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NOTIFICATION

No.A.23022/3/2006-EDN, the 12th April, 2006. In exercise of the power conferred by clause (iii) of sub-section (2) of 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 provide for the planned development of educational institutions, inculcation of healthy educational practice, maintenance and improvement in the standards of education and better organisation, better discipline and control over educational institutions in the state with a view to fostering the harmonious development of the mental and physical faculties of the students, namely:—

1. SHORT TITLE, EXTENT AND COMMENCEMENT:

- (1) These rules may be called the Mizoram Education (Establishment and Management of Private Higher Secondary Schools) Rules, 2006.
- (2) It shall extend to the whole of Mizoram.
- (3) It shall come into force on the date, as the State Government may by notification in the Official Gazette, appoint.

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 Department of School Education.
- (vi) "Department" means the Department of School Education.
- (vii) "Director" means the Director of School Education, Mizoram.
- (viii) "Government" means the Government of Mizoram.
- (ix) "Institution" means an institution imparting education of Higher Secondary School (+2) standard recognised by the Government.
- (x) "Secretary" means the Secretary of the Managing Committee.
- (xi) "Session" means the Academic Session.
- (xii) "Treasurer" means Treasurer of the Managing Committee.

3. ESTABLISHMENT:

(1) No Institution shall be established without the permission of the Government.

(2) The Government shall grant permission for establishment of the Institution in the specific stream (Art, Science, Commerce and specific Vocational Course) on the following conditions.

(i) Application for permission in the specified streams as under Sub-Rule (2) above shall be made in the prescribed form with prescribed fees at least six month prior to the commencement of the concerned session.

(ii) On receipt of the application, Government acting through Director shall cause spot inspection to be made in which mainly the following points shall be examined.

(a) Whether there is a need of an institution at a proposed spot, and

(b) Whether the Body which has proposed to establish the institution is capable of running it properly;

(c) (i) In respect of clause a) the distance of recognised institutions from the proposed spot and the requirements with respect to population shall be take into consideration.

(ii) In respect of clause (b), it shall be ascertained-(i) that the body proposing to established the institution has resources to meet at least half of the annual recurring cost and (ii) it has ready money in its account to deposit the security money and it has reserve funds for the construction of Building and Laboratory.

Explanation: Initially a Building Reserve Fund of Rs. 5.00 lakhs should be deemed sufficient to start the construction work.

- (d) Pending construction of its own buildings the institution can temporarily procure building of at least 4 rooms (30'x20') on rent or otherwise for running the classes and the office.
- (e) The Institution has obtained, or it may obtain within one year; 4 acres of land in rural area and 2 acres of land in one plot in urban area.
- (4) The Institution shall not admit students unless permission has been granted by the Government or the Department.
- (5) No permission shall be granted with retrospective effect.
- (6) The Institution shall be open to inspection by any officer authorised to do so by the Director.
- (7) The Institution shall open classes only in the stream or streams permitted under Sub Rule (2) above.
- (8) The Institution shall, within 5 (five) years of its establishment, obtain an affiliation to the Board.

4. MANAGEMENT:

- (1) There shall be a Managing Committee constituted for the management and administration of every recognised Higher Secondary School.
- (2) The members of a Managing Committee, other than ex-officio members shall hold office for a term of three years except the teachers' representative whose term of office shall be for one Academic year. Any member except an ex-officio member, who fails to attend four consecutive meetings without prior information shall be deemed to have vacated his seat in the Managing Committee. In the event of a casual vacancy, the nomination or election or co-option, as the case may be shall be made for the residue of the term.
- (3) The Managing Committee shall meet at least once in every Quarter; seven days clear notice shall be given before a meeting.

Provided that the Chairman, may, in any case of urgency, direct to call an emergency meeting at a shorter notice.

- (4) Two-third of the member shall form quorum for a meeting of the Management Committee.
- (5) The Managing Committee shall select a Chairman from amongst its members, who shall preside over the meeting and in the case of his absence in a meeting, the members present shall elect one from amongst themselves to preside over the meeting.

- (6) Principal of the Institute shall be the Member Secretary of the Managing Committee.
- (7) If the Government suo motto or on receipt of any information is of the opinion that the Managing Committee of the Institute has not been properly constituted or the Managing Committee is not functioning properly, it may direct reconstitution of Managing Committee and the reason for doing so may be recorded in writing.
- (8) The Managing Committee besides the functions assigned perform the following:
 - (a) Grant of leave (other than CL) and allowances.
 - (b) Imposition of penalties on the Staff in accordance with the rules as may be prescribed by the Government.
- (9) The Secretary shall be the agent and the Executive Officer of the Managing Committee and shall:
 - (a) Convene Meetings of the Managing Committee and prepare agenda thereof including items suggested by the Chairman,
 - (b) record the proceedings of the meeting of the Management Committee,
 - (c) carry on correspondence with the Department and others with regard to the decisions of the Managing Committee.
 - (d) be responsible for implementing the decisions taken by the Managing Committee.
- (10) In every recognised Higher Secondary School, the Principal shall be responsible for the general administration and discipline of the institute. All members of the staff of the Institute will be under his control, he shall-
 - (a) assign duties (teaching, administrative and extra-curricular activities) to the Staff of the Institute and see their performances.
 - (b) be responsible for the maintenance of discipline and the development of corporate life in the institute.
 - (c) grant casual leave or permission to leave the station to the members of the staff of the institute.
 - (d) be custodian of all records of the institute.
 - (e) carry on all correspondences in respect of an academic and administrative matters of the institute.

(f) subject to the control of the Managing Committee, have powers to make bye laws for the internal management and guidance of clubs, societies, staff and students of the Institute, but a copy of such bye-law shall be submitted to Managing Committee for information within fifteen days of its issuance.

(11) The Managing Committee shall select Treasurer from amongst its members, who will maintain the account of the Institute.

(12) The Institution shall maintain such records and registers as may be directed by the Director.

5. STAFF:

(1) All Higher Secondary Schools recognised by the Government shall appoint Principal and at least one qualified teacher in each of the recognised subject.

(2) A recognised Higher Secondary School shall have the following non-teaching staff.

(i) One L.D.C.-cum-Typist.

(ii) Two Group 'D' employees.

(3) The salary, allowance, requisite qualifications and other service conditions of the teaching and non-teaching staff shall be the same as may be as prescribed by the Department with approval of Government.

6. ADMISSION

(1) Admission of students in different subjects in the institution shall be regulated by the Managing Committee keeping in mind the instructions or orders as may be issued by the Government in this regard.

(2) No student shall be admitted to the Class-XI of any institution unless he/she has passed the High School Leaving Certificate Examination held by the Board or its equivalent recognised by the State Government or the Central Government.

(3) In all admissions, the rules of reservation prescribed by the State Government shall be followed.

(4) The fees, fine and other charges shall be the same as may be prescribed by the Department.

7. COURSES OF STUDY:

(1) Courses of study for Higher Secondary (+2) class shall be prescribed by the Board.

(2) The courses shall be of two academic year duration.

- (3) Number of lecturers and practical classes per week in a subject paper shall be as prescribed by the Board.
- (4) At the end of the second academic year, there shall be public examination.
- (5) The number of working days in one academic year shall be as prescribed by the Director.

L. Tochhong,
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Education & Human Resource Development.