciplinary ~~and~~ control over him in accordance with lawful procedures in the event of a violation of such Code and or regulations by him.

2. The Educational Agency/College Committee shall dispense with the service, in accordance with lawful procedure of every teacher or other person employed in a Private College who engages himself or participates in any anti-social and an national activity as also other activities involving public order, decency or morality, contempt of court, defamation or incitement to an offence or activities subversive to the discipline on campus or disrupting the orderly working of the institution.

3. The Education Agence/College Committee shall not take part in political agitation directed against the authority of the State Government or foster opinionn tending to excite feelings or disloyalty or disaffection among the students.

4. The Educational Agency/College Committee shall --

(a) Strictly fulfil, in the case of an Institution, the conditions of affiliation as laid down in the Statutes, Ordinances and Regulations of the University and the guidelines of the State Government;

(b) report to the Director of Collegiate Education without delay and all changes in its constitution and in the personal of the Institutions;

(c) Subject the Institution to the Inspection of the Officers of the Directorate of Collegiate Education designated for the purpose of audit;

(d) Keep such accounts and render to the Director of Collegiate Education or her/his nominee such returns and reports as may be prescribed from time to time.

VI. CODE OF CONDUCT FOR TEACHERS AND OTHER PERSONS EMPLOYED IN A PRIVATE COLLEGE:

1. Every teacher or other person employed in a Private College shall discharge his/her duties efficiently and diligently and shall conform to the rules and regulations.

2. No teacher or other person employed in a Private College shall ~~engage himself or herself in any trade or business~~ absent himself/herself from his/her duties without prior permission. In case of sickness or absence on medical grounds, a medical certificate to the satisfaction of the College authorities shall be produced within a week.

3. No teacher or other person employed in a Private College shall engage directly or indirectly in any trade or business. In the case of remunerative work like Private tuition, etc. specific sanction of the college authorities in writing shall be obtained.

4.(a) No teacher or other person employed in a Private College shall send any application for employment under any other agency, except through the college committee.

(b) The college committee shall not withhold any such application. It shall however be open to the college committee to prescribe reasonable conditions for relieving him.

5. When a teacher or other person employed in a Private college seeks to accept honorary work without detriment to his duties prior permission of the college committee in writing shall be obtained.

6. A teacher or other person employed in a Private College, when involved in a criminal proceedings, shall inform the college committee or such proceedings.

7. No teacher or other person employee in a private college shall engage himself/herself in any political activity. He/She shall not associate with any political party or any organisation which takes part in politics or shall subscribe to, or assist in any other manner, any political movements.

8. No teacher or other person employed in a Private college shall contest or participate in or canvass for any elections. Such restriction will not however apply to the teachers in respect of elections to the teachers constituencies.

9. No teacher or other person employed in a Private college shall bring or attempt to bring any political or other influence on his/her superior authority in respect of his individual service interests.

10. No teacher or other person employed in a Private college shall engage himself/herself or participate in any demonstration or activity which is prejudicial to the sovereignty and integrity of India, the security of the State the friendly relation with foreign states, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence.

11. No teacher or other person employed in a Private College shall indulge in any criticism of the policies of the State Government either directly or indirectly or participate in activities which bring disrepute to the Government.

VII. DISCIPLINARY AND APPEAL PROCEDURES:

No. teacher or other person employed in any Private College shall be dismissed, removed or reduced in rank nor shall his appointment be otherwise terminated except with the prior approval of the concerned University. The University shall approve such dismissal, removal, reduction in rank or termination of appointment if it is satisfied that there are adequate and reasonable grounds. No teacher or other person employed in any Private college shall be placed under suspension, except when an inquiry into the gross misconduct is contemplated. No such suspension shall remain in force for more than a period of two months from the date of suspension and if such inquiry is not completed within that period, such teacher or other person shall without prejudice to the inquiry, be deemed to have been restored as teacher or other employee. The concerned University may extend the said period of two months for a further period not exceeding two months in deserving cases on merits.

2. Any teacher or other person employed in any private college who is dismissed, removed or reduced in rank or whose appointment is otherwise terminated shall prefer an appeal against such order to the State Government within a period of one month from the date of the order. Appeal preferred beyond this time limit but within two months shall however be entertained by the State Government on merits. The orders of Government shall be final.

3. The Director of Collegiate Education is requested to issued necessary further detailed instructions for the smooth implementation of the above orders of State Government such as prescribing of forms in which bills and schedules are to be prepared etc. Failure on the part of the management to implement the above orders will entail disallowance of the Government grant either in full or part as decided by the Government.

4. This order issues with the concurrence of the Finance Department vide its U.O.No.4225/PS/P/80 dated 10.1.1980.

(By order of the Governor)

F.C.PRABHAKAR
Commissioner & Secretary to Government.

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