



# **The Mizoram Gazette**

## **EXTRA ORDINARY**

### **Published by Authority**

REGN. NO. N.E.—313 (MZ)

Rs. 2/- per Issue

---

Vol. XXXV Aizawl, Wednesday 26.4.2006, Vaisakha 6, S.E. 1928, Issue No. 105

---

#### **NOTIFICATION**

No. A. 23022/4/2006-EDN, the 12th April, 2006. In exercise of the power conferred under section 30 of the Mizoram Education Act, 2003 (Act No. 5 of 2003), the Governor of Mizoram is pleased to make the following rules with a view to placing the schools in Mizoram on sound financial base and for achieving better administrative control and uniform qualitative improvement in education, namely:—

#### **1. SHORT TITLE, EXTENT AND COMMENCEMENT:**

- (1) These rules may be called the Mizoram Education (Grants-in-Aid for General Maintenance of Private School) Rules, 2006.
- (2) They shall be applicable to the Private Higher Secondary Schools, Private High Schools and the Private Middle Schools in the whole of the State of Mizoram but shall not be applicable to Private Middle Schools in the areas of the Autonomous District Councils.
- (3) It shall come into force on the date, as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different Schools.

#### **2. DEFINITIONS:**

In these rules, unless the context otherwise requires,

- (i) "Act" means Mizoram Education Act, 2003 (Act No. 5 of 2003)
- (ii) "Affiliation" means an affiliation of an institution to the Board.
- (iii) "Board" means the Mizoram Board of School Education to which an institution is affiliated.

- (iv) "Chairman" means Chairman of Managing Committee.
- (v) "Committee" means the Managing Committee of the institution, duly constituted and approved by the Director of School Education.
- (vi) "Department" means the Department of School Education.
- (vii) "Director" means the Director School Education, Mizoram and the word "Directorate" shall be construed accordingly.
- (viii) "Government" means the Government of Mizoram.
- (ix) "Grants in Aid" means the adhoc grants to private educational Institutions
- (x) "Institution" means the educational institutions in Mizoram recognised by the Government.
- (xi) "Secretary" means the Secretary of the Managing Committee.
- (xii) "Treasurer" means Treasurer of the Managing Committee.

### 3. CONDITIONS OF ELIGIBILITY:

- (1) An Institutions/School having a Managing Committee duly constituted and approved by the Director shall be eligible for Grant in Aid under these Rule.
- (2) The School shall normally have its own buildings and lands, the ownership of which should be legally vested in its duly constituted Managing Committee and such lands and buildings being considered adequate by the Department for promoting education at various levels.

Provided that the Government may, in every deserving case, relax these conditions.

- (3) The School shall serve the real need of the locality/are a where it is situated and it shall maintain a minimum enrolment of 80 students in urban areas and 40 students in rural areas.
- (4) It shall not start functioning without prior approval of the Department.
- (5) It shall not adversely affect the enrolment of any Institution of the same type within two kilometers of its location.
- (6) An institution/school shall have an affiliation to the Board.
- (7) It shall follow courses, curricula, syllabi and textbooks for the various stages of education as may be prescribed by the competent authority.
- (8) It shall not run for monetary or pecuniary profit to any individual or group of individuals.

- (9) It shall not make any discrimination in admitting students on grounds of religion, caste, or creed.
- (10) It shall make adequate arrangement for classroom accommodation, playfield and sanitation.
- (11) It shall take effective steps to promote discipline and orderly behaviours on the part of the students and the staff and maintain a high moral tone in the institution. Failure in this respect may result in suspension or withdrawal of the grant.
- (12) It shall be open to inspection by the Director or any other Officer duly authorised by him.
- (13) It shall maintain such records and registers as directed by the Director.
- (14) It shall promptly and accurately furnish such statistical reports, and information as may be called for by the Director or any other officer authorised by him.
- (15) It shall maintain full account of all its incomes and expenditure the latter being supported by duly maintained acquittance rolls/vouchers. This must be annually audited by the competent person/officers appointed by the Director. The annual Audit Report shall be examined by the Managing Committee of the Institution in a regular meeting soon after the submission of the report and attested copies of the audit report and Managing Committee's resolution adopting the same shall be submitted to the Director and copies thereof shall be forwarded to the District Education Officer or the Sub-Divisional Educational Education Officer as the case may be.
- (16) It shall not employ any teaching and or other staff having qualification less than what has been prescribed for the Government's Schools.
- (17) It shall not normally levy tuition and other fees from the students at rates higher than those levied by their counterparts in a Government's Institution.

Provided that such fees may be allowed to be raised by the Institutions in exceptional circumstances to a limited extent on grounds considered valid by the Director.

Provided further that in addition to the approved fees, the Managing Committee of an institution may levy fees for School development/building construction from the parent/guardian of each student.

- (18) The Government shall have the power to decide the number of Institutions to be brought under these rules keeping in view the eligibility and availability of funds.
- (19) The quantum of Grants-in-Aid to be given to schools shall determined by the Government from time to time depending on availability of funds.

- (20) The amount of Grant-in-Aid shall be utilised for which it is sanctioned and no amount shall be diverted for other purpose without prior approval of the Government.

**4. OTHER CONDITIONS OF GRANT-IN-AID FOR GENERAL MAINTENANCE :**

- (1) In addition to the general conditions of eligibility under rule 3, any institution brought under adhoc Grants-in-Aid shall conform to the following other conditions, namely :

(a) It shall not employ any unqualified staff.

(b) It shall not employ any staff beyond the age of 60 (sixty) except with the specific approval of the Government.

(c) It shall ensure that no staff under its employment accepts an office not connected with the institution or indulges in active politics;

(d) It shall not appoint any of its staff on scale of pay and allowances higher than what is applicable in case of its counterpart in the Government's Schools nor shall it allow any higher start or grant any premature increment to any of its staff except with the prior approval of the Government.

(e) It shall not make appointment of any additional teaching staff except with the approval of the Director.

- (2) The staff under its employment shall give written undertaking agreeing to be governed by the Central Civil Services (Conduct) Rules, 1964 in spirit and to perform all curricular and co-curricular duties entrusted to them by the Head of the Institutions.

- (3) The Managing Committee duly constituted under these Rules shall have power to appoint non-teaching and teaching staff including Head of the Institution recommended by the Selection Committee subject to the limit of the strength authorised and approved by the Government.

- (4) Recruitment to the recommendation of the Selection/Screening Committee in which Sub-Divisional Education Officer is the Chairman shall be subject to approval of the concerned District Education Officer, whereas the recommendation of the Selection/Screening Committee in which District Education Officer and Director of School Education are the Chairman shall be subject to approval of Director, School Education Department and Secretary to the Government of Mizoram, School Education Department respectively. Authority competent to approve the recommendation shall accord approval within 15 (fifteen) days from the date of receipt of the recommendation. In the event of the recommendation being rejected, reasons for such rejection should be recorded in writing.

- (5) The school shall follow the rules and orders laid down for the corresponding type of institution under the Government in respect of concession

to Scheduled Tribe/Scheduled Caste students, management of Hostels, disciplines, holidays/vacations, etc.

(6) The Managing Committee shall not dispose of any of its immovable properties without prior approval of the Director.

(7) In the event of any disagreement between the Managing Committee on the one hand and the Sub-Divisional Education Officer or the District Education Officer on the other hand, the matter shall be referred to the Director whose decision shall be final and binding.

(8) In the event of any difference of opinion regarding interpretation and / or scope of any of the rules framed herein, the decision of the Government shall be final and binding.

(9) The Managing Committee of an institution brought under Grant-in-Aid shall pass a resolution binding itself collectively to observe all the rules and regulations for the same and to carry out all instructions/ directions that may be issued by the Government from time to time.

(10) It shall maintain a minimum reserve fund of Rs. 5,000/- for institutions up to Middle School level and Rs. 10,000/- for any institutions up to Class X level and Rs. 15,000/- for institution of Higher Secondary level. The Managing Committee shall not draw any amount from the reserve funds without prior approval of the Director.

## 5. CONSTITUTION OF SELECTION COMMITTEE :

The following Selection Committees; which will also act as Screening Committees shall stand constituted with immediate effect.

### (1) IN CASE OF TEACHERS OF MIDDLE SCHOOLS :

|   |                    |
|---|--------------------|
| Sub-Divisional Education Officer          | — Chairman         |
| Concerned Circle Education Officer        | — Member Secretary |
| Chairman Managing Committee of the School | — Member           |
| Secretary of the Managing Committee       | — Member           |

### (2) IN CASE OF HEADMASTERS OF MIDDLE SCHOOLS :

|   |                    |
|---|--------------------|
| District Education Officer  | — Chairman         |
| Sub-Divisional Education Officer concerned                            | — Member Secretary |
| Chairman Managing Committee of the School                             | — Member           |
| One representative of the Managing Committee to be nominated by them. | — Member           |

### (3) IN CASE OF TEACHERS HIGHER SECONDARY/HIGH SCHOOLS AND OTHER STAFF :

|   |                    |
|---|--------------------|
| District Education Officer                        | — Chairman         |
| Sub-Divisional Education Officer of the area      | — Member Secretary |
| Chairman Managing Committee of the School         | — Member           |
| Secretary of the Managing Committee of the School | — Member           |

(4) IN CASE OF THE PRINCIPAL OF HIGHER SECONDARY SCHOOLS AND HEADMASTER OF THE HIGH SCHOOLS :

|   |   |                  |
|---|---|------------------|
| Director of School Education  | — | Chairman         |
| One Deputy Director, School Education Nominated by the Director of School Education | — | Member           |
| District Education Officer  | — | Member Secretary |
| A representative of the Managing Committee to be nominated by it                    | — | Member           |
| Chairman Managing Committee of the School   | — | Member           |

6. LIMITS OF GRANT-IN AID :

- (1) The Grant-in-Aid payable to the institution shall normally be continued from year to year. The quantum of grants-in-aid shall be determined from time to time subject to availability of Fund. The Institutions shall submit attested copies of Acquittance Rolls in respect of authorised staff actually employed and paid during the period together with the number of students in each class.
- (2) The coverage of Grants-in-Aid shall be liable to stoppage, suspension or withdrawal, if any institution is found to have violated any of these Rules, after giving one month's notice to the Managing Committee. The coverage shall also be liable for withdrawal if the performance of the institution is, in the opinion of the Government, found, unsatisfactory.

7. SANCTIONING AUTHORITY :

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

8. POWER TO RELAX :

Notwithstanding anything contained in these rules, the Government shall have the power to relax the conditions in cases where it considers such action is necessary to ensure faster development of any area or tribes/castes belonging to the weaker sections of the society residing in Mizoram.

Sd/—  
L. Tochhong,  
Commissioner & Secretary to the Govt. of Mizoram,  
Education & Human Resource Development.