

Regd. No. NE 907



# The Mizoram Gazette

EXTRA ORDINARY

## Published by Authority

Vol. XV Aizawl Wednesday 23~~rd~~ 7. 1986 Sravana 1 SE 1908 Issue No. 48(A)

### NOTIFICATION

LAD. 31(G)/73/115, the 23rd July, 1986. In pursuance of Paragraph II of the Sixth Schedule to the Constitution of India, the following Regulation made by the Lakher District Council under sub-paragraph (1) of the Paragraph 6 of the said Schedule and assented to by the Administrator of Mizoram is hereby published for general information.

K.N. Srivastava,  
Secretary to the Govt. of Mizoram,  
District Council Affairs Department.

### LAKHER DISTRICT REGULATION NO. 1 OF 1986.

The Lakher Autonomous District ( Management of Primary Schools ) Regulation, 1986.

### A B I L L

### ( REGULATION )

To provide for the management and control of Primary School in the Lakher Autonomous District, and for certain other matters connected therewith.

PREAMBLE :- Whereas it is expedient to provide for the management and control of the Primary Schools in the Lakher Autonomous District and for certain other matters connected therewith ;

And whereas, under sub-paragraph (1) of paragraph 6 of the Sixth Schedule to the Constitution, the District Council for an Autonomous District is empowered to make regulations for the management and control of Primary Schools in the District and for certain other matters connected therewith;

Now, therefore, in exercise of the said powers and of all other powers enabling it in that behalf, the District Council of the Lakher Autonomous District, with the previous approval of the Administrator, hereby makes the following regulations:-

## CHAPTER I PRELIMINARY :

### SHORT TITLE, EXTENT AND COMMENCEMENT :-

1. (1) This Regulation may be called the Lakher Autonomous District (Management of Primary Schools) Regulation, 1986.
- (2) It extends to the whole of the Lakher Autonomous District.
- (3) It shall come into force on the date of its publication in the Mizoram Gazette.

### 2. DEFINITIONS :-

In this regulation, unless the context otherwise requires :-

- (a) "Administrator" means the Administrator of the Union Territory of Mizoram appointed under article 239 of the Constitution.
- (b) "Appointed date" means a date appointed by the Executive Committee with the previous approval of the Administrator.
- (c) "Constitution" means the Constitution of India.
- (d) "District" means the Lakher Autonomous District Constituted under the Sixth Schedule to the Constitution.
- (e) "District Council" means the Lakher District Council.
- (f) "District Primary Education Board" means the Board constituted under section 4 of this regulation ;
- (g) "Education Officer" means the Education Officer appointed by the Executive Committee with the previous approval of the Administrator.
- (h) "Executive Committee" means the Executive Committee of the Lakher District Council;
- (i) "Government" means the Government of Mizoram.
- (j) "Village Primary Education Board" means the Board formed under section 6 of this regulation.

## CHAPTER II

## PROVISION AS TO STAFF, ASSETS, ETC.

## 3. PROVISION AS TO STAFF ETC :-

- (1) On and from the appointed date, all lands, buildings, Stores, articles and other goods belonging to the Primary schools within the District which are transferred to the District Council by the Government shall vest in the District Council.
- (2) The services of existing Teachers in the Primary Schools transferred by the Government to the District Council shall stand transferred to the District Council as on deputation on Foreign Service without any deputation allowances.
- (3) The Service conditions of Primary School teachers other than the transferred teachers referred to in sub section (2) shall be the same as those of such transferred teachers.
- (4) The tenure, remuneration and terms and conditions of service of teachers and other officers or other employees of Primary Schools shall be such as may be determined by the District Council with the previous approval of the Administrator.

Provided that such terms and conditions of service of the teachers. Officers or other employees shall not be altered to their disadvantage.

## CHAPTER -III

## PRIMARY EDUCATION BOARD

## THE DISTRICT PRIMARY EDUCATION BOARD

4. (1) (a) The District Council shall constitute a District Primary Education Board for management, improvement and control of the Primary Education in the District.
  - (b) The District Primary Education Board shall be a body whose term of membership shall be for three years. The District Council shall appoint Members after every three years.
  - (c) The District Primary Education Board shall sue and be sued in the name of the Lakher District Primary Education Board. It shall be competent to do all acts necessary for carrying out its duties and functions under this regulation and the rules made thereunder.
- (2) The District Primary Education Board shall be constituted with the following members :-

- (a) The Executive Member incharge of Education by virtue of his office shall be the Chairman of the District Primary Education Board.
  - (b) The Education Officer by virtue of his office shall be the Secretary of District Primary Education Board.
  - (c) Three persons nominated by the Executive Committee from among well known educationists in the District.
  - (d) One member representing the Primary Teachers to be nominated by the Executive Committee.
- (3) No person appointed by virtue of his office under sub-section (2) shall continue to be a member of the Board if he ceases to hold that office.
  - (4) Two third of the Members shall form a quorum.
  - (5) A casual vacancy may be filled up for the remaining period of the term in the same manner in which the membership is originally filled up.
  - (6) Any member who is not appointed by virtue of his office may be removed from office, if he is absent for five consecutive meetings and fails to offer reasonable ground or if he acts against the proceedings of the Board.
  - (7) Any Member may resign from his Membership at any time in writing to the Secretary who shall put it up to the Chairman for acceptance.
  - (8) The District Primary Education Board shall meet not less than twice in a year. In case of emergency, Secretary of the Board may call a special meeting at the request of not less than three members.
  - (9) In the absence of the Chairman, the meeting itself may select one of the Members present to preside over the meeting.
5. POWER AND FUNCTION OF THE DISTRICT PRIMARY EDUCATION BOARD :—

The District Primary Education Board shall have the following power and functions, namely :—

- (a) To recommend Non-Government and Non District Council Primary Schools for granting of financial help for maintenance and improvement of the school building, furniture and other equipments.
- (b) To supervise and regulate the activity of the village Primary Education Boards.
- (c) To hold such tests or examinations at such stages of Primary Education as may be deemed necessary.

- (d) To constitute committee or committees for the purpose of conducting examinations.
- (e) To levy such examination fees as may be necessary from time to time.
- (f) To constitute text books Committee for the Primary Schools for the purpose of rendering text book for Primary School in Lakher (Mara) Language for approval by the Government and arrange for their publication and supply to the schools.

#### 6. VILLAGE PRIMARY EDUCATION BOARD :-

- (1) Village Primary Education Board shall be formed by the Executive Committee which will look after the welfare of the school teachers, and of the school children.
- (2) It shall have such number of Members as may be determined by the Executive Committee.
- (3) The Village Council President by virtue of his office shall be the Chairman while other members shall be nominated by the Executive Committee.
- (4) The Head Teacher of Primary School shall be the Secretary to the Village Primary Education Board.

Provided that if there are more than one Primary school in a village, the Head Teacher of one of such Primary schools to be nominated by the Executive Committee shall be the Secretary of the Village Primary Education Board of that Village.

- (5) The term of the office of the Board shall be for three years.
- (6) The Board shall function on behalf of the District Primary Education Board in their respective villages in all matters connected with the affairs of the Primary Schools.

### CHAPTER IV-MEDIUM INSTRUCTION

- 7. The Lakher (Mara) Language shall be the medium of instruction in the Primary school in the Lakher Autonomous District Council jurisdiction.

### CHAPTER V. POWER AND FUNCTION OF EDUCATION OFFICER :

- 8. Powers of Education Officer :-

The Education Officer shall have the following powers, namely, :-

- (a) The power to order transfer and posting of teachers with the approval of the Executive Committee.

- (b) The power of granting of leave to Teachers.
- (c) Such other powers as may be delegated to him by the Executive Committee from time to time with the previous approval of the Administrator.

9. FUNCTION OF EDUCATION OFFICER :-

- (a) The Education Officer shall be the supervising authority of the Financial accounts of the Education Department of the District Council and shall maintain proper accounts of all financial transactions.
- (b) He shall be over all supervisor of the Primary Education in the District.
- (c) He shall execute all orders of the Executive Committee relating to Primary Education.

CHAPTER—VI MISCELLANEOUS :-

POWERS TO MAKE RULES :-

Subject to the previous approval of the Administrator. The Executive Committee may make rules for carrying out any of the provisions of this regulation.

STATEMENT OF OBJECT AND REASONS :-

It is necessary to regulate the management and control of the Primary Education in the Lakher Autonomous District. Hence this bill.

S. Vadyu,  
Chief Executive Member,  
Lakher District Council, Saiha.

I do hereby certify that the above bill, namely, the Lakher Autonomous District Council (Management of Primary Schools) Regulation 1986 was passed by the Lakher Autonomous District Council in its meeting held on 21.4.1986

AND

in authentication thereof, I give my Signature this day the 3rd June 1986 Anno Domini.

Dated Saiha  
the 3rd June '86

Laicho Notlia,  
Chairman,  
Lakher District Council,  
Saiha.

I assent to the above Bills.

Date 17. 7. '86

H.S. Dubey,  
Lieutenant Governor (Administrator)  
Mizoram.