



**TAMIL NADU RECOGNISED PRIVATE SCHOOLS
REGULATION ACT 1973
AND
RULES 1974**

**Asst. Director of School Education,
(Statistics)
Madras-600 006,**



**GOVERNMENT OF TAMIL NADU
1976**

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GOVERNMENT OF TAMIL NADU.

LAW DEPARTMENT.

THE TAMIL NADU RECOGNISED PRIVATE SCHOOLS
(REGULATION) ACT, 1973.

[TAMIL NADU ACT 29 OF 1974]

(ACT AS MODIFIED UP TO 1ST FEBRUARY 1975)

REFERENCES TO PAPERS CONNECTED WITH
THE PRINCIPAL ACT.

1. The Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974)

[For statement of objects and reasons, see the Tamil Nadu Government Gazette Extraordinary, Part IV—Section 3, dated the 10th August 1972, pages 194–221; for Act, see the Tamil Nadu Government Gazette, Part IV—Section 2, dated the 24th June 1974, pages 147 to 177.]

ARRANGEMENT OF SECTIONS

CHAPTER I. ~~Sub.~~ National Systems Unit,
PRELIMINARY. National Institute of Educational
Planning and Administration

SECTIONS :

1. Short title, extent, application and commencement. *5-7-10*
2. Definitions. *28/3/83*

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CHAPTER II.

ESTABLISHMENT, PERMISSION FOR ESTABLISHMENT AND
MANAGEMENT OF PRIVATE SCHOOLS.

3. Power of Government to regulate school education.
4. New private school to obtain permission.
5. Application for permission and sending of statement.
6. Grant of permission.

2 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 2]

SECTIONS :

7. Permission deemed to have been granted in certain cases.
8. Approval of transfer of permission.
9. Minority school to be established without permission.
10. Minority schools to send statement.

CHAPTER III.

RECOGNITION OF PRIVATE SCHOOL.

11. Recognition of private school.
12. Withdrawal of recognition by competent authority.
13. Effect of withdrawal of recognition.
14. Payment of grant.

CHAPTER IV.

SCHOOL COMMITTEE AND ITS CONSTITUTION AND FUNCTIONS.

15. Constitution of school committee.
16. Secretary of the school committee.
17. Meetings of the school committee.
18. Functions of the school committee and responsibility of educational agency under the Act.

CHAPTER V.

TERMS AND CONDITIONS OF SERVICE OF TEACHERS AND OTHER PERSONS EMPLOYED IN PRIVATE SCHOOLS.

19. Qualifications, conditions of service, etc., of teachers and other persons employed in private schools.
20. Appointment of teachers and other employees in private schools.
21. Teachers and other persons employed in private schools to be governed by code of conduct.

RECOGNISED PRIVATE SCHOOLS (REGULATION) 3
1974: T.N. Act 29]

SECTIONS :

22. Dismissal, removal or reduction in rank or suspension of teachers or other persons employed in private schools.
23. Appeal against orders of punishment imposed on teachers and other persons employed in private schools.
24. Second appeal in case of dismissal, removal or reduction in rank or termination of appointment of teachers and other persons employed in private schools.
25. Special provision regarding appeal in certain past disciplinary cases.
26. Absorption of teachers or other persons on retrenchment.
27. Pay and allowances of teachers and other persons employed in private schools to be paid in the prescribed manner.
28. Chapter to have overriding effect.

CHAPTER VI.

CONTROL OF PRIVATE SCHOOLS.

29. Closure of private schools.
30. Educational agency to send list of properties.
31. Restriction on alienation of property of private school.
32. Fees and other charges.
33. Utilization of funds and property of private school.
34. Taking over management of private school.
35. Relinquishment of control of property.
36. Minority school not to be taken over.

CHAPTER VII.

ACCOUNTS, AUDIT, INSPECTION AND RETURNS.

37. Accounts.
38. Annual audit of accounts.
39. Inspection or inquiry.
40. Furnishing of returns, etc.

CHAPTER VIII.

GENERAL PROVISIONS REGARDING APPEAL AND REVISION.

SECTIONS :

41. Appeal against orders of Competent Authority.
42. Tribunal.
43. Time for appeal and powers of Appellate Authority.
44. Deposit with the Tribunal of pay and allowances of teachers and other persons employed in private schools in certain cases.
45. Revision.

CHAPTER IX.

PENALTIES AND PROCEDURE.

46. Penalty for not giving information or giving false information.
47. Other penalties.
48. Offences by companies.
49. Cognizance of offences.
50. Jurisdiction of criminal court.

CHAPTER X.

MISCELLANEOUS.

51. Delegation of powers of Government.
52. Competent authority, etc., to be public servant.
53. Civil Court not to decide questions under this Act.
54. Finality of orders, etc., passed under this Act.
55. Indemnity.
56. Power to make rules.
57. Publication of rules, commencement of rules and notifications and placing them on the table of the Legislature.

RECOGNISED PRIVATE SCHOOLS (REGULATION) 5
[1974: T.N. Act 29]

THE TAMIL NADU RECOGNISED PRIVATE SCHOOLS
REGULATION) ACT, 1973.

(TAMIL NADU ACT 29 OF 1974)

[Received the assent of the President on the 20th June 1974,
published in the *Tamil Nadu Government Gazette Extra-
ordinary*, dated the 24th June 1974.]

*An Act to provide for the regulation of recognised private schools
in the State of Tamil Nadu.*

BE it enacted by the Legislature of the State of Tamil Nadu in
the Twenty-fourth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

1. *Short title, extent, application and commencement.*—(1)
This Act may be called the Tamil Nadu Recognised Private
Schools (Regulation) Act, 1973.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It applies to all private schools.

(4) It shall come into force on such date as the Govern-
ment may, by notification, appoint.

2. *Definitions.*—In this Act, unless the context otherwise
requires—

(1) “academic year” means the year commencing on the
first day of January or June ;

(2) “competent authority” means any authority, officer or
person authorised by the Government, by notification, to perform
the functions of the competent authority under this Act for such
area or in relation to such class of private schools, as may be
specified in the notification ;

(3) “educational agency” in relation to—

(a) any minority school, means any person who, or body
of persons which, has established and is administering or proposes
to establish and administer such minority school ; and

(b) any other private school, means any person or body
of persons permitted or deemed to be permitted under this Act to
establish and maintain such other private school ;

(4) "Government" means the State Government ;

(5) "grant" means any sum of money paid as aid out of State Funds to any private school ;

(6) "minority school" means a private school or its choice established and administered, or administered, by any such minority whether based on religion or language as has the right to do so under clause (1) of article 30 of the Constitution ;

(7) "private school" means a pre-primary, primary, middle or high school or any other institution imparting education or training, established and administered or maintained by any person or body of persons, and recognised by the competent authority under this Act but does not include a school or an institution—

(a) imparting technical or professional education ;

(b) established and administered or maintained by the Central Government or the State Government or any local authority ;

(c) maintained or approved by, or affiliated to, any University established by law ; or

(d) giving, providing or imparting religious instruction alone, but not any other instruction ;

(8) "school committee", in relation to a private school, means the school committee constituted under section 15 ;

(9) "secretary", in relation to a private school, means the secretary referred to in section 16 ;

(10) "Tribunal" means a Tribunal constituted under section 42 and having jurisdiction.

CHAPTER II.

ESTABLISHMENT, PERMISSION FOR ESTABLISHMENT AND MANAGEMENT OF PRIVATE SCHOOLS.

3. *Power of Government to regulate school education.*—The Government may regulate the different stages of education and courses of instruction in private schools.

4. *New private school to obtain permission.*—Save as otherwise expressly provided in this Act, no person shall, without the permission of the competent authority and except in accordance

RECOGNISED PRIVATE SCHOOLS (REGULATION) 7
[1974: T.N. Act 29]

with the terms and conditions specified in such permission, establish on or after the date of the commencement of this Act, any private school.

5. *Application for permission and sending of statement.*—(1) The educational agency of every private school proposed to be established on or after the date of the commencement of this Act shall make an application to the competent authority for permission to establish such school.

(2) Every such application shall—

(a) be in the prescribed form;

(b) be accompanied by such fee not exceeding one hundred rupees as may be prescribed; and

(c) contain the following particulars, namely:—

(i) the name of the private school and the name and address of the educational agency;

(ii) the need for the private school in the locality;

(iii) the course for which such private school proposes to prepare, train or guide its pupils for appearing at any examination conducted by, or under the authority of, the Government;

(iv) the amenities available to pupils and teachers;

(v) the equipment, laboratory, library and other facilities for instruction;

(vi) the sources of income to ensure the financial stability of the private school;

(vii) the situation and the description of the buildings in which such private school is proposed to be established; and

(viii) such other particulars as may be prescribed.

(3) The educational agency of every private school in existence on the date of the commencement of this Act shall, before the expiry of six months from that date, send to the competent authority a statement in the prescribed form containing—

(i) the particulars specified in clause (c) [excluding sub-clause (i) thereof] of sub-section (2);

(ii) the names of the members of the teaching and non-teaching staff and the educational qualifications of each such member; and

8 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29]

(iii) the number of pupils and classes in the private school.

6. *Grant of permission.*—On receipt of an application under sub-section (1) of section 5, the competent authority—

(a) may, after considering the particulars contained in such application, grant or refuse to grant the permission; and

(b) shall communicate its decision to the applicant within a period of four months from the date of such receipt:

Provided that the permission shall not be refused under this section unless the applicant has been given an opportunity of making his representations:

Provided further that in case of refusal of the permission the applicant shall be entitled to refund of one-half of the amount of the fee accompanying the application.

7. *Permission deemed to be granted in certain cases.*—On receipt of a statement under sub-section (3) of section 5 from any private school in existence immediately before the date of the commencement of this Act, permission under section 6 shall be deemed to have been granted to such private school but no fee shall be payable for any such permission.

8. *Approval of transfer of permission.*—(1) (a) Whenever there is any change in the constitution of the educational agency that agency shall apply to the competent authority for approval of such change.

(b) Whenever the management of any private school is proposed to be transferred, the educational agency and the person to whom the management is proposed to be transferred may, before such transfer, apply jointly to the competent authority for approval of the transfer.

(c) On any transfer of the management of private school, without approval having been obtained for such transfer under clause (b), the transferee shall, if he desires to run it as such, apply to the competent authority within three months of the date of the transfer, for approval of the transfer.

(d) An application under clause (a), clause (b) or clause (c) shall be in such form and contain such particulars as may be prescribed.

RECOGNISED PRIVATE SCHOOLS (REGULATION) 9
1974: T.N. Act 29]

(2) On receipt of an application under sub-section (1), the competent authority shall—

(a) if it is satisfied, after making such inquiry as it deems fit, that the educational agency will continue to maintain and manage or, as the case may be, that the transferee will maintain and manage, the private school, in accordance with the provisions of this Act and the rules made thereunder, approve the change or, as the case may be, the transfer, subject to such conditions as it may impose; and

(b) communicate its decision to the applicant within a period of three months from the date of such receipt.

9. *Minority school to be established without permission.*—Any minority whether based on religion or language may establish and administer any private school without permission under section 6.

10. *Minority school to send statement.*—(1) Every minority school in existence immediately before the date of the commencement of this Act shall send to the competent authority a statement containing the particulars specified in clause (c) [excluding sub-clause (ii) thereof] of sub-section (2) of section 5 within such time as may be prescribed.

(2) Every minority school established and administered after the date of the commencement of this Act shall send to the competent authority a statement containing particulars specified in clause (c) of sub-section (2) of section 5 within such time as may be prescribed.

CHAPTER III.

RECOGNITION OF PRIVATE SCHOOL.

11. *Recognition of private school.*—(1) On receipt of an application by—

(a) any private school in respect of which permission has been or is deemed to have been granted under section 6; or

(b) any minority school;
the competent authority may, after satisfying itself, that proper arrangements have been made for the maintenance of academic standard in the school, that the provisions of this Act are complied with and that the prescribed conditions have been satisfied grant a certificate, recognising the private school for the purposes of this Act.

10 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29]

(2) The certificate under sub-section (1) shall be granted within such period as may be prescribed.

12. *Withdrawal of recognition by competent authority.*—

(1) The competent authority may withdraw permanently or for any specified period the recognition of any private school—

(i) which does not comply with any of the provisions of this Act or any rules made or directions issued thereunder in so far as such provisions, rules or directions are applicable to such private school, or

(ii) in respect of which the pay and allowances payable to any teacher or other person employed in such private school are not paid to such teacher or other person in accordance with the provisions of this Act or the rules made thereunder, or

(iii) which contravenes or fails to comply with any such conditions as may be prescribed.

(2) Before withdrawing the recognition under sub-section (1), the competent authority shall give the educational agency an opportunity of making its representation.

13. *Effect of withdrawal of recognition.*—Any private school, the recognition of which has been withdrawn shall not be entitled to ---

(i) receive any grant or other financial assistance from the Government; or

(ii) prepare, train or guide pupils for appearing at any examination conducted by, or under the authority of, the Government.

14. *Payment of grant.*—(1) The Government may pay to the private school grant at such rate and for such purposes as may be prescribed.

(2) The Government may withhold permanently or for any specified period the whole or part of any grant referred to in sub-section (1) in respect of any private school,—

(i) which does not comply with any of the provisions of this Act or any rules made or directions issued thereunder in so far as such provisions, rules or directions are applicable to such private school, or

(ii) in regard of which the pay any allowances payable to any teacher or other person employed in such private school are not paid to such teacher or other person in accordance with the provisions of this Act or the rules made thereunder, or

RECOGNISED PRIVATE SCHOOLS (REGULATION) 11
1974: T.N. Act 29]

(iii) which contravenes or fails to comply with any such condition as may be prescribed.

(3) Before withholding the grant under sub-section (2), the Government shall give the educational agency an opportunity of making its representation.

CHAPTER IV.

SCHOOL COMMITTEE AND ITS CONSTITUTION AND FUNCTIONS

15. *Constitution of school committee.*—(1) Every private school shall have a duly constituted school committee which shall include the headmaster of the private school and the seniormost teachers employed in the private school as provided in sub-section (2).

(2) The number of representative of the teachers on such constituted school committee shall be such as may be prescribed and different number of representatives may be prescribed for different classes of private schools.

16. *Secretary of the school committee.*—(1) Every school committee shall have a secretary who shall exercise such powers and perform such functions as may be prescribed.

(2) Every person holding office as president, secretary, manager or correspondent of a private school or exercising the powers of secretary under this Act on the date of the commencement of this Act shall be deemed to be a secretary under this Act.

17. *Meetings of the school committee.*—(1) The school committee shall meet at such times and places and shall, subject to the provisions of sub-sections (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings (including the quorum at meetings) as may be prescribed :

Provided that the school committee shall meet at least once in every three months.

(2) The president of the school committee or, in his absence, any member chosen by the members present, shall preside at a meeting of the school committee.

(3) All questions at any meeting of the school committee shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the president or, in his absence, the member presiding, shall have and exercise a second or casting vote.

12 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29]

18. *Functions of the school committee and responsibility of educational agency under the Act.*—(1) Subject to the provisions of this Act and the rules made thereunder, the school committee shall have the following functions, namely :—

(a) to carry on the general administration of the private school excluding the properties and funds of the private school;

(b) to appoint teachers and other employees of the private school, fix their pay and allowances and define their duties and the conditions of their service; and

(c) to take disciplinary action against teachers and other employees of the private school.

(2) The educational agency shall be bound by anything done by the school committee in the discharge of the functions of that committee under this Act.

(3) For the purposes of this Act, any decision or action taken by the school committee in respect of any matter over which the school committee has jurisdiction shall be deemed to be the decision or action taken by the educational agency.

CHAPTER V.

TERMS AND CONDITIONS OF SERVICE OF TEACHERS AND OTHER PERSONS EMPLOYED IN PRIVATE SCHOOLS.

19. *Qualifications, conditions of service, etc., of teachers and other persons employed in private schools.*—The Government may make rules regulating the number, qualifications and conditions of service (including promotion, pay, allowances, leave, pension, provident fund, insurance and age of retirement and rights as respect disciplinary matters) of the teachers and other persons employed in any private school.

20. *Appointment of teachers and other employees in private schools.*—(1) No person who does not possess the qualifications prescribed under section 19 shall on or after the date of the commencement of this Act, be employed as teacher or other employee in any private school.

(2) Nothing contained in this section or any rule made thereunder shall apply to any person who, on or before the date of the commencement of this Act is employed as teacher or other employee in any private school.

21. *Teachers and other persons employed in private schools to be governed by Code of Conduct.*—(1) Every teacher and every other person employed in any private school shall be governed by such Code of Conduct as may be prescribed and if any teacher or other person so employed violates any provision of such Code of Conduct, he shall be liable to such disciplinary action as may be prescribed.

(2) The school committee may define the standards of conduct to be observed by teachers and other persons employed in the private school, such standards not being inconsistent with the provisions of this Act and the rules made thereunder.

22. *Dismissal, removal or reduction in rank or suspension of teachers or other persons employed in private schools.*—(1) Subject to any rule that may be made in this behalf, no teacher or other person employed in any private school shall be dismissed, removed, or reduced in rank nor shall his appointment be otherwise terminated except with the prior approval of the competent authority.

(2) Where the proposal to dismiss, remove or reduce in rank or otherwise terminate the appointment of any teacher or other person employed in any private school is communicated to the competent authority, that authority shall, if it is satisfied that there are adequate and reasonable grounds for such proposal, approve such dismissal, removal, reduction in rank or termination of appointment.

(3) (a) No teacher or other person employed in any private school shall be placed under suspension, except when an inquiry into the gross misconduct, within the meaning of the Code of Conduct prescribed under sub-section (1) of section 21, of such teacher or other person is contemplated.

(b) 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 :

Provided that the competent authority may, for reasons to be recorded in writing, extend the said period of two months, for a further period not exceeding two months, if, in the opinion of such competent authority, the inquiry could not be completed

14 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29

within the said period of two months for reasons directly attributable to such teacher or other person.

23. *Appeal against orders of punishment imposed on teachers and other persons employed in private schools.*—Any teacher or other person employed in any private school—

(a) who is dismissed, removed or reduced in rank or whose appointment is otherwise terminated ; or

(b) whose pay or allowances or any of whose conditions of service are altered or interpreted to his disadvantage, by any order, may prefer an appeal against such order to such authority or officer as may be prescribed ; and different such authorities or officer as may be prescribed for different classes of private schools.

Explanation.—In this section, the expression ‘ order ’ includes any order made on or after the date of the commencement of this Act in any disciplinary proceeding which was pending on that date.

24. *Second appeal in case of dismissal, removal or reduction in rank or termination of appointment of teachers or other persons employed in private schools.*—If the appeal under section 23 was against the dismissal, removal or reduction in rank or the termination otherwise of the appointment of any teacher or other person employed in any private school, such teacher or other person or the educational agency aggrieved by any order made in any such appeal, may prefer an appeal against that appellate order to the Tribunal.

25. *Special provision regarding appeal in certain past disciplinary cases.*—(1) If, before the date of the commencement of this Act, any teacher or other person employed in any private school has been dismissed or removed or reduced in rank or his appointment has been otherwise terminated and any appeal preferred before that date—

(a) by him against such dismissal or removal or reduction in rank or termination ; or

(b) by him or the educational agency against any order made before that date in the appeal referred to in clause (a) is pending on that date, such appeal shall—

RECOGNISED PRIVATE SCHOOLS (REGULATION) 15
[1974: T.N. Act 29]

(i) in a case falling under clause (a), stand transferred to the appellate authority prescribed under section 23 ; or

(ii) in a case falling under clause (b), stand transferred to the Tribunal.

(2) If any such appeal as is referred to in sub-section (1) has been disposed of before the date of the commencement of this Act the order made in any such appeal shall be deemed to be an order made under this Act and shall have effect accordingly.

26. *Absorption of teachers or other persons on retrenchment.*—Where any retrenchment of any teacher or other person employed in any private school is rendered necessary consequent on any order of the Government relating to education or course of instruction or to any other matter, it shall be competent for the Government or the school committee of any private school to appoint such teacher or other person in any school or institution maintained by the Government or in such private school, as the case may be.

27. *Pay and allowances of teachers and other persons employed in private schools to be paid in the prescribed manner.*—The pay and allowances of any teacher or other person employed in any private school shall be paid on or before such day of every month, in such manner and by or through such authority, officer or person, as may be prescribed.

28. *Chapter to have overriding effect.*—(1) This Chapter or any rule providing for all or any of the matters specified in this Chapter or any order made in relation to any such matter shall have effect notwithstanding—

(a) anything contained in any—

(i) other law for the time being in force, or

(ii) award, agreement or contract of service, whether such award, agreement or contract of service was made before or after the date of the commencement of this Act, or

(iii) judgment, decree or order of court, Tribunal or authority, or

(b) that the rules relating to recognition of, or payment of grant, to private schools, had or have no statutory force :

Provided that where, under any such award, agreement, contract of service or otherwise, any teacher or other person employed in any private school is entitled to benefits in respect of

any matter which are more favourable to him than those to which he will be entitled under this Chapter, such teacher or other person shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that he receives benefits in respect of other matters under this Chapter.

(2) Nothing contained in this Chapter shall be construed as precluding any such teacher or other person from entering into an agreement for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Chapter.

CHAPTER VI.

CONTROL OF PRIVATE SCHOOL.

29. *Closure of private school.*—(1) No private school and no class and no course of instruction therein in a private school shall be closed without a notice in writing having been given to the competent authority and without making such arrangements as may be prescribed for the continuance of the instruction of the pupils of private school or the class or the course of instruction, as the case may be, for the period of study for which the pupils have been admitted.

(2) The period of notice under sub-section (1) shall be such as may be prescribed and different periods of notice may be prescribed for different classes of private schools.

30. *Educational agency to send list of properties.*—The educational agency shall, on or before the prescribed date in each year, furnish to the competent authority a statement (with such particulars as may be prescribed) of every—

(a) movable property of not less than such value as may be prescribed ; and

(b) immovable property of the private school.

31. *Restriction on alienation of property or private school.*—(1) Notwithstanding anything contained in any other law for the time being in force or in any deed, document or instrument having effect by virtue of such other law—

(a) no property of a private school shall, except with the previous permission in writing of the competent authority, be

RECOGNISED PRIVATE SCHOOLS (REGULATION) 17
1974 : T.N. Act 29]

transferred by way of sale, exchange, mortgage, charge, pledge, lease, gift or any other manner whatsoever ; and

(b) if any such property is transferred without such permission, the transfer shall be null and void.

(2) The competent authority may—

(a) grant the permission under clause (a) of sub-section (1) if the transfer is made in furtherance of the purposes of the private school or of similar purposes approved by the competent authority, and the assets resulting from the transfer are to be wholly utilized in furtherance of the said purposes ; and

(b) when granting such permission, impose such conditions as it deems fit to ensure that such assets are wholly utilized in furtherance of such purposes ; but a contravention of any such condition shall not invalidate the transfer :

Provided that the permission shall not be refused under this section unless the applicant has been given an opportunity of making his representations.

Explanation.—For the purposes of this section, ' property ' means any—

(a) movable property of not less than such value as may be prescribed ; and

(b) such immovable property as may be specified in the rules made in this behalf.

32. *Fees and other charges.*—(1) Subject to the provisions of sub-section (2) no private school shall levy any fee or collect any other charge or receive any other payment except a fee, charge or payment specified by the competent authority.

(2) Every private school in existence on the date of the commencement of this Act and levying different rates of fees or other charges or receiving any other amount on such date, shall obtain the prior approval of the competent authority before continuing to levy such fees or charges or receive such payment.

33. *Utilisation of funds and property of private school.*—(1) All the moneys collected, grants received and other property held by or on behalf of a private school shall be utilised for the purposes for which they are intended, and shall be accounted for by the educational agency in such manner as may be prescribed.

18 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29]

(2) A private school may invest or deposit its funds--

(a) in any corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 5 of 1970) or post office Savings Bank; or

(b) in any of the securities specified in section 20 of the Indian Trusts Act, 1882 (Central Act II of 1882) ; or

(c) in such other mode as may be prescribed.

34. *Taking over management of private school.*—(1) If on receipt of a report from the competent authority or otherwise the Government are satisfied that the educational agency of any private school has neglected to discharge any of the duties imposed on, or to perform any of the functions entrusted to, that agency by or under this Act or any rule or order made or direction issued thereunder and that it is expedient in the interests of school education to take over the management of such private school, the Government may, by order, in writing, take over the management of such private school.

(2) Before making an order under sub-section (1), the Government shall give the educational agency an opportunity of making its representations.

(3) Any order made under sub-section (1) shall have effect, unless it is cancelled earlier for such period as may be specified in the order :

Provided that the period so specified shall not, in the first instance, exceed two years but may, by a like order, be extended from time to time, by any period not exceeding one year at any one time, if it appears to the Government that the interests of school education require such extension; so, however, that no such order as so extended shall, in any case, remain in force for more than five years in the aggregate.

(4) On the making of an order under sub-section (1) taking over the management of a private school,—

(a) the educational agency and the school committee shall cease to discharge the duties imposed on, and to perform the functions entrusted to, that agency and that committee; and

(b) the Government—

(i) shall take all such steps as may be necessary to efficiently manage and run the private school in accordance with

RECOGNISED PRIVATE SCHOOLS (REGULATION) 19
1974: T.N. Act 29]

any law applicable to the private school in so far as such law is not inconsistent with this Act and the rules made thereunder and to take into the custody or control of the Government all the property, effects and actionable claims to which the private school is or appears to be entitled, and all the property and effects of the private school shall be deemed to be in the custody of the Government as on and from the date of the order; and

(ii) may afford such special educational facilities as were, immediately before the making of the order under sub-section (1) afforded at the private school.

Explanation.—In sub-clause (i) of clause (b), the expression “law” includes any by-law, rule, regulation, custom or usage.

(5) If at any time it appears to the Government that the purpose of the order made under sub-section (1) has been fulfilled or that for any other reason, the order should be cancelled, the Government may, by order in writing, cancel the order made under sub-section (1) and on such cancellation, the maintenance and management of the private school shall stand restored to the educational agency.

(6) Any person aggrieved by any order of the Government under this section may prefer an appeal against such order to the Tribunal.

(7) This section or any order made thereunder shall have effect notwithstanding anything contained in any other law for the time being in force or in any deed, document or instrument having effect by virtue of such other law.

35. *Relinquishment of control of property.*—(1) Where the control of any property taken over under section 34 is to be relinquished, the Government may, after making such inquiry, if any, as they consider necessary, by order in writing, specify the person to whom possession of the property shall be delivered.

(2) The delivery of possession of any such property to the person specified in the order made under sub-section (1) shall be a full discharge of the Government or the competent or any other authority or officer or servant of the Government from all liability in respect of such property, but shall not prejudice any rights in respect of such property which any other person may be entitled by due process of law, to enforce against the person to whom possession of the property is so delivered.

(3) Where the person to whom possession of any property referred to in sub-section (1) is to be delivered cannot be found or has no legal agent or other person empowered to accept delivery on his behalf, the Government shall cause to be published in the *Tamil Nadu Government Gazette* a notice declaring that the control of such property is relinquished; and in the case of any building or land, shall cause a copy thereof to be affixed on some conspicuous part of such building or land.

(4) When the notice referred to in sub-section (3) is published in the *Tamil Nadu Government Gazette*,—

(a) the property specified in such notice shall cease, on and from the date of such publication, to be subject to the control of the Government or the competent or any other authority or officer or servant of the Government;

(b) possession of such property shall be deemed to have been delivered on that date to the person entitled to possession thereof: and

(c) the Government or the competent or any other authority or officer or servant of the Government shall not be liable for any rent, compensation or other claim in respect of such property for any period after the said date.

36. *Minority school not to be taken over.*—Notwithstanding anything contained in this Chapter, the Government shall not take over the management of any minority school under section 34.

CHAPTER VII.

ACCOUNTS, AUDIT, INSPECTION AND RETURNS.

37. *Accounts.*—Every private school shall maintain accounts in such manner and containing such particulars as may be prescribed.

38. *Annual audit of accounts.*—(1) The accounts of every private school receiving grant shall be audited at the end of every academic year by such authority, officer or person as may be prescribed and different authorities, officers or persons may be prescribed for different classes of private schools.

RECOGNISED PRIVATE SCHOOLS (REGULATION) 21
1974: T.N. Act 29]

(2) (a) The authority, officer or person, prescribed under sub-section (1), shall send a copy of the report on the audit of the accounts under that sub-section to the competent authority which shall forward the report to the educational agency.

(b) The educational agency shall, within such time as may be prescribed, submit that report together with the comments of that agency to the competent authority.

39. *Inspection or inquiry.*—(1) The competent authority shall have the right to cause an inspection of, or inquiry in respect of, any private school, its buildings, laboratories, libraries, workshops and equipment, and also of the examinations, teaching and other work conducted or done by the private school, to be made by such person or persons as it may direct and to cause an inquiry to be made in respect of any other matter connected with the private school and the educational agency shall be entitled to be represented thereat.

(2) The competent authority shall communicate to the educational agency the views of that authority with reference to the results of such inspection or inquiry and may, after ascertaining the opinion of the educational agency thereon, advise that agency upon the action to be taken.

(3) The educational agency shall report to the competent authority the action, if any, which is proposed to be taken or has been taken upon the results of such inspection or inquiry. Such report shall be furnished within such time as the competent authority may direct.

(4) Where the educational agency does not, within a reasonable time, take action to the satisfaction of the competent authority that authority may, after considering any explanation furnished or representation made by the educational agency, issue such directions as that authority deems fit and the educational agency shall comply with such directions.

40. *Furnishing of returns, etc.*—Every educational agency shall, within such time or within such extended time as may be fixed by the competent authority in this behalf, furnish to the competent authority such returns, statistics and other information as the competent authority may, from time to time, require.

CHAPTER VIII.

GENERAL PROVISIONS REGARDING APPEAL AND REVISION.

41. *Appeal against orders of competent authority.*—(1) Any person aggrieved by any order, decision or direction of the competent authority under any provision (other than section 34) of this Act may prefer an appeal against such order, decision or direction, to such authority or officer as may be prescribed; and different such authorities or officers may be prescribed for different classes of private schools.

(2) If the competent authority omits to communicate its decision to any applicant within the period specified in clause (b) of section 6 or in clause (b) of sub-section (2) of section 8, such applicant may prefer an appeal against such omission to the appellate authority prescribed under this section.

42. *Tribunal.*—(1) The Government may constitute as many Tribunals as may be necessary for the purposes of this Act.

(2) Each Tribunal shall consist of one person only who shall be a judicial officer not below the rank of a subordinate judge.

(3) Each Tribunal shall have such jurisdiction and over such area or in relation to such class of private schools, as the Government may, by notification, from time to time, determine.

(4) Every Tribunal shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Central Act V of 1908) while hearing an appeal.

43. *Time for appeal and powers of appellate authority.*—(1) No appeal under any provision of this Act shall be preferred after expiry of one month from the date on which the order decision or direction appealed against, was received by the appellant:

Provided that the appellate authority may, in its discretion allow further time not exceeding one month for preferring any such appeal if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

(2) On receipt of any such appeal, the appellate authority shall, after—

(i) giving the parties an opportunity of making their representations.

RECOGNISED PRIVATE SCHOOLS (REGULATION) 23
1974: T.N. Act 29]

(ii) making, if necessary, such inquiry as it deems fit, and

(iii) considering all the circumstances of the case, make such order as it deems just and equitable.

(3) The appellate authority may, pending the exercise of its power, pass such interlocutory orders as it deems fit.

(4) Every appeal under this Act shall be disposed of as expeditiously as possible.

44. *Deposit with the Tribunal of pay and allowances of teachers and other persons employed in private schools in certain cases.*—(1) If the appellate authority referred to in section 23 has, in any appeal under that section against the dismissal or removal or reduction in rank or the termination otherwise of the appointment of any teacher or other person employed in any private school, made an order restoring such teacher or other employee as such, no appeal against the order of such restoration shall be preferred to the Tribunal and no appeal (against the order of such restoration) which, under section 25, stands transferred to the Tribunal shall be proceeded with by the Tribunal unless the educational agency deposits with the Tribunal all arrears of pay and allowances due to such teacher or other person from the date of his dismissal or removal or reduction in rank or termination otherwise of his appointment up to the date of deposit, and continues to deposit the pay and allowances due to such teacher or other person until the termination of the proceedings before the Tribunal.

(2) The deposit under sub-section (1) shall be made within such time and in such manner as may be prescribed.

(3) Where there is any dispute as to the amount to be deposited under sub-section (1), the Tribunal shall, on application made to it either by the educational agency or by such teacher or other person, and after making such inquiry as it deems fit, determine summarily the amount to be so deposited.

(4) If the educational agency fails to deposit the amount as aforesaid, the Tribunal shall, unless the educational agency shows sufficient cause to the contrary, stop all further proceedings and make an order directing the educational agency to restore such teacher or other employee as such.

24 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974: T.N. Act 29]

(5) (a) Where, as a result of any final order made by the Tribunal at the conclusion of the proceedings before it, such amount of pay and allowances as becomes due to such teacher or other person, shall be paid to him out of the amount deposited under sub-section (1).

(b) If there is any balance left of the amount deposited under sub-section (1) after payment under clause (a) of the pay and allowances referred to in that clause, such balance or, where no amount becomes due as aforesaid to such teacher or other person, the whole of the amount deposited under sub-section (1), shall be returned to the educational agency.

45. *Revision.*—(1) The Government may call for and examine the record of any authority or officer prescribed for the purpose of section 41 in respect of any proceedings to satisfy themselves as to the regularity of such proceeding, or the correctness, legality or propriety of any order made, decision taken or direction issued therein; and, if, in any case, it appears to the Government that any such order, decision or direction should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly.

(2) No order prejudicial to any person shall be passed under sub-section (1) unless such person has been given an opportunity of making his representations.

(3) The Government may, pending the exercise of their power under sub-section (1), pass such interlocutory orders as they deem fit.

CHAPTER IX.

PENALTIES AND PROCEDURE.

46. *Penalty for not giving information or giving false information.*—If any person, when required, by or under this Act or any rule made under this Act, to furnish any information, omits to furnish such information or furnishes any information, which he knows, or has reasonable cause to believe, to be false, or not true, in any material particular, he shall be punishable with fine which may extend to one hundred rupees.

47. *Other penalties.*—(1) If any person wilfully contravenes, or attempts to contravene, or knowingly abets the contravention

RECOGNISED PRIVATE SCHOOLS (REGULATION) 25
1974: T.N. Act 29]

of, any of the provisions of this Act or any rule made thereunder, he shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

(2) If any person wilfully obstructs any authority, officer or person, from entering any private school in the exercise of any power conferred on it or him by or under this Act, he shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to one thousand rupees, or with both.

48. *Offences by companies.*—(1) Where an offence against any of the provisions of this Act or any rule made thereunder has been committed by a company, every person who, at the time the offence was committed, was in charge of and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any such offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

(a) “ company ” means any body corporate and includes a firm, society or other association of individuals, and

(b) “ director ” in relation to—

(i) a firm, means a partner in the firm,

(ii) a society or other association of individuals, means the person who is entrusted, under the rules of the society or other association, with the management of the affairs of the society or other association, as the case may be.

49. *Cognizance of offences.*—No court shall take cognizance of any offence punishable under this Act except on a report in writing of the fact constituting such offence made by an authority or officer authorised by the Government in his behalf.

50. *Jurisdiction of criminal court.*—No court inferior to that of a presidency magistrate or a magistrate of the first-class shall try any offence punishable under this Act.

CHAPTER X.

MISCELLANEOUS.

51. *Delegation of powers of Government.*—(1) The Government, may, by notification, authorise any authority or officer to exercise any of the powers vested in them by this Act except the power to make rules and may in like manner withdraw such authority.

(2) The exercise of any power delegated under sub-section (1) shall be subject to such restrictions and conditions as may be prescribed or as may be specified in the notification and also to control and revision by the Government or by such authority or officer as may be empowered by them in this behalf. The Government shall also have the power to control and revise the acts or proceedings of any authority or officer so empowered.

52. *Competent authority, etc., to be public servant.*—Every authority and every officer duly authorised to discharge any duty imposed on it or him by or under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

53. *Civil Court not to decide questions under this Act.*—No Civil Court shall have jurisdiction to decide or deal with any question which is by or under this Act required to be decided or dealt with by any authority or officer mentioned in this Act.

54. *Finality of orders, etc., passed under this Act.*—(1) Any order made, decision taken or direction issued by any authority

RECOGNISED PRIVATE SCHOOLS (REGULATION) 27
1974: T.N. Act 29]

or officer in respect of matters to be determined for the purposes of this Act, shall, subject only to appeal or revision, if any, provided under this Act, be final.

(2) No such order, decision or direction shall be liable to be questioned in any court of law.

55. *Indemnity.*—(1) No suit or other proceeding shall lie against the Government for any act done or purporting to be done under this Act or any rule made thereunder.

(2) (a) No suit, prosecution or other proceeding shall lie against any authority or officer or servant of the Government for any act done or purporting to be done under this Act or any rule made thereunder without the previous sanction of the Government.

(b) No authority or officer or servant of the Government shall be liable in respect of any such act in any civil or criminal proceeding if the act was done in good faith in the course of the execution of the duties or the discharge of the functions imposed by or under this Act.

(3) No suit, prosecution or other proceeding shall be instituted against any authority or officer or servant of the Government for any act done or purporting to be done under this Act or any rule made thereunder after the date of the expiry of six months from the date of the act complained of.

56. *Power to make rules.*—(1) The Government may make rules to carry out the purposes 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) all matters expressly required or allowed by this Act to be prescribed;

(b) the form of applications and the statements under this Act and the particulars which such application and statement shall contain;

(c) the establishment and maintenance of private schools;

(d) the giving of grants to private schools;

(e) the grant of permission under section 6;

28 RECOGNISED PRIVATE SCHOOLS (REGULATION)
[1974; T.N. Act 29]

(f) the admission of pupils in private schools including special provision for the advancement of socially and educationally, Backward Classes of citizens and the Scheduled Castes and the Scheduled Tribes.

Explanation.—In this clause, ‘Scheduled Castes’ and ‘Scheduled Tribes’ shall have the same meaning as in the Constitution;

(g) the manner in which accounts, registers and records shall be maintained in private schools, and the authority responsible for such maintenance;

(h) the submission of returns, statements, reports and accounts by educational agencies of private schools;

(i) the standards of education and teaching and courses of instruction in private schools;

(j) the purposes of the private school for which the premises of the private school may be used and the conditions subject to which such premises may be used for any other purpose;

(k) the regulation of the use in private schools of text books, maps, plans, instruments and other laboratory and sports equipment;

(l) the conditions subject to which donations or contributions from the public may be accepted for the purposes of private schools and the naming of private schools;

(m) the procedure and the disposal of the business of the Tribunal.

57. *Publication of rules, commencement of rules and notifications and placing them on the table of the Legislature.*—(1) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(2) Every rule made or notification issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the

**RECOGNISED PRIVATE SCHOOLS (REGULATION) 29
1974 : T.N. Act 29]**

expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification 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 annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

**TAMIL NADU RECOGNISED PRIVATE SCHOOLS
(REGULATION) RULES, 1974.**

CONTENTS.

1. Short title and commencement.
2. Definitions.
3. Stages of education.
4. Power to grant permission.
5. Application for permission.
6. Grant of permission.
7. Approval of transfer of permission.
8. Minority school to send statement.
9. Recognition.
10. Withdrawal of recognition.
11. Payment of grant.
12. Constitution of the School Committee.
13. Secretary of the School Committee.
14. Meetings of the School Committee.
15. Qualifications, conditions of service, of teachers and other persons.
16. Teachers and other persons employed in private schools to be governed by code of conduct.
17. Dismissal, removal or reduction in rank or suspension of teachers or other persons employed in private School.
18. Appeal against orders of punishment imposed on teachers and other person employed in private schools.
19. Pay and allowances of teachers and other persons employed in private schools to be paid in the prescribed manner.

20. Closure of private schools.
21. Educational agency to send list of properties.
22. Restriction of transfer of property of private school.
23. Fees and other charges.
24. Utilisation of funds and property of private school.
25. Accounts.
26. Annual audit of accounts.
27. Inspection or inquiry.
28. Furnishing of returns.
29. Appeal against orders of competent authority.
30. Deposit with the Tribunal of pay and allowances of teachers and other persons employed in private schools in certain cases.

ANNEXURES.

1. Annexure I—Payment of grant.
2. Annexure II—Code of conduct for teachers and other persons employed in a private school.
3. Annexure III—Procedure for payment of pay and allowances to teachers and other persons in private schools.
4. Annexure IV—(1) List of registers to be maintained by Pre-Primary, Primary and Middle Schools.
(2) List of registers to be maintained by High schools.
(3) List of registers to be maintained by Training Institutes.
5. Qualifications for appointment as teachers in private schools.

FORMS.

- 1 Form I—Application for opening of a Pre-Primary Primary/Middle School.
Form I-A—Application for the opening of a High School.
2. Form II—Statement of particulars in respect of existing schools.

3. Form III—Application form for the approval of change in the constitution of a private school.
4. Form IV—Application for approval of the change of the Educational Agency.
5. Form V—Statement of particulars to be furnished by the minority school.
6. Form VI—Application for recognition of schools.
7. Form VII-A—Form of agreement to be executed by a school committee of a private school in respect of permanent teachers.
8. Form VII-B—Form of agreement to be executed by the school committee of a private school in respect of temporary teachers.

**TAMIL NADU RECOGNISED PRIVATE SCHOOLS
(REGULATION) RULES, 1974.**

(G O. Ms. No. 1966, Education, 29th November 1974.)

In exercise of the powers conferred by section 56 of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974), the Governor of Tamil Nadu hereby makes the following rules :—

**TAMIL NADU RECOGNISED PRIVATE
SCHOOLS (REGULATION) RULES, 1974.**

1. *Short title and commencement.*—(1) These rules may be called the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974.

(2) They shall come into force with effect on and from the 1st December 1974.

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

(a) “ Act ” means the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974);

(b) “ District Educational Officer ” means, in relation to the Anglo-Indian Schools and the Girls’ Schools, the Inspector of Anglo-Indian Schools, or the Inspectress of Girls’ Schools as the case may be;

(c) “ teacher ” shall include a headmaster.

3. *Stages of education.*—(1) The following shall be the various stages of education and categories of schools—

(a) *Pre-Primary.*—The Pre-Primary schools shall be classified as pre-basic Nursery, Kindergarten and Montessori Schools.

(b) *Primary.*—The Primary schools shall consist of standards I to V.

(c) *Middle Schools.*—The Middle schools shall consist of standards I to VIII, Standards VI to VIII.

(d) *High Schools.*—The High Schools shall consist of Standards I to XI or Standards VI to XI or Standards IX to XI,

Explanation.—The Anglo-Indian Schools, the Oriental Schools and the Special Schools shall be included in the respective categories in (a) to (d) above.

(e) Teachers' Training Institute.

(2) The pattern and duration of courses, curricular syllabi, courses of instruction, timetables and Text Books of Private schools, shall be regulated by the Government by issue of orders from time to time.

4. *Power to grant permission.*—The competent authorities to grant permission to open a private school or to upgrade an existing school or to open higher standards or additional sections in an existing school shall be the following, namely :—

School.	Power to grant permission to open a new school or to upgrade an existing school.	Power to grant permission to open higher standard or additional section in an existing school.
(1)	(2)	(3)
Pre-Primary, Primary and Middle School.	Chief Educational Officer.	District Educational Officer.
High Schools and Teachers' Training Institutes.	Joint Director of School Education (Secondary Education).	Chief Educational Officer.

5. *Application for permission.*—(1) Every application to open a new school or to open higher standards or additional section in an existing school, shall be, in Form I in respect of Pre-Primary, Primary and Middle School, and in Form I-A in respect of High Schools and shall be addressed to the competent authorities, specified in rule 4. Such application shall be accompanied by a copy of the constitution of the educational agency and a chalan for the remittance of the fees prescribed under sub-rule (2) below. The application shall be in triplicate and shall reach the competent authority before the 31st December of the year preceding the school year, in which the new school or higher standard or additional section proposed to be opened. In respect of schools where the academic year commences from January, such application shall reach the competent authority before the 31st July of the preceding year.

(2) The fees to be paid in respect of every application to open a new school or to upgrade an existing school shall be as follows, namely :—

- (1) Pre-Primary School—Rs. 25.
- (2) Primary School—Rs. 50.
- (3) Middle School—Rs. 75.
- (4) Teachers' Training Institute—Rs. 100.
- (5) High School—Rs. 100.

(3) The fees shall be credited to Government under the Head of Account " 077-C-C—Education-General—Other Receipts—06 Miscellaneous Receipts ”.

(4) Applications not accompanied by a chalan for the remittance of the prescribed fee and applications received after the due date are liable to be rejected.

(5) The educational agency of every private school in existence on the date of the commencement of the Act shall, before the expiry of six months from that date, send to the authorities empowered to grant permission to open a new school as specified in rule 4, a statement in Form II.

(6) No fee shall be leviable in respect of application for opening an additional section in a school.

6. *Grant of permission.*—(1) Permission to open a new school or to upgrade an existing school or to open higher standard or additional section in an existing school shall be granted, only if the following conditions are satisfied, namely :—

(a) there is need for the opening of a new school or to upgrade an existing school or to open higher standard or additional section in an existing school;

(b) the amenities for the pupils and the teachers are adequate ;

(c) the equipment, buildings, laboratory, library, playground and other facilities for imparting instruction are adequate and according to the scales or requirements prescribed by Government from time to time;

(d) the grant of permission under this rule shall be subject to the availability of the funds from the Government with reference to its budgetary provisions.

(2) (a) The Joint Director of School Education (Secondary Education) or the Chief Educational Officer or the District Educational Officer as specified in the rule 4 may after considering the particulars contained in the application, may grant or refuse the permission and his decision shall be communicated within *four months* from the date of receipt of the application. If permission is to be refused the educational agency concerned shall be given an opportunity to make its representation.

(b) Where, the permission is refused, the competent authorities shall refund one-half of the amount of the fee, remitted by the applicant under sub-rule (2) of rule 5.

7. *Approval of transfer of permission.*—(1) The competent authorities to approve any change in the constitution of the educational agency or to approve the transfer of the management of any private school shall be the Chief Educational Officer concerned, in respect of Pre-primary, Primary and Middle Schools and the Joint Director of School Education (Secondary Education) in respect of High Schools and Teachers' Training Institutes.

(2) The application for approval a change in the constitution of the educational agency shall be in Form III.

(3) The application for approval of transfer of the management of any private school or for approval of such transfer where the transfer was made without approval having been obtained for such transfer, shall be in Form IV.

8. *Minority school to send statement.*—(1) Every minority school in existence immediately before the date of the commencement of the Act shall send to the Chief Educational Officer in case of pre-Primary, Primary and Middle Schools and to the Joint Director of School Education (Secondary Education) in case of High Schools and Teachers Training Institutes, a statement in Form V within six months from the date of coming into force of the Act.

(2) Every minority school to be established and administered after the date of the commencement of the Act shall, send to the competent authorities referred to in sub-rule (1) above a statement in Form V within three months from the date of the opening of the school.

9. *Recognition*.—(1) The educational agency of a private school including a minority school shall apply in Form VI for recognition of the school or for opening of a higher standard or additional section to the competent authorities specified in rule 22 in respect of section 11. The application shall be made within three months from the date of opening of the school or higher standard by additional section. Where a temporary recognition is accorded, application for the continuance shall be made not later than three months prior to the expiry of the period of the temporary recognition.

(2) The following conditions shall be satisfied for the purpose of recognition :—

(a) The Educational agency shall produce a licence permitting the use of the school building as public building under the Tamil Nadu Public Buildings (Licensing) Act, 1965 (Tamil Nadu Act XIII of 1965).

(b) Where the licence has been issued for a specified period, a fresh licence shall be produced before the expiry of the period of validity of the said licence.

(c) (i) The educational agency of a private school including a minority school shall create an endowment as follows, namely :—

	RS.
(a) Pre-Primary School	10,000
Existing Pre-Primary School to be upgraded as Primary school.	15,000
(b) Primary School	25,000
Existing Primary School to be upgraded as Middle School.	25,000
(c) Middle School	50,000
Existing Middle School to be upgraded as High School.	50,000
(d) Teachers' Training Institute	1,00,000
(e) High School	1,00,000

Provided that, in respect of an existing school to be upgraded where no endowment had already been created, the amount of endowment payable by such school, shall be the same as for opening a new school.

The endowment shall be created in the name of the school in the shape of Government securities like National Defence Certificates or National Plan Certificates or in fixed deposits for a period of not less than Seven Years with Tamil Nadu

Industrial Investment Corporation Limited, Madras or the Tamil Nadu Industrial Co-operative Bank Limited, or the Tamil Nadu State Co-operative Bank or the Madras Central Co-operative Bank, Madras or in any corresponding new Bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings Act, 1970) (Central Act 5 of 1970). Fifty per cent of such endowment amount shall be created before the school is opened. The remaining amount shall be created in two equal annual instalments in the case of Pre-primary and Primary Schools and in five equal annual instalments in the case of middle and high schools. Trusts or society or Corporate body which run more than one private school shall have the option to create fifty per cent of the endowment in cash and fifty per cent in the form of immovable property other than school building. The immovable property so endowed shall be unencumbered and income yielding. It shall be endowed in the name of the school and conveyed to the school through proper legal document. The immovable property endowed to the school shall not be sold, mortgaged, exchanged or gifted or alienated without the prior approval of the Director of School Education. The entire income derived from the endowed immovable property shall be brought to the general accounts of the school ;

(ii) In addition to the creation of the endowment referred to above, the educational agency shall also deposit in the Tamil Nadu State Co-operative Bank Limited or in the Tamil Nadu Industrial Co-operative Bank Limited, or in Madras Central Co-operative Bank Limited, or in any corresponding new Bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 5 of 1970) in the name of the school, a sum equivalent to a minimum of one month's salary of the staff employed in such school, to serve as a working capital of that school, which may be drawn for the disbursement of salary to the members of the staff, on the due date in the event of any delay in the sanction of grant by the Education Department.

(d) If the educational agency pays more than the scales and rates ordered by Government such excess shall be met by the educational agency from its own funds and shall not be debited to the schools funds and for purposes of grants such higher scale or rate shall not be taken into consideration;

(e) The educational agency shall not collect fees or donations compulsorily other than those permitted by the competent

authority under rule 23 from pupils or parents or any other persons for any purpose whatsoever.

(f) The educational agency shall carry out the instructions issued by the Government from time to time in the public interest, to ensure that admission in the schools run by them, of pupils belonging to the socially and educationally backward classes of citizen and to safeguard the interests of linguistic minorities.

(g) The educational agency shall carry out the instructions issued by the Director of School Education or other officers subordinate to him with a view to maintain the academic standards and to safeguard the interest of teachers and the pupils including the linguistic minorities.

(h) The educational agency should have fulfilled all the conditions stipulated by the competent authority at the time of according permission to open the school or the additional standard or section.

(i) The school shall be situated in a building which is accessible to all castes and communities.

(j) The premises of the school or subsidiary building appertaining to it or a playground or a vacant site belonging to the school, whether adjacent to or remote from it, shall ordinarily be used for the purposes of conducting the school or for functions conducted by such schools or for authorised examinations or for other purposes specifically permitted by the Chief Educational Officer.

(k) The School Committee shall not appoint any teacher whose certificate has been suspended or cancelled or who has been declared unfit to be a teacher in recognised schools or who has been convicted for offences involving moral turpitude.

(3) The certificate of recognition of the private school shall be granted within a period of two months from the date of receipt of application.

(4) It shall be open to the competent authority to reject the application for recognition if he considers that any one of the conditions under sub-rule (2) has not been satisfied. The order rejecting the application shall specify the grounds for rejection and shall be communicated within a period of two months from the date of receipt of the application.

10. *Withdrawal of recognition.*—(1) The competent authorities for withdrawing recognition shall be the following, namely :—

<i>Schools.</i>		<i>Competent authority.</i>
Pro-Primary, and Middle Schools.	Primary	Chief Educational Officer.
High Schools, and Training Institutes.	Teachers	Joint Director of School Education (Secondary Education).

(2) The recognition shall be withdrawn permanently or for any specified period, by the competent authority, if the educational agency or the School Committee or the Secretary of the School Committee violates any one of the conditions stipulated for recognition under rule 9.

11. *Payment of grant.*—(1) Recognised Private Schools may be paid grants from State funds directly or through Panchayat Unions. Such payment of grants shall be subject to Government orders and instructions issued from time to time :

Provided that, schools whose recognition have been withdrawn shall not be entitled to any grant for the period of such withdrawal of recognition.

(2) The authority competent to sanction grant shall be the District Educational Officer.

(3) The rate at which and the purpose for which the grant may be paid shall be as specified in Annexure I.

(4) The Joint Director of School Education (Elementary Education) in respect of pre-primary, primary and Middle Schools and the Joint Director of School Education (Secondary Education) in respect of High Schools and Teachers Training Institutes shall withhold, permanently or for any specified period, the payment of grant, if any of the conditions specified in rule 9 are contravened or not complied with.

12. *Constitution of the School Committee.*—(1) The educational agency of every private school shall constitute a school committee.

(2) The term of office of the Committee shall be three years. Members of the Committee shall be eligible for renomination.

(3) The School Committee shall consist of—

(a) Representatives of the educational agency who shall be nominated by such educational agency :

Provided that the employees of the school shall not be nominated under this category.

(b) Headmaster of the School—*Ex-Officio*.

(c) Two senior most teachers of the school, if the strength of teachers in such school is less than twenty and three seniormost teachers, if the strength of teachers in such school is twenty and above :

Provided that the number of representatives of teachers shall not be reduced on account of any decrease in the strength of teachers during the three years term of the Committee :

Provided further that the educational agency shall increase the representation for the teachers on the above scale, if the strength of the teachers is increased. The teacher so nominated shall be a member of the Committee for the residual period of the tenure of the Committee and shall be eligible for renomination :

Provided further when a vacancy of teachers' representatives in the Committee arises, the next seniormost teacher shall be nominated to the Committee. However there shall be no change in the membership of the teachers' representative during the tenure of the Committee on account of the appointment of another senior teacher.

Explanation.—For purposes of this rule, the seniority shall be determined with reference to the total service rendered by the teacher in any recognised school or schools.

(4) The educational agency shall nominate one of its representatives in the Committee as the President.

If the educational agency intends to change the President within the period of three years, it shall do so only with the prior approval of the District Educational Officer.

(5) The following persons shall not be eligible to become members of the Committee :—

- (a) Minors ;
- (b) Mentally unsound persons ;
- (c) Persons convicted for criminal offence involving moral turpitude ;
- (d) Insolvents ;
- (e) A person who has been found responsible for any serious irregularity, as a result of enquiry by the Education Department.

13. *Secretary of the School Committee.*—(1) The educational agency shall nominate one of its representatives as Secretary of the School Committee :

Provided that, it shall be open to the Educational agency, to nominate the Headmaster as Secretary.

(2) The term of office of the Secretary shall ordinarily be three years. However, he shall be eligible for renomination as Secretary for subsequent terms. If the educational agency intends to change the Secretary within the period of three years, it shall do so only with the prior permission of the District Educational Officer.

(3) The Secretary of the School Committee shall function for and on behalf of the School Committee and the educational agency.

(4) The Secretary shall act on the basis of the resolutions passed at the meetings of the School Committee.

(5) The Secretary shall not interfere in the internal administration of the school like admissions, examinations, promotion of pupils and other academic matters which shall be the exclusive responsibility of the Headmaster.

“(6) The Secretary shall be responsible for the correct maintenance of accounts and proper administration of school accounts relating to special fees for which the Headmaster shall be responsible ”;

14. *Meetings of the School Committee.*—(1) The meetings of the School Committee shall be convened by the Secretary with the approval of the President;

(2) No meeting of the School Committee shall be conducted unless—

(a) atleast seven days clear notice in writing has been given to the members of the Committee ;

(b) atleast fifty per cent of the total members of the Committee are present ;

Explanation.—If the total number of members of the Committee is an odd number, the next higher even number shall be taken for purpose of this sub-rule.

(3) The minutes of the meeting of the school Committee

Explanation.—If the total number of members of the Committee. A copy of the minutes shall be communicated by the

Secretary to the Deputy Inspector of Schools in respect of Pre-primary, Primary and middle schools and to the District Educational Officer, in respect of High Schools and Teachers, Training Institutes within fifteen days from the date of the meeting.

15. *Qualifications, conditions of service, of teachers and other persons.*—(1) The number of teachers and other persons employed in a private school shall not exceed the number of posts sanctioned by Director of School Education from time to time, with reference to the academic requirements, teacher-pupil ratio and overall financial considerations.

(2) (i) The School Committee of every Private School shall enter into an agreement with the teacher or other person in Form VII (A) or VII (B) if the appointment is for a period exceeding three months.

(ii) Three copies of the agreement shall be executed, one copy shall be furnished to the teacher or other person concerned, the other copy shall be retained by the School Committee and the third copy shall be forwarded to the District Educational Officer.

(3) In a regular vacancy a fully qualified candidate shall be appointed only on a regular basis. However in a temporary vacancy, i.e., leave vacancy, deputation for training or suspension of the teacher's certificate a teacher or other person may be appointed for a specified period. In such cases the agreement to be executed shall be in Form VII (B).

(4) (i) Promotions shall be made on grounds of merit and ability, seniority being considered only when merit and ability are approximately equal.

(ii) While making promotions, the school committee shall first consider the claims of the qualified teachers in that school and if no such teacher is available, consider the appointment of teacher from any other school.

In such cases the school committee shall obtain the prior permission of the District Educational Officer in respect of Pre-primary, Primary and Middle School and that of the Chief Educational Officer, in respect of High Schools and Teachers Training Institutes setting out the reasons for such appointment. In respect of a Corporate body running more than one school, the schools under that body shall be treated as one unit for the purpose of this rule.

(4-A) Any person aggrieved by any order issued or decision taken or direction given under sub-rule (4), may prefer an appeal to the following authority, namely :—

Pre-primary, primary and Middle Schools.	Chief Educational Officer.
High Schools and Teachers Training Institutes.	Joint Director of School Education (Secondary Education.)

(5) A service register shall be maintained for every teacher or other person, showing among others, the date of appointment, the scale of pay on which he was appointed, the increments given from time to time, the leave to his credit and the leave granted, and other relevant entries like awards and punishments.

16. *Teachers and other persons employed in private schools to be governed by code of conduct.*—(1) The teachers and other persons employed in private school shall be governed by the Code of conduct as specified in Annexure II.

(2) A teacher or other person employed in a private schools shall be liable to disciplinary action and punishment, if he violates any provision of the code of conduct which may include, dismissal or removal or termination of service or reduction in rank.

(3) Violation of any one of the standards of conduct defined by the school Committee, shall render the teacher or the other person liable to suitable disciplinary action and punishment which shall not however include dismissal, removal, termination of service or reduction in rank.

17. *Dismissal, removal or reduction in rank or suspension of teachers or other persons employed in private school.*—(1) The competent authorities to accord prior approval for the dismissal, removal or reduction in rank of a teacher or other person employed in any private school, shall be the District Educational Officer in respect of teacher or other person employed in Pre-Primary, Primary and Middle Schools and the Chief Educational Officer in respect of teacher or other person employed in High Schools and Teachers' Training Institutes.

(2) Whenever a teacher or other person employed in a private school is kept under suspension for gross misconduct, the educational agency shall pay him subsistence allowance, every month, at half the rate of pay which he was drawing at the time of suspension and in addition, the Dearness Allowance if admissible on the basis of such pay.

(3) Whenever a teacher or other person employed in a private school is kept under suspension, the grant payable to the private school shall be governed by the following provisions :—

(i) Where after due enquiry, including the appeal, the suspension is found to be justified, the management will be entitled to the grant in respect of the teacher or other person equal to the subsistence allowance actually paid to him ;

(ii) Where after due enquiry, including the appeal, a suspension is found to be not justified, the management shall not be entitled to any grant, in respect of that teacher or other person employed in that private school. The educational agency shall however pay such teacher or other person the full pay and allowances he would have drawn but for his suspension ;

(iii) Where, a substitute is appointed, in the place of a teacher or other person employed in a private school kept under suspension, the management shall not be entitled to any grant in respect of such a substitute.

18. *Appeal against orders of punishment imposed on teachers and other persons employed in private schools.*—The competent authorities, to whom an appeal under section 23 of the Act shall lie from any teacher or person employed in a private school against any order of dismissal, removal or reduction in rank or whose appointments otherwise terminated or whose pay and allowances or any of whose conditions of service are altered shall be the following, namely :—

(a) In respect of teachers and other persons employed in pre-primary, primary and middle schools—The Chief Educational Officer.

(b) In respect of teachers and other persons employed in High Schools and Teachers Training Institutes—The Joint Director of School Education (Secondary Education).

19. *Pay and allowances of teachers and other persons employed in private schools to be paid in the prescribed manner.*—The procedure for payment of pay and allowances to teachers and other persons employed in private schools shall be as in annexure III.

20. *Closure of private schools.*—An educational agency shall close a private school or a class or a course of instructions therein, only after giving a notice, in writing, six months prior to such closure, to the competent authority who had given permission

to open the school, the class or the course of instruction. Such notice shall set out the alternate arrangements proposed to be made for the continuance of instruction to the pupils of the school or class or course of instruction therein. Such closure, however, shall be permitted only with effect from the end of the school year. The competent authority while giving such permission shall satisfy himself about the adequacy of the alternate arrangements proposed to be made and that any property endowed to the school proposed to be closed shall be continued to be used for educational purposes in accordance with the objects of the Trust or Endowment. All other property of the school like contributions and donations from the public shall also be continued to be utilised for the educational purposes.

21. *Educational agency to send list of properties.*—Every educational agency shall send on or before the 1st January of each year, commencing from 1st January 1975, to the District Educational Officer concerned, a statement, in triplicate, of all movable properties, the value of which, individually, is not less than Rs. 50 (Rupees fifty only) and where there are more than one article of the same category, if the total value of such article exceeds Rs. 200 (Rupees two hundred only) and of all immovable properties. In respect of immovable property the statement shall contain the following particulars and shall be authenticated by the educational agency.

- (a) Name of property ;
- (b) Description, address and location ;
- (c) Area/extent together with the survey number ;
- (d) In the case of cultivable land its classification and the crops grown ;
- (e) Market value ;
- (f) Annual income derived from the property ;
- (g) Remarks, if any.

Explanation.—A certificate from an officer of the Revenue Department not lower in rank than that of a Tahsildar shall be obtained in respect of (e) and (f), above at the time of the first submission of the statement.

Whenever there is any change in the movable or immovable properties, such change should be indicated in the statement.

22. *Restriction of transfer of property of private school.*—(1) The following shall be the competent authorities to permit the transfer of the property of a private school if they are satisfied that such a transfer is made in furtherance of the purposes of the private school or for similar purpose approved by the competent authority.

<i>Schools.</i>	<i>Competent authority.</i>
(1)	(2)
(a) Pro Primary, Primary and Middle Schools.	District Educational Officer.
(b) High School including training institutes.	Chief Educational Officer.

(2) For purposes of this rule, the movable and immovable property shall be those as specified in rule 21.

(3) Movable properties in respect of which permission has been obtained, shall be sold, only through public auction. Records of such public auction shall be maintained and submitted for inspection.

23. *Fees and other charges.*—(1) The competent authority to specify the fee or charges or receive any other payment in respect of every private school shall be the Chief Educational Officer. No fee or other charge or donation of any kind shall be collected either from the pupils or from parents or from public except with prior permission of the competent authority. In respect of special fees, the levy of which has been specified by the competent authority, there shall be no deviation from the permitted rate or the purpose for which such levy was authorised. A separate account shall be maintained for such special fees and unutilised amount at the end of the year shall be carried over to the next year's account under the same head. All moneys that accrue to the school by way of special fees or any other payment authorised shall be brought to the school account and accounted for properly.

24. *Utilisation of funds and property of private school.*—(1) The funds of the school shall be utilised for the bonafide purposes connected with the school, only with the prior permission of the

District Educational Officer concerned. An appeal against the orders of the District Educational Officer shall lie to the Chief Educational Officer.

(2) Where the educational agency seeks to divert the funds from one purpose to another, it shall do so only after obtaining the prior permission of the District Educational Officer.

(3) If any donations are collected, with the previous permission of the competent authority, for any specific or earmarked purpose, they shall be utilised only for that purpose. Balance if any, shall be credited to the funds of the school.

25. *Accounts.*—Every private school shall maintain, registers and records specified in Annexure IV. The registers and records in respect of the Pre-primary, Primary and Middle Schools, shall be produced to the Deputy Inspector of Schools and in respect of the High Schools to the District Educational Officer whenever required. The Director of School Education may add, revise or modify the list of registers or records.

26. *Annual audit of accounts.*—(1) The authorities to audit the accounts of every private school shall be the following, namely :—

<i>Schools.</i>	<i>Competent authority.</i>
(1)	(2)
(a) Pre-primary Primary and Middle Schools.	Deputy Inspector of Schools.
(b) High Schools and Teachers Training institutes.	Departmental auditors.

(2) (a) A copy of the reports on the audit of accounts shall be sent to the District Educational Officer, who shall forward the same to the educational agency.

(b) The educational agency shall within a period of one month from the date of receipt of the report, submit the same together with its comments, to the District Educational Officer. These comments of the Educational agency shall be reviewed by the District Educational Officer.

27. *Inspection or inquiry.*—(1) The competent authorities to cause an inspection of or inquiry in respect of any private school, its buildings, laboratories, libraries workshops and equipment and also of the examinations, teaching and other work conducted or done by the private school to be made by such person or persons

as it may direct and to cause an inquiry to be made in respect of any other matter connected with the private school shall be the following, namely :—

<i>Schools.</i>	<i>Competent authority.</i>
(1)	(2)
(a) Pre-primary, Primary and Middle Schools.	District Educational Officer.
(b) High Schools and Teachers Training institutes.	Chief Educational Officer.

28. *Furnishing of returns.*—The competent authorities to whom the returns, statistics and other information shall be furnished by the educational agency, under section 40 of the Act, shall be the following, namely :—

<i>Schools.</i>	<i>Competent authority.</i>
(1)	(2)
(a) Pre-primary, Primary and Middle Schools.	Deputy Inspector of Schools.
(b) High Schools and Teachers Training institutes.	District Educational Officer.

29. *Appeal against orders of competent authority.*—Any person aggrieved by any order, decision or direction of the competent authority, under any provision (other than section 34) of the Act, may prefer an appeal, under section 41 of the Act, against such order, decision or direction to the following authorities, namely:—

506-1-4

Sections under the Act.	Category of schools.	Competent Authority passing orders.	Appellate Authority.
(1)	(2)	(3)	(4)
Section 6 ..	Pre-Primary, Primary and Middle Schools ..	(a) Opening of new schools—Chief Educational Officer.	Joint Director of School Education (Elementary Education.)
		(b) Opening of additional standards or sections—District Educational Officer.	Chief Educational Officer.
	High Schools	(a) Opening of new schools—Joint Director of School Education (Secondary Education.)	Director of School Education.
		(b) Opening of additional standards or sections—Chief Educational Officer.	Joint Director of School Education (Secondary Education.)

Section under the Act. (1)	Category of schools. (2)	Competent Authority passing orders. (3)	Appellate Authority. (4)
Section 12 ..	Pre-Primary, Primary and Middle Schools ..	Chief Educational Officer.	Joint Director of School Education (Elementary Education).
	High Schools	Joint Director of School Education (Secondary Education.)	Director of School Education.
Section 14 ..	Pre-Primary, Primary and Middle Schools ..	(1) Payment of grant—District Educational Officer.	Chief Educational Officer.
		(2) Withholding of grant—Joint Director of School Education (Elementary Education).	Director of School Education.
	High Schools	(1) Payment of grant—District Educational Officer.	Chief Educational Officer.
		(2) Withholding of grant—Joint Director of School Education (Secondary Education).	Director of School Education.

Section Act.	under the	Category of schools.				Competent Authority passing orders.	Appellate Authority.
(1)		(2)				(3)	(4)
Section 22	..	Pre-Primary, Primary and Middle	Sehcal	..	District Educational Officer,	Chief Educational Officer.	
		High Schools	.. .. .	.. ..	Chief Educational Officer.	Joint Director of School Education (Secondary Education).
Section 31	..	Pre-Primary, Primary and Middle	Schools	..	District Educational Officer.	Chief Educational Officer	
		High Schools	.. .. .	.. ..	Chief Educational Officer.	Joint Director of School Education (Secondary Education).
Section 32	-	Pre-Primary, Primary and Middle	Schools	..	Chief Educational Officer,	Joint Director of School Education (Elementary Education).	
		High Schools	.. .. .	.. ..	Chief Educational Officer.	Joint Director of School Education (Secondary Education).

30. Deposit with the Tribunal of pay and allowances of teachers and other persons employed in private schools in certain cases—In cases of appeal contemplated in sub-section (1) of section 44 of the Act, the educational agency shall deposit, at the time of appeal with the Tribunal, all arrears of pay and allowances due to such teachers or other persons from the date of their dismissal or removal or reduction in rank or termination of their appointments up to the date of deposit.

ANNEXURE I.

PAYMENT OF GRANT.

[Vide Rule 11 (3).]

Recognised Private Schools may be paid grants from State funds, on the basis of orders issued from time to time.

The grant payable to recognised Private Schools are the following, namely:—

(1) *Staff Grant*.—The educational agency may be paid full grant to cover the entire approved expenditure on pay and other allowances of the teaching and non-teaching staff including other servants paid from contingencies.

(2) *Maintenance Grant*.—(a) Pre-Primary, Primary and Middle Schools:—The educational agency may be paid upto 6 per cent of the assessed teaching grant as maintenance grant for the calendar year.

(b) High School:—

The educational agency may be paid maintenance grant equal to the approved expenditure for the proceeding financial year on rents, taxes, ordinary repairs, upkeep, contingencies and other miscellaneous items, after deducting the educational agency's contribution determined by Government from time to time.

(3) *Training Institutes*.—The Training Institutes may be paid Teaching grant. Such grant shall be assessed on the basis of $\frac{2}{3}$ of the net approved expenditure on pay to the staff, rent, taxes, repairs and contingencies and $\frac{1}{2}$ of the expenditure on Dearness Allowance, City Compensatory Allowance and House Rent Allowance.

(4) *Anglo-Indian Schools*.—The Anglo-Indian Schools may be paid full teaching grant. Such grant shall be assessed to the Anglo-Indian Schools on the basis of the approved expenditure on pay and allowances to the staff, rent, taxes, repairs and contingencies after deducting the actual fee income.

Such schools may also be paid other grants specially ordered.

ANNEXURE II.

[Vide Rule 16 (1).]

CODE OF CONDUCT FOR TEACHERS AND OTHER PERSONS EMPLOYED IN A PRIVATE SCHOOL.

1. Every teacher or other person employed in a private school shall discharge his duties efficiently and diligently, and shall conform to the rules and regulations.

2. No teacher or other person employed in a private school shall absent himself from his duties without prior permission. In cases of sickness or absence on medical grounds a medical certificate to the satisfaction of the school authorities shall be produced within a week.

3. No teacher or other person employed in a private school shall engage directly or indirectly in any trade or business. In the case of remunerative work like private tuitions specific written sanction of the school authorities shall be obtained.

4. (a) No teacher or other person employed in a private school shall send any application for employment under any other agency except through the School Committee of the school.

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

5. Prior permission of the School Committee shall be obtained in a case where any teacher or other person employed in a private school seeks to accept honorary work without detriment to his duties as a teacher.

6. A teacher or other person employed in a private school who becomes involved in a criminal proceedings, shall inform the school committee of such proceedings.

7. No teacher or other person employed in a private school shall engage himself in any political activity. He shall not be associated 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 private school 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 teacher's constituencies.

9. No teacher or other person employed in a private school shall bring or attempt to bring any political or outside pressure on his superior authority in respect of his individual service interests.

10. No teacher or other person employed in a private school shall engage himself 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 school shall indulge in any criticism of the policies of the Government either directly or indirectly or participate in activity which bring disrepute to the Government.

Adoption of legitimate methods of ventilating grievances, however, shall not be considered as criticism of the Government.

ANNEXURE III.

[Vide Rule (19).]

PROCEDURE FOR PAYMENT OF PAY AND ALLOWANCES TO TEACHERS AND OTHER PERSONS IN PRIVATE SCHOOLS.

1. (1) (a) Pre-primary, Primary and Middle Schools in Non-Panchayat Union areas :

The Secretary of the school, shall submit a monthly statement containing the details of teachers and other persons, their pay and allowances, etc., for the month, to the Deputy Inspector of Schools. The Deputy Inspector of Schools, after scrutiny of the statement shall submit the same to the District Educational Officer concerned with his recommendations. The District Educational Officer shall release the Teaching Grant bills to the Secretary of the school marking a copy of his sanction orders to the Treasury and who shall disburse the pay and allowances to the teachers and other persons employed in a private school on the 1st of every month or any date authorised by the Director of School Education.

(b) Pre-primary, Primary and Middle Schools in Panchayat Union areas :

The Secretary of the schools shall submit a monthly statement containing the details teachers and other persons, their pay and allowances, for the month to the Deputy Inspector of Schools. The Deputy Inspector of Schools after scrutiny of the statement shall submit them to the District Educational Officer concerned with his recommendations, marking a copy of his recommendations to the Commissioner of the Panchayat Union concerned.

The Panchayat Union Commissioner shall issue cheques during the last week of the month to the Secretary for the amount recommended by the Deputy Inspector of Schools. Such cheques shall be encashed

only on the 1st of the next month or, on any date authorised by the Director of School Education, and the pay and allowances of teachers and other persons shall be disbursed on the same day.

In the meantime, the recommendations of the Deputy Inspector of Schools shall be perused by the District Educational Officer and he shall issue sanction orders to the Commissioner. If any variations are found between the amount for which cheques are issued and the amount sanctioned by the District Educational Officer, such amount shall be adjusted in the payment for the next month by the Commissioner.

(2) HIGH SCHOOLS.

The Secretary of High School shall submit every month to the District Educational Officer an application for monthly staff grant in the form. It shall be accompanied by a detailed statement of the staff employed from 1st to the last day of the month.

The statement shall be signed by both the Headmaster and the Secretary of the School. This statement shall reach the District Educational Officer before the 22nd of every month. Based on this statement, the District Educational Officer shall sanction staff grant in the specified bill form, before the 25th of the month, at the latest so as to enable the secretary to encash the bill on the first of the succeeding month or any date authorised by the Director of School Education and disburse the salaries of the employees on the same day.

(3) SPECIAL SCHOOLS AND TRAINING INSTITUTES.

The Secretary of a special school or a training schools shall submit a financial statement in the prescribed form every year to the District Educational Officer. The auditors of the department will scrutinise the statement and certify to the correctness of the statement.

The grant is sanctioned once in a year to the Training Schools. The sanctioning authority shall be the District Educational Officer.

11. Under special circumstances, the District Education Officer concerned may make direct payments to the Headmaster of a school or to the teachers of a school.

ANNEXURE IV.

[Vide Rule 25.]

1. *List of registers to be maintained by Pre-Primary, Primary and Middle Schools—*

- (1) Register of admission and withdrawals.
- (2) Register of Attendance of pupils.
- (3) Register of Attendance of teachers.
- (4) Acquittance roll of teachers.
- (5) Leave Registers.
- (6) Scale Register.
- (7) Register of fines.
- (8) Census Register.
- (9) Mark Register.
- (10) Stagnation Register.
- (11) Record Sheet.
- (12) Register of scholarships and Acquittance Roll.
- (13) Stock Register of Articles purchased or received without Government grants.
- (14) Register of furniture, books and appliances purchased out of Government grants.
- (15) Library Stock Register.
- (16) Stock Register of Science equipments.
- (17) Stock Register of Games Articles.
- (1) Cash Book.

2. *List of registers to be maintained by high schools—*

- (1) General Cash Book.
- (2) General Ledger.
- (3) Special Fees Cash Book.
- (4) Special Fees Ledger.
- (5) Daily Fee Collection Register.
- (6) Term Fee Register.
- (7) Acquittance Register.
- (8) Scholarship Register.
- (9) Concession Register.
- (10) Postage Register.

- (11) Refund Register.
- (12) Admission Register.
- (13) Pupil's Attendance Register.
- (14) Stock Registers.
- (15) Staff Attendance Register—Teaching.
- (16) Staff Attendance Register—Non-teaching.
- (17) C.L. Register.
- (18) Leave other than Casual Leave Register.
- (19) Scale Register.
- (20) A separate cash book and register for the Amenity Fund.

3. List of registers to be maintained by Training Institutes—

- (1) Cash Book—General.
- (2) Cash Book—Special fees.
- (3) Ledger—General.
- (4) Ledger—Special fees.
- (5) Daily Fee Collection Register.
- (6) Acquittance Register.
- (7) Scholarship Register.
- (8) Stipend Register.
- (9) Postage Register.
- (10) Refunds Register.
- (11) Stock Register.
- (12) Staff Attendance Register—Teaching staff
- (13) Staff Attendance Register—Non-teaching staff.
- (14) Casual Leave Register.
- (15) Leave other than Casual Leave Register.
- (16) Leave Register—Pupils.
- (17) Pupil's Attendance Register.
- (18) Admission Register.
- (19) Scale Register.

ANNEXURE V.

I. Qualifications for Appointment as teachers in private schools (Regulator).

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
1. Headmaster (High Schools) ...	(1) B.A. or B.Sc., or its equivalent. and B.Ed., or B.T., or L.T.; and Trained Teachers Certificate of Collegiate Grade. (2) Should have worked as teacher in recognised schools for a period of not less than five years after obtaining B.T. or its equivalent degree.
2. B.T. Assistant ...	B.A., or B.Sc., or its equivalent; and B.T., or B.Ed., or L.T.; and Trained Teachers' Certificate to Collegiate Grade.
3. Secondary Grade Teacher ...	(1) S.S.L.C. (2) T.S.L.C. of Secondary Grade or its equivalent: Provided teachers who have passed the Nursery, Montessori and Kinder-garden School leaving certificate examination of Secondary Grade shall be employed to handle standards I and II only.
Elementary Grade Teacher. ...	E.S.L.C. or its equivalent and Trained Teachers Certificate of Elementary Grade or its equivalent.

Name of the post.

(1)

5. Tamil Pandits

...

Qualifications.

(2)

(1) M.A. (Tamil) or B.A. (Tamil) or M.O.L. (Tamil) or B.O.L. (Tamil);

and

B.Ed., or B.T., or I.T., or Secondary Grade Training

or

(2) S.S.L.C. completed;

and

Oriental Title of Madras, Madurai or Annamalai University;

and

Pandits Training Certificate or Secondary Grade Training Certificate;

" Provided that persons who have passed Pulavar Panditham Examinations of the Madurai Tamil Sangam to be held up to April 1977 only, with Pandits Training or Secondary Grade Training are also eligible for appointment as Tamil Pandits in schools " .

Provided further that persons appointed as Tamil Pandit in any school prior to the 1st April 1976 shall be eligible for appointment in any other school even after 1st April 1976.

Asst. Director of Education,
(Stat. Sec. 5)
Madras-600 006.

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
6. Pandits of other languages (Languages other than Tamil.)	<p>(1) Degree of an University in the State or its equivalent with oriental language as special study;</p> <p style="text-align: center;">and</p> <p>Degree or Diploma in teaching of an University in the State or its equivalent.</p> <p style="text-align: center;">or</p> <p>(2) S.S.L.C. completed.</p> <p style="text-align: center;">and</p> <p>Titles or Certificates of proficiency in oriental learning of an University in the state or its equivalent.</p> <p style="text-align: center;">and</p> <p>Pandits Training or Secondary Grade Training.</p>
7. Physical Director	A Degree in Physical Education of any University in the State or its equivalent.
8. Physical Education Teacher : (a) Grade-I	<p>(1) A pass in first year B.A., or its equivalent degree.</p> <p style="text-align: center;">or</p> <p>(2) Intermediate.</p> <p style="text-align: center;">or</p> <p>(3) T.S.L.C. or Secondary Grade :</p> <p style="text-align: center;">or</p> <p>(4) Senior Basic Grade.</p> <p style="text-align: center;">and</p> <p>Government Teachers certificate of Higher Grade in physical Education.</p>

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
<p>6. Physical Education Teacher—<i>cont.</i> (b) Grade II :</p>	<p>S.S.L.C. Eligible. and Government Teachers Certificate in Physical Education. <i>Explanation</i> :—In high schools, the first physical education teacher should be a holder of Higher Grade Certificate. If a higher grade certificate holder is not available, a person with Government Teacher's Certificate in Physical education may be appointed on a regular basis. However if any additional Physical Education teacher is to be appointed, he shall be a holder of Higher Grade Certificate in Physical Education.</p>
<p>9. Wood work Instructor</p>	<p>(1) S.S.L.C. completed; and (2) Industrial School Certificate; or Certificate course in Elementary wood working (Old regulations) issued by the College of Arts and Crafts, Madras. or Diploma Course in Wood work issued by College of Arts and Crafts (New Regulations), Madras; and (3) Technical Teacher's Certificate; or Craft Instructor's Course Certificate of Teachers' College, Saidapet. and</p>

<i>Name of the post.</i>	<i>Qualifications</i>
(1)	(2)
9. Wood work Instructor—cont.	(4) National Trade Certificate in the Trade of Carpentry. One year Course (with) One year paid (untrained) teaching experience or One Year (paid) work experience in a Standard Wood Work Factory or Institution. and (5) National Apprentice Certificate issued by the National Council for Training in Vocational Trades (Wood Work);
10. Spinning and Weaving Instructor. ...	(1) S.S.L.C. completed; and (2) Artisan Course or Instructor's Course Certificate of the Government Textile Institute, Madras; or Government Technical Examination Certificate (Lower Grade); or Bunayee or Khadi pravisaka course (One year) of the All-India Spinners Association, Tiruppur; or Three years course certificate in Handloom and powerloom weaving issued by the SMRV Technical Institute, Nagercoil awarded prior to 1961; or Twelve months Craftsman Certificate in Handloom weaving of SMRV Technical Institute, Nagercoil; or National Trade Certificate awarded by the National Council for training in vocational Trades, Government of India

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
10. Spinning and Weaving Instructor—cont. ...	the Director-General of Rese- Secondary Grade. tlement and Employment, New Delhi, in Hand Weaving Trade; or Diploma in Handloom Techno- logy, awarded by the Indian Institute of Handloom Tech- nology All-India Handloom Board, Salem. and (3) Technical Teacher's Certifi- cate; or Craft Instructor's Course Certifi- cate of Teachers College, Saidapet.
11. Instructor in Gardening and Agriculture ...	(1) S.S.L.C. completed or its equivalent; and Government Technical Exami- nation Certificate (Lower Grade); and Technical Teachers, Certificate; or (2) Completed Secondary School- leaving Certificate with thirty five per cent in Agriculture (Theory and practical separa- tely) under the Diversified Course. and Technical Teachers Certificate;
12. Instructor in Home Craft ...	(1) S.S.L.C. completed. and (2) Government Technical Exa- mination (Higher Grade in needle work and Dress-making and Higher Grade in Embroi- dery);

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
12. Instructor in Home craft—cont.	<p data-bbox="445 212 811 244">Industrial School Certificate;</p> <p data-bbox="634 252 661 276">or</p> <p data-bbox="445 284 861 555">National Trade Certificate awarded by the National Council for training in vocational Trades, Government of India or the Diploma awarded by the Director-General of Resettlement and Employment, New Delhi, in Embroidery and Needle work;</p> <p data-bbox="634 571 661 595">or</p> <p data-bbox="445 603 861 754">Diploma in Costume Designing and Dress-making issued by the State Board of technical Education and Training, Madras;</p>
and	(3) Technical Teachers, Certificate.
13. Instructor in Music	<p data-bbox="445 882 861 946">(1) Degree with Music under Part III;</p> <p data-bbox="634 962 661 986">or</p> <p data-bbox="445 994 702 1018">Completed S.S.L.C.</p> <p data-bbox="634 1034 661 1058">and</p> <p data-bbox="445 1066 861 1129">Sangeetha Bushana of Annamalai University;</p> <p data-bbox="634 1145 661 1169">or</p> <p data-bbox="445 1177 861 1297">Sangeetha Vidwan title in Music awarded by the Director of Government Examinations, Madras;</p> <p data-bbox="634 1313 661 1337">or</p> <p data-bbox="445 1345 861 1399">Sangeetha Siromani of the Madras University;</p>

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
13. Instructor in Music— <i>cont.</i>	<p>Diploma in music of the Madras University or Madurai University;</p> <p style="text-align: center;">and</p> <p>Technical Teacher's Certificate.</p> <p style="text-align: center;">or</p> <p>(2) S.S.L.C. completed;</p> <p style="text-align: center;">and</p> <p>Government Technical Examination Certificate (Higher Grade in Music);</p> <p style="text-align: center;">and</p> <p>Technical Teacher's Certificate;</p> <p style="text-align: center;">or</p> <p>(3) Completed S.S.L.C. with forty per cent in Music (Theory and Practical separately under the diversified courses);</p> <p style="text-align: center;">and</p> <p>Technical Teacher's Certificate;</p> <p style="text-align: center;">or</p> <p>Diploma in Music Teaching awarded by the Director of Examinations.</p> <p style="text-align: center;">or</p> <p>(4) Teachers' Certificate in Indian Music" issued by the Director of Government Examinations.</p>
14. Drawing Master ..	<p>(1) (a) Degree with Drawing and Painting under Part III of an University in the State or its equivalent;</p> <p style="text-align: center;">or</p> <p>Diploma in Painting or Diploma in Drawing of the Annamalai University.</p> <p style="text-align: center;">or</p>

<i>Name of the post.</i> (1)	<i>Qualifications.</i> (2)
14. Drawing Master— <i>cont.</i>	<p>(b) S.S.L.C. (completed); and Government Technical Examinations (Higher Grade) in Free-hand outline and Model Drawing; or Government Diploma in Drawing; and (2) Technical Teacher's Certificate.</p>
15. Metal Work Instructor, Electric Wiring Instructor, Book-Binding Instructor, Tailoring Instructor, Leather Work Instructor, Clay Modelling and Paper Making Coir Instructor, Basketing and Ratan Work Instructor ...	<p>(1) S.S.L.C. completed; and (2) Industrial School Certificate; or Government Technical Examination of Lower Grade in the subject; or Certificate of the Government of India, Director of Resettlement and Employment (Ministry of Labour).</p> <p><i>Explanation.</i>—The Industrial School Certificate should ordinarily be of not less than two years' duration and for the particular subject alone and not for a number of subjects.</p>
<i>Diversified Course—</i>	
16. Secretarial Assistant ...	<p>(1) B.Com., Degree of Madras or Madurai or Annamalai University; and</p>

<i>Name of the post.</i>	<i>Qualifications</i>
(1)	(2)
<i>Diversified Course—cont.</i>	
16. Secretarial Assistant— <i>cont.</i>	B.T., or its equivalent Degree; or Technical Teacher's Diploma. (2) D.Com., issued formerly by the Commissioner of Govern- ment Examinations or D.Com. issued thereafter under the Scheme of Government Tech- nical Examination by the Board of Examinations (Technical Examination); and Technical Teacher's Diploma.
17. Commercial Instructor;	(1) Government Technical Exa- mination in Typewriting (Higher Grade); and (2) Technical Teacher's Certifi- cate.
<i>Engineering—</i>	
18. Senior Instructor ...	(1) B.E. (Mechanical) or B.E. (Electrical) or a degree equi- valent thereto; or (a) L.M.E., or D.M.E., or L.E.E., or D.E.E.; or (b) (i) B.Sc. (Physics Main) and Electrical or Mechanical Engi- neering (Subsidiary); (ii) Workshop experience or teaching experience in a recognised institution for a period of three years; or

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
18. Senior Instructor— <i>cont.</i>	B.T., or B.Ed., or L.T., with not less than two years' workshop experience or teaching experience in a recognised school.
19. Assistant Instructor ...	L.M.E., or D.M.E., or L.E.E., or D.M.E., with a minimum of one year practical experience in engineering workshop or as Instructor in a recognised technical school.
20. Senior Mechanic ...	Diploma in Mechanical or Electrical Engineering issued by the State Board of Technical Education and Training, Madras or by any other recognised institution or Board or Industrial School Certificate issued by the Department of Industries and Commerce or by the Department of Employment and Training in general mechanical course of Fitting or Motor Mechanic or Turner or Carpenter or Machinist (Composite) trades or Workshop Foreman Mechanic, or Craftsman trained Diploma issued by the Government of India in Fitting or Motor Mechanic or Turner or Carpenter or Machinist (Composite) trade;

<i>Name of the post.</i> (1)	<i>Qualifications.</i> (2)
20. Senior Mechanic—cont.	<p>National Trade Certificate issued by the National Council for Training in Vocational Trades in Fitting or Motor Mechanics or Turner or Carpenter or Machinist (Composite);</p> <p style="text-align: center;">and</p> <p>(2) Two years' teaching experience or practical experience;</p> <p style="text-align: center;">or</p> <p>Certificate of apprenticeship training issued under the National Apprenticeship Training Scheme by the Directorate-General of Employment and Training and National Council for Training in Vocational Trades in the Trades of Fitting or Motor Mechanic or Turner or Carpenter or Machinist (Composite) with two years' teaching or practical experience;</p> <p style="text-align: center;">or</p> <p>National Apprenticeship certificate issued under the Apprenticeship Act by the National Council for Training in Fitter or Motor Mechanic or Turner or Carpenter or Machinist (Composite) with one year's teaching or practical experience.</p>

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
21. Junior Mechanic ...	<p>Industrial School Certificate issued by the Department of Industries and Commerce or by the Department of Employment and Training, Tamil Nadu in the Trade of Carpenter and Cabinet Maker;</p> <p style="text-align: center;">or</p> <p>Certificate of Craftsman Training Diploma in Carpentry issued by the Government of India or National Trade Certificate in Carpentry issued by the National Council for Training in Vocational Trades;</p> <p style="text-align: center;">or</p> <p>Certificate or apprenticeship in Carpenter issued under the National Apprenticeship Training Scheme by the Directorate-General of Employment and Training and National Council for Training in Vocational Trades;</p> <p style="text-align: center;">or</p> <p>National Apprenticeship Certificate in Carpentry issued under the Apprentice Act by the National Council for Training in Vocational Trades;</p> <p style="text-align: center;">or</p> <p>Craft Instructors Certificate in Woodwork awarded by the Teachers College, Saidapet.</p>
22. Instructor in Agriculture.	<p>B.Sc. Agriculture; B.A., or B.Sc., with Agriculture as a subject in a degree course;</p>

or

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
22. Instructor in Agriculture—cont.	<p>B.Sc., with Agriculture as a subject in the Intermediate;</p> <p>or</p> <p>B.A., or B.Sc. (Botany or Zoology) with Higher Grade Certificate in Agriculture.</p> <p>If persons possessing the qualifications prescribed above, are not available, any of the qualifications specified below may be deemed as sufficient:—</p> <p>Licentiate in Agriculture (Mysore);</p> <p>or</p> <p>S.S.L.C. eligible or completed with Agriculture Higher Grade and I.T.C. in Agriculture</p> <p>or</p> <p>S.S.L.C. eligible or completed with Agriculture under the diversified course (From 1976).</p>
23. Instructor in Textile Technology. ...	<p>Licentiate or Diploma in Textile Technology</p> <p>and</p> <p>Work experience in Weaving in a recognised Textile manufacturing concern for a period of not less than two years.</p>
24. Instructor in Home Science	<p>(1) A degree in Home Science</p> <p>and</p> <p>L.T., or B.T., or B.Ed.</p>
25. Drawing and Painting Instructor.	<p>Degree with Drawing and Painting Under Part III of an University in the State or its equivalent;</p> <p>or</p> <p>Diploma in Painting or Diploma in Drawing of the Annamalai University;</p> <p>or</p>

<i>Name of the post.</i> (1)	<i>Qualifications.</i> (2)
25. Drawing and Painting Instructor— <i>cont.</i>	S.S.L.C. completed and A diploma in Drawing-Second Class or painting granted by the College of Arts and Crafts, Madras or Government Diploma in Drawing.
26. Instructor in Music ...	(1) A degree with Music in Part III; or (2) Diploma or title holder in Music; or S.S.L.C. or its equivalent and Sangeetha Siromani or Sangeetha Bhushana title.
27. Instructor in Dancing ...	Diploma in Dancing awarded by Kalakshetra, Thiruvannamipur; or Higher Grade Certificate awarded by the Director for Government Examinations, Madras; or Natya Visharada Examination Certificate conducted by the Tamil Nadu Music College, Adyar.

II. Qualifications for Appointment as Teachers in the Private Special Schools for the (1) DEAF and DUMB, (2) BLIND, (3) MENTALLY RETARDED.

<i>Name of the post</i> (1)	<i>Qualifications.</i> (2)
1. Headmaster in the Special Schools for Deaf and Dumb (High School).	B.A., or B.Sc., or its equivalent. and Trained Teachers Certificate of Collegiate Grade. and Senior Diploma in teaching the Deaf and Dumb.

<i>Name of the post.</i>	<i>Qualifications</i>
(1)	(2)
2. Headmaster in the Special School for the Blind (High School) ...	B.A., or B.Sc., or its equivalent and Trained teachers Certificate of Collegiate Grade. and Senior Diploma in teaching the Blind.
3. Headmaster in the Special School for the mentally retarded (High School.) ...	B.A., or B.Sc., or its equivalent and Trained Teachers Certificate of Collegiate Grade and Senior Diploma in teaching the mentally retarded.
4. Teachers in the Special School for the Deaf and Dumb (High School Standard IX to XI.)	B.A., or B.Sc., or its equivalent and Trained teachers Certificate of Collegiate Grade and Senior Diploma in teaching the Deaf and Dumb.
5. Teachers in the Special School for the Blind (High School Standard IX to XI.) ...	B.A., or B.Sc., or its equivalent. and Trained Teachers Certificate of Collegiate Grade and Senior Diploma in teaching the Blind.
6. Teachers in the Special School for the mentally retarded. (High School Standard IX to XI.)	B.A., or B.Sc., or its equivalent and Trained Teachers Certificate of Collegiate Grade and Senior Diploma in teaching the mentally retarded.
7. Teachers in the Special School for the Deaf and Dumb (Primary and Middle School Standard.) ...	S.S.L.C. or its equivalent and Trained Teachers Certificate of Secondary Grade and

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
Teacher in the Special School for the Blind (Primary and Middle School Standards.) ...	Junior Diploma in Teaching the Deaf and Dumb. Trained Teachers Certificate of Secondary Grade and Junior Diploma in teaching the Blind.
9. Teachers in the Special School for the mentally retarded. (Primary and Middle School Standard). ...	Trained Teachers Certificate of Secondary Grade and Junior Diploma in teaching the mentally retarded.

III. Qualifications for the Non-Teaching Staff in private Schools including training Schools.

<i>Name of the post.</i>	<i>Qualifications.</i>
(1)	(2)
1. Clerks including Library Clerk. ...	S.S.L.C. with eligibility for public services.
2. Record Clerk, Laboratory and Library Assistant. ...	S.S.L.C. completed.
3. Peons. ...	A pass in Standard VIII.
4. Watchman, Waterman, Gardener, Sweeper and Scavanger. ...	To read and write Tamil.

Explanation.—The Qualifications prescribed as above for all posts shall be applicable for the appointments to be made in private schools on or after the date of the publication of the notification of the rules.

(2) Persons who are in service prior to the issue of this notification shall be eligible for appointment in any other school even after the issue of this notification.

“The Director of School Education shall be the authority competent to evaluate and accept other qualifications for purpose of appointments in schools”.

FORM I.

APPLICATION FOR OPENING OF A PRE-PRIMARY/PRIMARY/MIDDLE SCHOOL.

[Vide Rule 5 (1).]

1. (a) Name of the Centre (in Block letters) where the Pre-Primary/Primary/Middle School is proposed to be opened.

(b) Name of the School.

2. Revenue District, Taluk, Post Office.

3. (i) Details of the educational agency which proposes to open the school.

(ii) Is the educational agency a registered body? If so the details should be furnished.

4. Standards proposed to be opened.

5. Whether the Centre where the proposed school is to be opened lies in—

(a) Taluk Headquarters Town (or)

(b) Municipality/Township (or)

(c) Panchayat Union area or

(d) Rural area not coming under any of the above categories.

6. (a) Population of the centre and also of the contiguous places from where pupils might seek admission into the school (men and women should be furnished separately).

Explanation.—The names of villages, population and distance to the centre should be furnished separately.

(b) Number of school-age children in the centre: —

	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
(i) 2-1/2—6 age group.			
(ii) 6—11 age group.			
(iii) 11—14 age group.			

(c) Number already brought under instruction in the existing schools.

(d) Number yet to be brought under instruction.

7. (a) Name of other Pre-Primary/Primary/Middle Schools in the locality.

(b) Distance of such schools from the proposed school.

(c) Particulars of strength, attendance (roll and attendance) of such schools (standardwise particulars should be furnished).

8. Name of the schools that are likely to feed the proposed school, together with their distance from the proposed school. (The standardwise particulars regarding strength, etc., to be furnished.)

9. Whether there is any natural barrier between the existing schools and the proposed school, if so, the same may be explained in full detail. A rough sketch plan should be enclosed.

10. Whether an application was made for permission in previous years. If so, the reference number and date and the nature of orders passed by the competent authority should be furnished.

11. Whether the proposal is for the conversion of a pre-primary school into primary school or a primary school into a middle or for opening a new school.

12. What is the accommodation proposed to be provided for the proposed school.

(a) Is the building ready for occupation?

(b) A rough sketch showing the accommodation proposed for class room, etc., duly marked should be attached.

(c) Whether the building is a pucca, a thatched or a tiled one.

(d) Whether it is owned or rented or rent free.

(e) Extent of area available for each standard.

13. Whether the educational agency is prepared to create--

(a) Endowment as required in rule 9 (2) (c) (i).

(b) Cash reserve as required in rule 9 (2) (c) (ii).

14. A rough sketch of the place where the school is proposed to be opened, specifying the following particulars should be submitted.

(a) The locality where the school is proposed to be opened.

(b) Pre-Primary/Primary/Middle Schools in the area with distance duly marked.

15. Number of pupils expected to join in each of the standards of the proposed school.

Signature of the person duly authorised
by the Educational Agency.

Place :

Date :

FORM I-A.

APPLICATION FOR THE OPENING OF A HIGH SCHOOL.

[Vide Rule 5 (i).]

1. (a) Name of place where the new school is proposed to be opened.
(b) Name of the proposed school.
2. Revenue District, Taluk and Post Office.
3. (i) Details of the educational agency which proposes to open the High School.
(ii) Is the educational agency a registered body? If so, the details should be furnished.
4. Standards proposed to be opened (new or upgrading, details may be furnished).
5. Population of the villages within eight kilometers radius.
6. Population of children in the school-age group 11-17 or 14-17 in the villages within eight kilometers radius. (Particulars in respect of boys and girls should be furnished separately.)
7. Number of Primary and Middle Schools functioning within eight kilometers radius with their standardwise strength.
8. Details of High Schools within the distance of eight kilometres, together with their standardwise strength.
9. Whether there is any natural barrier between the proposed school and the existing schools.
10. (a) Name of the Pre-Primary/Primary/Middle High Schools in the locality.
(b) Distance of such schools from the proposed school.
(c) Particulars of strength, attendance (roll and attendance) of such schools (standardwise particulars should be furnished).
11. Number of pupils expected to join in each of the standards of the proposed school.
12. Whether the educational agency is prepared to create—
(a) endowment as required in rule 9 (2) (c) (i).
(b) cash reserve as required in rule 9 (2) (c) (ii).
13. Details of the accommodation, play ground area, furniture, etc. proposed to be provided for the school.

Signature of the person duly authorised
by the Educational Agency.

Place:

Date:

FORM II.

STATEMENT OF PARTICULARS IN RESPECT OF EXISTING SCHOOLS.

[Vide Rule 5 (5).]

1. (a) Name of the centre (in Block letters) where the Primary/, Pre-Primary/Middle/High School is situated.

(b) Name of the school.

(c) The medium of instruction.

2. Revenue District, Taluk, Post Office.

3. (a) Name of the educational agency managing the school.

(b) Is the educational agency a registered body, if so, the details should be furnished.

4. Whether the centre where the school is situated lies in--

(a) Taluk Headquarters Town (or)

(b) Municipality/Township (or)

(c) Panchayat Union area (or)

(d) Rural area not coming under any of the above categories.

5. Details of the standards now functioning.

6. (i) Standardwise strength and average attendance :

(ii) Reference number and date of orders in which recognition has been accorded to each standard. Whether the recognition is permanent or temporary. If temporary the details of the duration should be furnished.

7. Details regarding the accommodation provided for the school—

(a) A rough sketch showing the accommodation for class room, etc., duly marked should be enclosed.

(b) Whether the building is pucca or thatched or tiled one.

(c) Owned or rented or rent-free.

(d) Extent of area available for each standard.

Sanitary facilities—

8. Whether separate latrines and urinals are provided for teachers and pupils (boys and girls separately).

Playground—

9. (1) Owned/leased

(2) Extent.

(3) Condition.

Garden—

10. (1) Extent.

(2) Condition.

Equipment—

11. Details regarding availability of—
 - (1) Furniture.
 - (2) Teaching aids, maps, charts, etc.
 - (3) Library.
 - (4) Laboratory.
 - (5) Miscellaneous.
12. Sources of income, including the income from endowment.
13. Name of the Secretary.
14. Particulars of the staff (teaching and non-teaching).

(1) <i>Serial number.</i>	(2) <i>Name of the teachers or other persons.</i>	(3) <i>Designation.</i>	<i>Qualification.</i>		(6) <i>Date of birth.</i>	(7) <i>Pay.</i>	(8) <i>Remarks.</i>
			(4) <i>General.</i>	(5) <i>Professional.</i>			

Signature of the person duly
authorised by the Educational Agency.

Place :
Date :

FORM III.

**APPLICATION FORM FOR THE APPROVAL OF CHANGE IN THE CONSTITUTION
OF A PRIVATE SCHOOL.**

[Vide Rule 7 (2).]

- (1) The details of constitution.
- (2) The details of constitution proposed to be revised or modified.
- (3) The reasons for such revision or modification.
- (4) The date from which the original constitution is in existence.
- (5) The date from which the changes in constitution have to be given effect to.
- (6) Whether a copy of the resolution of the educational agency for the change is enclosed.

Signature of the person duly authorised
by the Educational Agency.

Place :
Date :

FORM IV.

APPLICATION FOR APPROVAL OF THE CHANGE OF THE EDUCATIONAL
AGENCY.

[Vide Rule 7 (3).]

- (1) Name of the school (with full address).
- (2) The range of the Deputy Inspector of Schools/District Educational Officer.
- (3) Particulars regarding the recognition and grant sanctioned to the school.
- (4) Name of the educational agency which maintain the school.
- (5) Name of the educational agency to which the school is proposed to be transferred.
- (6) Whether a resolution of the new educational agency agreeing for the transfer of the school is enclosed.
- (7) Reasons for the transfer.
- (8) Whether the transferee is agreeable to comply with the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974) and the rules made thereunder.
- (9) Whether the transferee is agreeable to run the school with the present teachers and other persons employed in the school on the same conditions of service.
- (10) Details of non-payment of salary, if any, to the teachers or other persons employed in the school.
- (11) Whether any order issued by the Education Department are pending disposal by the transferer.
- (12) If the building in which the school is situated is owned by the transferor, the arrangement made for locating the school by the new educational agency.
- (13) Was any disciplinary action taken against the new agency or any member of the school committee by the Education Department, if so the details thereof.
- (14) (i) Date of application.
- (ii) Date of transfer, if it is a case falling under sub-section (c) of section 8 of the Act.

Signature of the person
duly authorised by the
Educational Agency transferring the
management.

Signature of the person duly authorised
by the Educational agency to whom
the management is transferred.

DECLARATION TO BE FURNISHED BY THE TRANSFEROR

I, acting for and on behalf of the educational
agency hitherto recognised as an approved educational agency of the
..... school do hereby declare that I have handed
over the school together with building, equipments, records, etc., to
..... (Transferee) (the new educational agency).
I also declare that all our rights over the school have ceased from
.....

..... Signature of the person duly authorised by the educational
agency transferring the school.

DECLARATION TO BE FURNISHED BY THE TRANSFEEEE

I, acting for and on behalf of
educational agency, do hereby declare that we have taken up the
..... school from educational agency.
We bind ourselves to discharge the legal claims and liabilities against
the previous educational agency. We also declare that we shall comply
with the provisions of the Tamil Nadu Recognised Private Schools
(Regulations) Act, 1973 (Tamil Nadu Act 29 of 1974) and the rules
made thereunder.

Signature of the Transferee.

FORM V

STATEMENT OF PARTICULARS TO BE FURNISHED BY THE MINORITY SCHOOL.

(Vide rule 8)

- 1 (i) Name of the centre where the minority
school is situated.
- (ii) Revenue District, Taluk, Town or
Village.

- 2 Name of school (in Block letters) and postal address.
- 3 The medium of instruction.
- 4 The date of opening of the school.
- 5 Details of standards and sections now functioning.
- 6 Standardwise strength and attendance.
- 7 (a) Name of the educational agency of the school.
- (b) Whether educational agency is a religious or linguistic minority.
- (c) Whether the educational agency is a registered body; if so, the details should be furnished.
- 8 The minority to be served by the educational agency.
- 9 Details of accommodation in the school (a rough sketch should be enclosed).
- 10 Details, regarding the play ground, sanitary facilities, garden, furniture, equipment, etc.
- 11 Particulars regarding the staff (names of teachers and other persons, qualifications, age, salary, etc.).
- 12 Population of the centre and also the contiguous places from where pupils might seek admission (particulars of men and women should be furnished separately).
- 13 Number of school-age children in the centre.—
- | | | | |
|------------------------------|------|-------|--------|
| (i) Age group 6-11 years. | Boys | Girls | Total. |
| (ii) Age group 11-14 years. | Boys | Girls | Total. |
| (iii) Age group 14-17 years. | Boys | Girls | Total. |
- 14 Number of school-age children in the centre (out of the figures furnished in column (13) who will seek admission in the school.
- 15 (a) Whether the educational agency has created endowment as required in rule 9 (2) (c) (i) or proposes to create endowment and if so the details may be furnished.

- (b) Whether the educational agency has deposited or is prepared to deposit one month's salary of the staff as required in rule 9 (c) (ii).
- 16 (a) The name of other Pre-Primary/Primary/Middle High Schools in the locality.
- (b) Distance of such schools from the minority school.
- (c) Particulars of strength and attendance of such schools (Standardwise particulars should be furnished).
- 17 Whether the schools has any other sources of income and if so the details may be furnished.

Signature of the person duly authorised
by the educational agency.

Place:

Date:

FORM VI

APPLICATION FOR RECOGNITION OF SCHOOLS.

[Vide rule 9 (1).]

- 1 Name of the school with full address.
- 2 Date of opening of the school. (Reference number and date of orders of the competent authority permitting the opening of the school to be furnished). In case of minority schools and other schools existing on the date of commencement of the Act, the reference number and date of submission of the statement should be indicated.
- 3 Name of the educational agency managing the school.

- 4 Name of the Secretary.
- 5 Standards for which recognition is sought for.
- 6 (a) Standardwise strength and attendance.
 (b) Whether all the standards are having economic strength.
 (c) List of teaching and non-teaching staff employed in the school with details of qualifications, designation, etc., to be furnished.
 (d) Whether the teaching and non-teaching staff are qualified.
- 7 (a) Details of accommodation and sanitation available should be enclosed.
 (b) Whether owned or rented or rent free.
 (c) Whether adequate and suitable.
- 8 (a) Details of furniture, appliances and apparatus.
 (b) Whether adequate and suitable.
- 9 (a) Whether a library is provided.
 (b) Whether it is adequate.
- 10 Whether registers are maintained in the prescribed forms.
- 11 Whether arrangements have been made for the compulsory medical inspection of the pupils.
- 12 Playground—
 (i) Area available (in acres).
 (ii) Owned or leased.
 (iii) Whether adequate and fit for use.
- 13 (i) Whether the school has created
 (a) endowment as required in rule 92 (c) (i)—
 (b) cash reserve as required in rule 92 (c) (ii)—
 (ii) Property, full details regarding extent of the property, value of the property, etc., should be furnished.
 (iii) If the endowment is in the shape of cash full details of the amount and mode of investment should be furnished.

- (iv) Whether the endowment is unencumbered and whether it stands absolutely in the name of school without any reversionary rights.
 - (v) Net annual income derived from the endowment.
 - (vi) Whether the original deed of property has been verified by the Government Pleader and certified that the deed conveys absolute rights to the school without any reversionary rights to the donor and that it is unencumbered.
 - (vii) Whether the original cash investment certificates have been verified by the district educational Officer.
 - (viii) Whether attested copy of the Government Pleader opinion, income certificate, encumbrance certificate in respect of the property endowed to the school are enclosed.
 - (ix) Details of balance endowment to be created, if any.
- 14 Whether the educational agency is agreeable to abide by the conditions for recognition in rule 9 and the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974) and the rules made thereunder.

DECLARATION.

On behalf of the educational agency of the school, I hereby declare that all the conditions specified in the rules and the departmental orders have been fulfilled. I also declare that we shall abide by the conditions for recognition in rule 9 and the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 (Tamil Nadu Act 29 of 1974) and the rules made thereunder.

Station :

Date :

Signature of the person duly authorised by
the educational agency.

FORM VII A.

(Vide rule 15.)

FORM OF AGREEMENT TO BE EXECUTED BY A SCHOOL
COMMITTEE OF A PRIVATE SCHOOL IN RESPECT OF
PERMANENT TEACHERS.

AGREEMENT MADE THIS DAY OF

One thousand nine hundred between
the School Committee of School
of the one part and (Teacher)
of the other part:

Whereas the School Committee has agreed to engage the said Thiru/Thirumathi/Selvi to serve in the..... school, in the capacity of a teacher and on the pay and allowances hereinafter mentioned.

Now these presents witness and the parties hereto do hereby agree as follows:—

1. That the School Committee shall employ the said teacher and the said teacher shall serve as a teacher in the school at..... from the date of his/her taking charge of such appointment until such employment shall be determined as hereinafter provided.

2. That the said teacher shall be on probation for a period of one year, from the date of taking charge of his/her appointment. The School Committees may, however extend it to a further period not exceeding one year for reasons to be recorded in writing.

If no orders extending the probation are passed in writing within six months after the period of probation, the said person shall be deemed to have completed his/her probation.

Termination of the probation shall be done only with the previous permission of the competent authority specified in rule 17.

3. (a) That the said teacher shall employ himself/herself honestly, efficiently and diligently under the orders and instructions of the Headmaster or School Committee of the said school.

(b) If the employee is a Headmaster/Headmistress he/she shall, in that capacity be responsible for the internal management of the school and the academic work of the school and shall exercise such powers as may be necessary for the due discharge of his/her duties.

4. That the said teacher shall not normally or on any preface absent himself/herself from his/her duties without first having obtained the permission of the Headmaster, and if he/she is a Headmaster/

Headmistress, of the School Committee. In case of sickness or other inevitable causes he/she shall forward a proper medical certificate or communication explaining the extraordinary circumstances to the Headmaster, or if the said person is a Headmaster/Headmistress he/she shall send such communication to the School Committee.

5 That the said teacher shall devote his/her whole time to the duties of the said employment and will not on his/her own account or otherwise either directly or indirectly carry on or be concerned in any trade, business or canvassing work, private tuition or the like, of a remunerative kind without the specific written sanction of the school committee.

6 That the said teacher and the school committee shall conform to all the provisions of the Tamil Nadu Recognised Private Schools (Regulation) Act, 1973 and the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974.

7. That the school committee shall not dismiss, remove or reduce in rank or terminate the services of the said teacher without informing him/her in writing of the grounds on which they intend to take action and shall adopt the following procedure before taking any final decision regarding the punishment to be imposed.

(a) The memorandum of charges shall be communicated to him/her in writing giving him/her reasonable time to send his/her explanation to the school committee.

(b) After considering his/her explanation the school committee shall communicate to him/her findings and if so desired by the said teacher conduct a personal hearing or enquiry, wherein he/she shall be given the opportunity to examine or cross-examine any or all the witnesses and also produce witnesses.

(c) After the conduct of the personal hearing or enquiry by the School Committee the report of such personal hearing or enquiry shall be furnished to the teacher and a notice shall be issued to him/her setting out the proposed punishment and he/she shall be given a reasonable time to defend himself/herself against the proposed punishment.

(d) After the receipt of the statement of defence from him/her and taking it into consideration the school committee shall inform him/her in writing about its final decision.

8 It shall be open to the school committee, at any time if satisfied on medical evidence that the said teacher is unfit to discharge his duties for reasons of ill health, to terminate his/her services, on paying him/her three months' pay and allowances less any amount which might have been paid to him/her as leave pay, after the date of his/her last appearance in the school for the regular discharge of his/her duties and subject to a minimum of one month's full pay and allowances.

9. That the said teacher shall be entitled to have his/her previous terminated either by giving to the school committee three months' notice thereof in writing or by paying the school committee three months' pay and allowances in lieu of such notice if he is a permanent teacher. In case of a teacher who is not permanent, the period of notice shall be 2 months and the amount payable in lieu thereof shall be two months' pay and allowances.

10. That the School Committee may impose major punishments such as dismissal, removal or reduction in rank or termination of services as mentioned earlier or any of the following minor punishments on the said teacher for any irregularity or breach of the code of conduct on the part of the said teacher.

(i) Censure, (ii) withholding of increment, with or without cumulative effect (iii) recovery from pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to.

Entries shall be made in the service register of the said teacher only in respect of penalties other than censure. Such entries shall be made only after the appeal, if any, preferred by the said teacher is disposed of by the competent appellate authorities specified in the rules.

11. That the said teacher shall be paid a sum of Rs. monthly in the scale of with effect from and the other allowances granted by Government from time to time. Such teacher shall be entitled to increments indicated in the scale.

12. Any permanent teacher whose certificate is suspended as a temporary measure or who is declared unfit to hold the post for a temporary period, shall have a right to claim for reinstatement in service in the school in which he was working prior to his relief, on the expiry of the term of his punishment.

The School Committee shall reinstate him in the post which he held before such punishment was imposed.

In witness whereof the School Committee and have hereunto set their hand

Signature of the Secretary
of the School Committee.

In the presence of—

First Witness—

Signature:

Name:

Address:

Occupation:

Second Witness—

Signature:

Name:

Address:

Occupation:

Signature of the Teacher.

In the presence of—

First Witness—

Signature:

Name:

Address:

Occupation:

Second Witness—

Signature:

Name:

Address:

Occupation:

NOTE.—In respect of employees other than teachers the designation of such employee shall be substituted in the place of teacher wherever it occurs in the form of agreement.

FORM VII B

(Vide rule 15.)

FORM OF AGREEMENT TO BE EXECUTED BY THE SCHOOL COMMITTEE OF
A PRIVATE SCHOOL IN RESPECT OF TEMPORARY TEACHERS.

Agreement made this _____ day of one thousand nine
hundred and _____ between the School Committee of
School of the one part and _____ (Teacher) of the other
part:

Whereas the School Committee has offered to engage the said
 Thiru/Thirumathi/Selvi to serve in
 the

School in the capacity of a teacher on a purely temporary basis and
 on the pay and allowances hereinafter mentioned.

And whereas the said Thiru/Tmt./Selvi has
 accepted to serve as a teacher.

Now these present witness and the parties hereto do hereby agree
 as follows:

1. That the School Committee shall employ the said teacher
 and the said teacher shall serve as a teacher in the school at
 purely on a temporary basis from the date of his/her taking charge of
 his/her appointment until such appointment is determined as hereinafter
 provided.

2. (a) That the said teacher shall employ himself/herself
 honestly, efficiently and diligently under the orders and instructions of
 the Headmaster or the School Committee.

(b) If the employee is a Headmaster/Headmistress he/she
 shall in that capacity be responsible for the internal management of
 the school and the academic work of the school and shall exercise such
 powers as may be necessary for the due discharge of his/her duties.

3. That the said teacher will not normally or on any pretence
 absent himself/herself from his/her duties without first having
 obtained the permission of the Headmaster, and if he/she is a Head-
 master, of the School Committee. In case of sickness or other inevitable
 causes he/she shall forward a proper medical certificate or communica-
 tion explaining the extraordinary circumstances to the Headmaster. If
 the said person is a Headmaster he will send such communication to
 the School Committee.

4. That the said teacher will devote his/her whole time to the
 duties of the said employment and will not on his/her own account or
 otherwise either directly or indirectly carry on or be concerned in any
 trade, business or canvassing work, private tuition or the like, of a
 remunerative kind without the specific written sanction of the School
 Committee.

5. That the School Committee shall have the right to discharge
 the said teacher without assigning any reasons at the end of the specific
 period for which he/she has been engaged as a temporary teacher or
 earlier.

6. That the said teacher shall be entitled to relinquish his/h/er appointment at the end of the specific period for which he/she has been appointed or earlier if he/she so desires.

7. That the said teacher shall be paid a sum of Rs. _____ monthly as pay and other allowances with effect from the date of his/her taking charge as such teacher.

In witness whereof the School Committee and have hereunto set their hand.

Signature of the Secretary
of the School Committee.

In the presence of—

First Witness—

Signature:
Name
Address:
Occupation:

Second Witness—

Signature:
Name
Address:
Occupation:

In the presence of—

First Witness—

Signature:
Name:
Address:
Occupation:

Second Witness—

Signature:
Name:
Address:
Occupation:

Signature of the Teacher.

NIEPA DC



D00710

National Institute of Educational
Planning
17-B, Sri Aurobindo Road, New Delhi 1100
DOC. No. D-710
Date..... 28/3/83

NOTE.—In respect of employees other than teachers the designation of such employees shall be substituted in the place of teacher wherever it occurs in the form of agreement.

C. G. RANGABASHYAM,
Secretary to Government

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