GOVERNMENT OF PONDICHERRY CHIEF SECRETARIAT (EDUCATION)

G.O. Ms. No.40

NOTIFICATION

In exercise of the powers conferred under section 49 of the Pondicherry School Education Act, 1987 (Act No.9 of 1987), the Lieutenant-Governor, Pondicherry, hereby makes the following rules, the draft of the same having been pre-published in the notification issued in G.O.Ms.No.40, dated 9th August 1995 of the Government of Pondicherry, Chief Secretariat (Education) and published in the Extraordinary Gazette, Part-II, No.15, dated 19th September 1995 as required under sub-section (1) of section 49 of the said Act and the objections and the suggestions received in response thereto having been duly and carefully considered, namely:-

PONDICHERRY SCHOOL EDUCATION RULES, 1996

CHAPTER – I - PRELIMINARY

1. Short Title, Extent & Commencement

1.These rules may be called the Pondichery School Education Rules, 1996.

2.They shall extend to the whole of the Union territory of Pondicherry.

2. Definitions

In these rules, unless the context otherwise requires,

1.“Act” means the Pondicherry School Education Act, 1987 (No.9 of 1987)
2.“Advisory Board” means the Board referred to in sub-section (2) and sub-section (3) of section 45 of the Act;
3.“Affiliating Board” means the concerned Board referred to in clause (q) of section 2 of the Act;
4.“Appointing Authority” in respect of teachers other than the Head of a recognized school shall be the Head of School and in respect of the Head of School, the appointing authority shall be the Managing Committee of the school;
5.“Chairman of the Managing Committee” means the person nominated as Chairman by the educational agency from amongst the members nominated or elected to the Managing Committee under clause (b) of sub-rule (1) of rule 22; 6.“higher secondary school stage” means standards XI and XII or its equivalent course;
7.“lower primary school stage” means standards I to IV;
8.“Managing Committee” means the body of the individuals who are entrusted with the management of any recognized private school;
9.“middle school stage” means standards VI to VIII;
10.“pre-primary school stage” means Nursery, Kindergarten or Montessori Schools; 11.“primary school stage” means standards I to V;
12.“upper primary school stage” means standards V to VII;
13.“secondary school stage” means standards VIII to X; and
14.“zone” means the educational region comprising the areas in the different regions in the Union territory, notified by the Government in this behalf, for the purposes of organization, supervision, inspection and control of schools located therein.

CHAPTER – II - PERMISSION FOR ESTABLISHMENT & MANAGEMENT OF PRIVATE SCHOOLS

3. Zones

1.The Union territory of Pondicherry shall for educational purposes be divided into Zones.

2.The Zones existing at the commencement of these rules shall be deemed to have been formed under sub-rule (1)

3.The Government may, if it is of opinion that for the better regulation of education in Pondicherry it is necessary to do so, alter the limits or number of Zones.

4. Classification Of Schools

1.The Director shall classify the schools into any of the following categories, namely: -

a.Pre-primary Schools, that is to say schools imparting education below the primary school stage;

b.Primary Schools, that is to say schools imparting primary school stage of education whether or not in addition to any education below the primary stage;

c.Lower Primary Schools, that is to say schools imparting lower primary school stage of education whether or not in addition to any education below the lower primary stage;

d.Upper Primary Schools, that is to say schools imparting upper primary school stage of education whether or not in addition to any education below the upper primary stage;

e.Middle Schools, that is to say schools imparting middle school stage of education whether or not in addition to education below the middle school stage;

f. High Schools that is to say schools imparting secondary stage of education whether or not in addition to any education below the secondary stage; and

g.Higher Secondary Schools, Pre-Degree Colleges or Junior Colleges as the case may be, that is to say schools imparting higher secondary stage of education whether or not in addition any education below the higher secondary school stage.

Where the Director is of the opinion that as a result of -

. the change in policy of the Government with regard to school education; or a. a school falling in one category, ceasing to fall in that category or the acquisition by a school of a status justifying reclassification to a higher or lower category, he may reclassify such schools into such category as he may think fit.

5. Medium Of Instruction

The medium of instruction for stages of education shall be as specified by the Director in keeping the policy of the Government with regard to school education.

6. Courses Of Study

1.The Director shall, in keeping with the policy of the Government with regard to school education, issue instructions as to the courses, syllabi, medium of instruction, languages, time-table, text-books and all other matters connected with the preparation of students for such examinations as the schools declare to do so.

2.Even where the schools do not prepare for such examinations the Director shall

in keeping with the policy of the Government with regard to school education, specify the courses, syllabi, medium of instruction, languages, time-table, text books and all other matters connected herewith.

7. Matters To Be Provided For In The Syllabi And Courses Of Study

The Director or, as the case may be, the Affiliating Board shall, while specifying the syllabi and courses of study for the primary, lower, primary, upper primary, middle, secondary or higher secondary stage, pay special attention to the inculcation of national and moral values including the sovereignty and integrity of India, secularism, humanism, faith in the dignity and equality of every human being, dignity of labour, avoidance of discrimination on grounds of religion, race, caste, sex or place of birth or any of them, and in particular, avoidance of the practice of untouchability and shall also include therein health education, including personal and environmental hygiene, population education and awareness of the effect of drugs and intoxicants on human system.

8. Power Of Director To Specify Co-Curricular And Extra-Curricular Activities

The Director may specify, the co-curricular or extra-curricular activities to be provided for in private schools.

9. School Hours

The Director shall, by order, specify the time at which all recognized private schools shall commence and conclude the daily school hours and different timings may be specified for different seasons of the year or for different schools running in one shift or multiple shifts:

Provided that the total hours in a year for the middle, secondary and higher secondary stage of education shall not, ordinarily, be less than 1,000 hours; and

Provided further that in addition to 1000 school hours, a teacher may be required to devote not less than 200 hours in a year for remedial or other teaching.

10. Vacation And Holidays

1.Save as otherwise provided in sub-rule (2), the total number of working days including examination days, for the middle, secondary and higher secondary stage of education shall be as prescribed by the Affiliating Board or 220 days whichever is more, in a year.

2.Subject to the provision of sub-rule (1), the following shall be authorized holidays for recognized schools, namely: -

a. all notified by the Government; Provided that in the cases of minority schools weekly holidays ma be determined in keeping with their religious, communal traditions etc.;

b. summer vacation for such period not exceeding two months, as may be specified by the Director;

c. autumn or winter breaks for such total period not exceeding fifteen days as may be specified by the Head of School, with the previous approval of the Director;

d. special holidays, not exceeding 7 days in aggregate with the previous approval of the Director.

In addition to the holidays referred to in sub-rule (2), leave may be granted to students preparing for the examinations of the Affiliating Board for such period as may be specified by the Board:

Provided that preparatory leave shall be given only when the Head of School is satisfied that the courses of study have been completed at the school.

11. Medical Officers

1.Every recognized school shall appoint a medical officer on whole-time basis, where the strength of students on its rolls is 3000 or more and on part-time basis where the strength of the students is less than 3000, for looking after the health of students of the school.

2.The medical officer shall be assisted by such compounder or dispenser on a part- time or whole-time basis, as may be necessary.

3.In the case of girls' school, only lady doctors and lady compounders or nurses shall be appointed.

4.In the case of co-educational schools, not less than one lady doctor or female nurse shall be appointed.

12. Registers And Records

The Director shall specify the registers and records that are to be maintained by a school and what returns and records shall be submitted to the Director.

13. Examination, Assessment, Evaluation, Promotion, Etc.

The Director shall issue detailed instructions regarding assessment, evaluation and promotion of students from one class to another.

14. School Libraries

The Director may issue detailed instructions regarding the maintenance and use of school libraries.

15. Application For Permission

1.Every application under sub-section 91) of section 5 of the Act to open a new school or for upgrading an existing school by opening the next higher standard or additional sections shall be addressed to the Director in

Form-I in triplicate on or before the 30th day of November of a calendar year immediately preceding the academic year in which the new school, is proposed to be established, the existing school upgraded by opening next higher standard or additional sections. 2.Every such application for establishment of a new school or upgrading of an existing school by opening the next higher standard shall be accompanied by a chalan for the remittance of a fee of Rs.100 only.

3.Every such application for opening additional sections shall be accompanied by a chalan for the remittance of a fee of Rs.50 only.

4.The statement required to be submitted by the educational agency of every private school in existence on the date of commencement of the Act under sub-section (3) of section 5 of the Act shall be in

Form-II.

16. Grant Of Permission

On receipt of an application for grant of permission under sub-section (1) of section 5 of the Act, the Director shall cause an inspection to be made with regard to the particulars contained therein.

17. Application For Transfer Of Permission

1.The application for approval of any change in the constitution of the educational agency under sub-section (1) of section 8 of the Act shall be in

2.The application for approval of any transfer of the management of any private school under sub-section (2) of section 8 of the Act shall be in

3.The application for approval of any transfer of the management of any private school by the transferee under sub-section (3) of section 8 of the Act shall be in

Form-V.

18. Closure Of Schools

No managing committee shall close down a school, not being an unaided minority school, or an existing class in such school without giving full justification and without the prior approval of the Director.

19. Absorption Of Surplus Employee, Etc

1.where as a result of –

a. the closure of an aided school or any class or classes in any aided school; or b. withdrawal of recognition to an aided school; or

c. withdrawal of aid to an aided school, any student or employee becomes surplus, such student or employee, as the case may be,

d. may be absorbed as far as practicable in such other aided school as the Director may specify.

Where any surplus employee is absorbed under sub rule (1), -

. the salary and other allowances last drawn by him at the school from which he has become surplus shall be protected:

a. his provident fund account shall be transferred to the school in which he is so absorbed, and thereupon such provident fund shall be governed in accordance with the rules and regulations in force in that school in relation to provident fund; and

b. the period of his qualifying service in the school in which he had worked before such absorption and any previous period of qualifying service, if any, in any recognized aided school in the Union territory of Pondicherry shall be taken into account for the purpose of computing his pension and other retirement benefits, if any.

Without prejudice to the provisions of sub-rules (1) and (2), where an employee becomes surplus by reason of the closure of any class or section thereof or the discontinuance of the teaching of any subject, such employee may be absorbed in the first instance, as far as practicable, in such aided school as the Director may specify, and if the class or section which was closed is reopened by the former school or if any new class or section thereof is opened by such school or if the subject, the teaching of which was discontinued is introduced by such school, or the strength of the staff of the former school is increased, such employee shall be reabsorbed in the former school; but if such absorption does not take place within a period of five years from the date of absorption of such employee in the aided school, such employee shall be regularly absorbed in such aided school.

Reabsorption of an employee in a former school shall not affect his continuity of service or his seniority in relation to that school for his emoluments, provident fund, gratuity and other retirement benefits which he is entitled to.

Explanation: for the purposes of sub-rules (3) and (4) “former school” means the school from which an employee had become surplus.

20. Transfer Of Provident Fund And Other Monies In Certain Cases

Where an employee leaves an aided school in the Union territory of Pondicherry and joins any other aided school in the Union territory of Pondicherry, the managing committee of the school left by such employee shall transfer to the aided school joined

by such employee the monies standing in the provident fund to the credit of such employee on the date when he had left the school and any other amount due to him by way of contribution towards pension and other retirement benefits, and the managing committee of the aided school so joined by the employee shall credit the said amounts to the provident fund and other account of the employee and shall take into account the period of approved service rendered by the employee in the first mentioned school for the purpose of computation of his pension and other retirement benefits to which he is entitled to.

21. Minority Schools To Submit Statements

1.The statements required to be submitted under sub-section (1) of section 10 of the Act by every minority school in existence immediately before the commencement of the Act shall be submitted in

2.The statement required to be submitted under sub-section (2) of section 10 of the Act by every minority school established and administered after the date of commencement of the Act shall be submitted to the Director in

Form-VII within three months from the date of establishment of the school.

22. Scheme Of Management

1.(1) The scheme of management in relation to a recognized private school shall provide that –

a. the managing committee of a private school shall consist of not more than fifteen members and not less than seven members and

b. subject to the total number of members specified in clause (a) every managing committee shall include the following:

. the Head of School;

. two parents one being a woman and both possessing minimum educational qualification of graduate level who are members of and elected for the purpose by the parent-teacher association of the school, constituted in accordance with such instructions as may be issued by the Director;

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two teachers of the school elected by the teachers of the school from amongst themselves;

. two persons who have been or who are teachers of any other school or college to be nominated by the Advisory Board;

. the remaining members to be nominated or elected, as the case may be, by the educational agency;

Provided that in case of minority schools where member of the managing committee are to be elected they shall be nominated by the educational agency.

The scheme of management shall further provide for the wing, namely:-

. the term of office of the members of the managing committee and the manner of its reconstitution or filling any vacancy occurring therein;

a. the manner of elections to the managing committee;

b. for the purpose of elections to the managing committee, the Head of School shall be the Returning Officer and shall conduct and be in charge of the elections;

c. any change in the compositions of the managing committee of the members referred to in clauses (a) and (b) of sub-rule (1) shall be communicated to the Director within 7 days from the date when such change takes place;

d. the duties, powers and responsibilities of the managing committee, which shall include control over appointments, disciplinary action and control on staff and shall also provide that no financial irregularity is committed and no irregular procedure is followed;

e. the managing committee shall ensure that the school gets the full complement of the qualified staff as prescribed by the Director; and

f. the managing committee shall ensure that the school gets furniture, science equipment, library book and other teaching aids and requisite sports materials as prescribed under the rules

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the duties, powers and responsibilities of the Head of School which shall include that he shall –

. function as head of office of the school under his charge and carry out all administrative duties required of a head of office;

. be the drawing and disbursing officer for the employees of the school;

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be responsible for the proper maintenance of the accounts of the school, school records, service books of teachers and such other registers, returns and statistics as may be specified by the Director from time to time;

. handle official correspondence relating to the school and furnish within the specified dates the returns and information required by the Director;

. ensure that the tuition fees where levied are realized and appropriately accounted for and duly appropriated for the purpose for which they are levied;

. make purchases of stores and other materials required for the school in accordance with the Government rules governing such purchases and enter all such stores in the stock register and shall scrutinize the bills and make payments;

. conduct physical verification of school properties and stocks at least once a year and ensure the maintenance of stock registers neatly and accurately;

. be responsible for the proper utilization of the pupils/students fund;

. make satisfactory arrangements for the supply of good drinking water and provide other facilities for the students and ensure that the school building, its fixtures and furniture, office equipments, lavatories, playgrounds, school gardens and other properties are properly and carefully maintained;

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supervise, guide and control the work of the teaching and non-teaching staff of the school;

. be in charge of the admissi f school time-table, allocation of duties

and teaching load to the teachers and provide necessary facilities to the teachers in the discharge of their duties and conduct of school examinations in accordance with instructions issued by the Director from time to time and he shall discharge his duties in consultation with his colleagues;

. plan the years academic work in advance in consultation with his colleagues and hold staff meetings at least once a month to review the work done during the month and assess the progress of the students;

. help and guide the teachers and promote their professional growth and towards the end actively encourage their participation in courses designed for inservice education;

. promote the initiative of the teachers for self improvement and encourage them to undertake experiments which are educationally sound;

. supervise classroom teaching and secure cooperation and coordination amongst the teachers of the same subject area as well as inter-subject coordination;

. arrange for special remedial teaching of the children belonging to the weaker sections of the community as also of other children who need such remedial teaching; . arrange for informal and non-classroom teaching;

. plan and specify a regular time-table for the scrutiny of students written work and home assignment and ensure that the assessment and corrections are carried out timely and effectively;

. make necessary arrangements for organizing special instructions for the students according to their needs;

. organize and coordinate various co-curricular activities through the house system or in such other effective way as he may think fit;

. develop and organize the library resources and reading facilities in the schools and ensure that the students and teachers have access to and use of books and journals of established value and usefulness;

. send regularly the progress reports of the students to their parents or guardians; . promote the physical well being of the students, secure high standards of cleanliness and health habits and arrange periodical medical examinations of the students and send medical reports to the guardians or parents; and

. devote at least 12 periods in a week to teaching of the students.

h. the educational and other qualifications of the manager and his duties and responsibilities; the position of the manager vis-à-vis the managing committee;

i. no employee of an aided school (other than the Head of school) shall be appointed as the manager, the head of school may be appointed the manager of the school, whether aided or unaided;

j. appointment of the manager, the terms and conditions of his appointment, removal of the manager; filling up of the casual vacancy in the office of the manager, duties and responsibilities of the manager;

k. bills (including bills relating to the salaries and allowances of the teachers and non-teaching staff) shall be jointly signed by the manager and the head of the school; but where the head of the school is also the manager, such bills shall be signed jointly by the head of the school and another member of the managing committee specially authorized by that committee in this behalf;

l. that the administration and academic work of the school shall be attended to by the head of school, and except where the head of school is the manager, the manager shall not interfere with the day-to-day administration and academic work of the school; m. members of the managing committee of an aided school shall not be entitled to any remuneration, honorarium or allowance but may be permitted to draw allowances for attending meetings of the managing committee at a rate not exceeding the rate of daily allowance or traveling allowance admissible to the non-official members of the committee, boards and the like in accordance with the order issued by the Government of India from time to time; Provided that if the head of school or a teacher happens to be a member of the managing committee, he shall draw his remuneration in his capacity as the head of school or teacher, as the case may be; Provided further that the allowances paid to the members of the managing committee for attending meetings thereof shall not be a charge on the school fund;

n. no member of the managing committee shall be entitled to participate in any meeting at which his personal conduct is under discussion;

o. in the case of an unaided minority school, the form of the contract referred to in sub-section (1) of the section 19, by the Code of Conduct as specified in Appendix-II and the manner in which every contract of service shall be preserved.

p. The managing committee shall be subject to the control and supervision of the trust or society by which such school is run; and

q. Manager shall not be at the same time the manager of any other school and a person shall not be at the same the chairman of the managing committee and the manager.

The managing committee of an existing school make the draft of scheme of management after the commencement of these rules and shall, within 90 days from such commencement, submit such draft to the appropriate authority for its approval: Provided that the appropriate authority may, after giving to the managing committee a reasonable opportunity of being heard, make such alterations or modifications in the draft scheme of management as the circumstance of the case may require. Provided further that the provisions of this sub-rule relating to approval and alterations or modifications in the sphere of management by the appropriate authority shall not apply to a minority school in which case such approval and alterations or modifications shall be advisory and the draft scheme of management shall be valid.

The managing committee of an existing school shall bring within 90 days from the date of approval of the scheme of management by the appropriate authority the composition thereof in conformity with the scheme of management as approved by the appropriate authority.

23. Power To Issue Instructions

The Director may, if he is of the opinion that in the interest of school education in the Union territory it is necessary so to do, issue such instructions to any matter, not covered by these rules, as he may deem fit.

CHAPTER – III

24. Recognition Of Private Schools

Form-IX.

3.The certificate recognizing the private school under sub-section (1) of section 12 of the Act shall be issued within three months from the date of receipt of the application, where the prescribed conditions have been satisfied or within one month from the date of receipt of information that conditions required to be satisfied have since been fulfilled by the educational agency.

25. Conditions For Recognition

No private school shall be recognized, or continue to be recognized by the appropriate authority unless the school fulfils the following conditions, namely: -

1.the school is managed in accordance with a scheme of management made under these rules;
2.subject to the provisions of clause (1) of article 30 of the Constitution of India, the school serves a real need of the locality and is not likely to affect adversely the enrolment in a nearby school which has already been recognized by the Director;
3.the school follows approved courses of instruction as provided in these rules; 4.the school is not run for profit of any individual, group or association of individuals or any other persons;
5.subject to the provisions of clause (1) of article 30 of the Constitution of India, admission to the school is open to all without any discrimination based on religion, caste, race, place of birth or any of them;
6.the managing committee observes the provisions of the Act and the rules made thereunder;
7.the building or other structure in which the school is carried on, its surroundings, furniture and equipment are adequate and suitable for an educational institution; 8.the arrangements in the building or other structure and in the furnishings thereof meet adequately the requirements of health and hygiene;
9.the school buildings or other structure or the grounds or any portion thereof are not used during the day or night for commercial or residential purposes (except for the purpose of residence of any employee of the school) or for communal, political or non-educational activities of any kind, whatsoever and where any portion is so used for business premises it shall be adequately separated from the portion wherein the school is run;
10.the accommodation is sufficient for the classes under instructions in the school; 11.there is no thoroughfare of public passage through any part of the building premises;
12.sanitary arrangements at the school are adequate and are kept in good order and a certificate from the Director of Health and Family Welfare services, Pondicherry or his nominee as to the health and sanitary conditions of the school and its surroundings is to be furnished as and when required by the Director;
13.arrangements are made for the supply of good drinking water to the students and suitable facilities are provided to enable them to take refreshments, lunch or the like;
14.the school is so conducted as to promote discipline and orderly behaviour and to maintain a high moral standard;
15.no teacher or student of the school is compelled to attend class in which a religious instruction is given or take part in a religious activity, no teacher or student absenting himself from religious instruction or religious activity is made to suffer any disability on that account and no student is refused admission to the school because exemption from attendance at religious exercises or religious instruction has been claimed by him or his parent or guardian;
16.the school furnishes such reports and information as may be required by the Director or any other inspecting authority from time to time and complies with such instructions as may be issued to secure the continued fulfillment, of the conditions of recognition or the removal of deficiencies in the working of the school; and
17.all records of the school are open to inspection by the Director or any officer authorized by the Director at any time and the school furnished such information as may be called for by the Director.

26. Facilities To Be Provided For Recognition

Every private, school seeking recognition shall provide for the following facilities, namely: -

1.Physical education -

a. suitable playground for the purpose of games and sports and materials for such games and sports;

b. where no such playground is available due to the location of the school in an area where no suitable open space is available, the school either by itself or together with other schools make arrangements for a playground in a nearby area where students could be provided the facilities for games and sports;

c. where no such arrangement as is referred to in sub clause. (i) and sub-clause (ii) is possible in the opinion of the Director, he may, by order require the school to make arrangement for gymnastics or any other physical exercises;

Library service –

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. adequate library facilities in the case of primary school;

. in the case of any other school, a separate room for a library to be used exclusively for the purpose and on no account such room shall be considered as accommodation available for class teaching;

a. a room attached or adjacent to the library to be used exclusively for the purpose of reading room shall be made available and on no account such room shall be considered as accommodation available for class teaching;

b. the library has a stock of books specified by the Director as also books specified by the Affiliating Board and such other books as may meet the needs of the students and of the teachers;

c. the library has also books suitable for the use of teachers in their professional and reference work;

Laboratory work -

. in the case of a school up to the middle stage, a laboratory for teaching science, equipped according to such specifications as may be laid down from time to time by the Director;

a. in the case of a school above the middle stage intending to run either science course or courses in subjects which involve practical work, accommodation, equipment and apparatus according to such specifications as may be laid down from time to time by the Affiliating Board or the Director for the laboratory for each subject;

Workshop practice -

. a room or a workshop for conducting workshop practice or such other vocational activities as may be specified by the Affiliating Board or the Director for different classes;

a. the workshop is equipped according to such specifications as may be laid down from time to time by the Affiliating Board or the Director for each subject; and

b. Co-curricular activities – as many co-curricular activities as may be possible so as to give every student an opportunity for participating in one or more of the following activities, namely: -

. Debates

. Recitation or elocution

. Dramatics

. Music (including folk songs)

. Dancing (including folk dances)

. Hobbies of different types

. Model parliament

. House system

. Perfectorial system

. Class competition

. Junior wing or National Cadet Corps

. Scouting and guiding

. Activities providing for social services including National Service Scheme, and . Any other co-curricular activity as prescribed by the Director.

27. Creation Of Endowment

1.The educational agency of a private school including a minority school shall create an endowment follows, namely:-

Pre-Primary School	Rs. 10,000;
Primary School or Lower Primary School	Rs. 25,000;
Middle School or Upper Primary School	Rs. 75,000;
High School	Rs. 1,25,000; and
Higher Secondary School	Rs. 1,75,000:

2.Provided that in respect of existing schools, the endowments shall be created within six months of the coming into force of these rules, failing which the recognition shall be deemed to have been withdrawn.

3.The endowment shall be in the form of a fixed deposit in the Pondicherry State Co-operative Bank and shall be jointly held by the Management Committee and the Director.

28. Creation Of Reserve Fund

1.The educational agency shall create a reserve fund for a sum equivalent to two months salary of the teaching and non-teaching staff employed in such schools, which may be utilized with prior permission of the Director in writing for disbursement of Salaries.

2.The fund shall be in the form of a fixed deposit in the Pondicherry State Co- Operative Bank and held jointly by the managing committee and the Director. 3.The fund shall be reimbursed by the school within one month of the drawal, failing which the recognition shall be deemed to have been withdrawn.

29. Educational Agency To Apply Afresh For Recognition

Where the recognition stands withdrawn, the school shall have to apply under sub-section(1) of section 12 of the Act afresh for grant of recognition in

form-VIII

30. Date Of Recognition And Withdrawal Of Recognition

1.The recognition given to a school or withdrawal of recognition of a school shall ordinarily be effective from the academic year subsequent to the academic year in which the recognition is given or withdrawn.

Provided that if circumstances are likely to inflict undue hardship to the students or employees of such school to which recognition is given or withdrawn, the recognition or withdrawal of recognition may be made effective from the date to be decided upon by the Director for reasons to be recorded in writing.

2.Where such recognition of a school stands withdrawn such school shall immediately hand over all school records to the Director or his nominee.

31. Publication In Newspapers

Where a school has been deemed to be de-recognised or where the recognition accorded stands withdrawn, the fact of such de-recognition shall be published in local newspapers.

32. Grand-In-Aid

1.The recognized schools may be paid grant-in-aid from the Consolidated Fund, subject to the Government order and instructions issued from time to time.

2.The grant-in-aid shall be in the form of maintenance grant and 3.contingent grant.

4.The maintenance grant shall be of recurring kind and shall include in itself the following kinds of grants, namely:-

a. Staff grant;

b. pension, family pension and retirement benefit grant and;

c. contingency grant.

Form-X

33. Amount Of Grant Payable

1.The maintenance grant shall be given to aided schools at the rate of ninety-five percent of the difference between the approved expenditure on the items in relation to which recurring maintenance grant may be made and the income from fees and such other items as may be specified by the Director.

2.Special fee, if any, shall be included in the total fee income.

3.The contingent grant shall be admissible to a school to the extent of ninety-five percent of the actual expenditure incurred during the period of twelve months immediately preceding the financial year for which the grant is made, subject to such ceiling on items as may be approved by the Director from time to time.

4.The approved items contingent expenditure under sub-section(1) of section 15 of the Act shall be such as are specified in Appendix-I.

5.The relevant contingent grant may not be paid, unless the audited annual accounts and sundry records, like vouchers, receipts and the like, are produced.

34. Approved Expenditure

The expenditure for calculating recurring maintenance grant shall comprise of salaries of the staff appointed with the approval of the Director to the extent of the number of posts which have been sanctioned and approved by the Director for the purpose of aid.

35. Conditions For Giving Aid

1.A School seeking grant-in-aid shall have a permanent income whether from endowments or other sources excluding fees and pupil's funds which when supplemented by grant-in-aid shall be adequate to discharge its obligations under the Act and to enable it to carry on its work efficiently.

2.No school shall be granted aid unless its managing committee gives an undertaking in writing that –

a. it shall comply with the provisions of the Act and these rules;

b. it shall fill in the posts in the school with the scheduled castes, the scheduled tribes and other reserved category candidates in accordance with the instructions issued by the Government from time to time and also maintain the roster and other connected returns in this behalf. Nothing in this provision shall apply to minority unaided school; c. it shall deposit its five percent share towards pay and allowances, medical facilities, pension, gratuity, provident fund and other prescribed benefits with the Government on or before twentieth of every month;

d. it shall disburse or cause to be disbursed the dues specified in clause (iii) within the first week of every month to the employees of the school;

e. while filling up the posts in the school, it shall give first preference to such of the employees of other aided schools as have become surplus in pursuance of the provisions of rule 19;

f. it shall comply with the directions given by the Director under the provisions of the act and these rules;

g. it shall fill in such number of posts in the school as have been approved by the Director, in accordance with the directions issued by the Director in this regard without any discrimination or delay as per the recruitment rules prescribed for such posts; h. it shall ensure that the Head of School possesses the necessary papers of an employee who is due to retire from service after attaining the age of superannuation or otherwise, before 6 months of his retirement with a view to avoid any delay in sanctioning the pension, gratuity, provident fund to such employee or his/her family, as the case may be; and

i. it shall attend to all the claims or the service matters of the employees of its school as and when they become due, promptly without any delay or discrimination, strictly in accordance with the recruitment rules or the instructions issued by the Government from time to time on the subject.

The breach of any condition specified in sub-rule (1) and (2) shall render such school liable to be removed from the grant-in-aid list.

36. Grant-In-Aid For A Stage Of Education

Where a school receiveing grant-in-aid for classes, comprising one stage wishes to secure grant-in-aid for another stage, the managing committee or the manager of such school shall submit a fresh application in respect of the stage for which such grant is desired.

37. Stoppage, Reduction Or Suspension Of Grant-In-Aid

Subject to the provisions of rule 35, any grant-in-aid to a school may be stopped, reduced or suspended at any time by the Director, on any of the following grounds, namely:-

1.if one or more of the conditions for the recognition, discipline, organization or instructions in the school is unsatisfactory;

2.if the managing committee of the school fails, without any reasonable excuse, to comply with any provisions of the Act or these rules;

3.if, as a result of lack of discipline, the academic standards are likely to be adversely affected;

4.if one or more of the conditions for the recognition of a school or the grant of any aid to a school have been violated;

5.if the managing committee of the school fails to initiate or finalise disciplinary action against an employee who has been placed under suspension, pending contemplation of such disciplinary action, in accordance with the provisions of rules 52 and 54 within a period of one year of the date of suspension; or

6.if the procedure as laid down under the Act or these rules have not been followed in the case of termination or dismissal from service of an employee or in the case of compulsory retirement or reduction in rank of an employee, notwithstanding that any or such employee is reinstated in service or restored to his original position as a result of the decision of the Court of Law or nay Competent Authority:
Provided that no aid shall be stopped, reduced or suspended, except after giving to the managing committee of the school a reasonable opportunity of showing cause against any of the proposed action;

7.the number of students on the rolls of an aided school shall not fall below the number on the basis of which aid was initially granted to such school, and the number of working days of such school shall not fall below the number of days prescribed by the Affiliating Board in a year; where the number of students falls below seventy-five per cent. Of the first mentioned number or the number of working days falls below the number of working days prescribed by the Affiliating Board or 200 whichever is more, a proportionate reduction may be made in the grant-in-aid payable to such school.

38. Grant Inadmissible On The Salary Of Manager

1.If the manager of a school is a person other than the Head of School and such manager is working on a salaried basis, no grant shall be admissible in relation to the salary of such manager.

2.Where the Head of School also functions as the manager thereof, no salsary or other remuneration shall be payable to him for functioning as such manager.

39. Conditions Of Inadmissibility Of Grants

1.No aid shall be admissible on any special increment, allowance or financial benefit given to the employees, unless the same has been previously approved by the Director.

2.No aid shall be granted in respect of any employee who is retained in service subsequent to the attainment by such employee of the age of superannuation, unless such retention is made in accordance with these rules or with the prior approval of the Director or in accordance with general instructions issued by the Director.

3.No aid shall be admissible in the case of an employee rendering gratuitous service:
Provided that if an employee is approved by the Director to work on part-time and salaried basis, the admissible grant in his case shall be calculated at the rate of pay specified for similar category of teachers employed in Government schools and in proportion to the time spent by him for teaching work other than religious instruction.

4.The minimum number of weekly period of actual secular instruction required to qualify a teacher for full staff grant, shall not be less than that laid down from time to time for a teacher of a similar grade in a Government school: Provided that the staff grant may be reduced or disallowed, if this condition is not fulfilled.

CHAPTER - IV - SCHOOL PROPERTY

40. Statement To Be Furnished

The manager or managing committee of every aided school shall furnish, as required under sub-section (1) of section 16 of Act, to the appropriate authority, in

Form-XI, Statements (in triplicate) of all movable and immovable properties of the school.

41. Permission For Transfer, Mortgage Or Lease Of Properties

The manager or managing committee of every aided school shall, as required under sub-section (2) of section 16 of the Act, apply for permission to transfer, mortgage or lease of any movable or immovable property in

Form-XII.

42. Appeal

Any person aggrieved by the grant or refusal of permission under sub section (2) of section 16 may prefer any appeal to the Government against such grant or refusal of permission within 15 days of such permission or refusal or permission by setting out clearly his interest in the matter and the reasons why such permission should or should not be granted.

CHAPTER - V - REQUIREMENT & TERMS & CONDITIONS OF SERVICE OF TEACHERS & OTHER PERSONS EMPLOYED IN PRIVATE SCHOOLS

43. Recruitment

1.A teacher shall be appointed in accordance with recruitment rules framed by the management as approved by the Director.

2.The order of appointment of the teacher shall specifically state the designation, date of appointment nature of appointment i.e.,ad hoc, temporary or regular, scale of pay and other benefits applicable to the cadre in which the teacher is entitled to, as determined by the management of school.

3.The teacher appointed on regular basis shall be placed on probation for a period of two years, which may be extended for a further period of one year in case the performance of the teacher is not satisfactory: Provided that if the performance of the teacher even after extension of probation is not found to be satisfactory, the services of the teacher shall stand terminated.

4.No ad hoc or temporary appointment shall be made for more tha one academic year.

5.No person who does not possess a certificate in teachers training or a Bachelor Degree in Education or its equivalent shall be appointed as a teacher in a recognized school.

6.No person other than those stipulated in sub rule (5) above shall be permitted to take classes.

44. Resignation

The resignation submitted by an employee of a recognized school shall be accepted within a period of thirty days from the date of receipt of latter of resignation by the managing committee with the approval of the Director.

45. Age Limit

1.The minimum and maximum age limits for recruitment of personnel to a recognized school shall be the limits as applicable to corresponding posts in Government schools.

2.The retirement age shall be as applicable to corresponding posts in Government schools.

46. Seniority

1.There shall be a seniority roster for each grade and the names of the employees appointed to posts in each grade shall be arranged in the roster in accordance with this rule.

2.Seniority of employees shall be determined by the order of merit in which they were selected for appointment to the concerned posts, those selected on an earlier occasion being ranked senior to those selected later.

3.Interse seniority between direct recruits and promotees shall be determined according to rotation of vacancies between direct recruits and promotees as determined in the recruitment rules.

47. Performance Report

The Director may prescribe the forms in which the performance reports of the Principal and teachers are to be maintained and the authorities to report and review the performance of the Principal and teachers in respect of such recognized schools.

48. Teachers And Other Persons Employed In Private Schools To Be Governed By Code Of Conduct

The teachers and other persons employed in recognized schools shall be governed as required under sub-section (1) of section 19, by the Code of Conduct as specified in Appendix-II.

49. Leave Rules

Every employee of a recognized school shall be entitled to such leave as are admissible to employees of a corresponding status in Government schools.

50. Suspension

1.An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments namely, subsistence allowance at an amount equal to one-half of the pay last drawn by him and in addition to such pay, dearness allowance at the appropriate rate to be paid in the same manner as salary.

2.Whenever a teacher or other persons employed in a private school is kept under suspension, the grant payable to the private school shall be g lowing provisions, namely:-

a. Where after due enquiry including the appeal, a 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;
b.

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 the 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; and

c. 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 substitute.

51. Penalties And Disciplinary Authority

The following penalities may, for good and sufficient reasons, including the breach of one or more of the provisions of the Code of Conduct, be imposed upon an employee of a recognized private school, whether aided or not, namely:-

1.minor penalties-

a. censure;
b. recovery from pay the whole or any part of any pecuniary loss caused to the school by negligence of breach of orders;
c. withholding of increments of pay;

major penalities-

. reduction in rnak;
a. compulsory retirement;
b. removal from service, which shall not be a disqualification for future employment in any other recognized private school; and
c. dismissal from service, which shall ordinarily be a disqualification for future employment in any aided school.

Explanation:-

The following shall not amount to a penalty within the meaning of this rule, namely:-

1.stoppage at the efficiency bar on the ground of unfitness to cross the bar; 2.retirement of the employee in accordance with the provisions relating to superannuation or, retirement;
3.replacement of a teacher, who was not qualified at the date of his appointment, by a qualified one;
4.discharge of an employee appointed on a short term officiating vacancy caused by the grant of leave, suspension or the like.

52. Disciplinary Authority In Respect Of Employees

The disciplinary committee in respect of every recognized school shall consist of -

1.the chairman of the managing committee of the school;
2.the manager of the school;
3.the head of School, except where the disciplinary proceeding is against him and where the disciplinary proceeding is against the Head of School, the Head of any other school, nominated by the Director;
4.a teacher who is a member of the managing committee of the school, nominated by the Chairman of such managing committee.

53. Procedure For Imposing Minor Penalties

No order imposing a minor penalty shall be made except after informing the employee in writing of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation against the proposed action.

54. Procedure For Imposing Major Penalties

1.No order imposing on an employee any major penalty shall be made except after an inquiry, held as far as may be, in the manner specified below:-

a. the disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed to be held and a copy of the charges together with the statement of the allegations on which they are based shall be furnished to the employee ad he shall be required to submit within such time as may be specified by the disciplinary authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person, the delinquent employee may be given an opportunity for appointing a defence assistant who is an employee of a private school;
b. on receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if it considers necessary so to do, appoint an inquiry office

c. at the conclusion of the inquiry, the Inquiry Officer shall prepare a report of the enquiry regarding his findings on each of the charges together with the reasons therefore;

d. the disciplinary authority shall consider the record of the inquiry and record its findings on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed, it shall-

. furnish to the employee a copy of the report of the Inquiry Officer, where an enquiry has been made by such officer;

. give him notice in writing stating the action proposed to be taken in regard to him and calling upon him to submit within the specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action;

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on receipt of the representation, if any, made by the employee, the disciplinary authority shall determine the penalty, if any, that should be imposed on the employee: and

. after considering the representation made by the employee against the penalty proposed, the disciplinary authority shall recommend the penalty to be imposed on the employee and send its findings to the managing committee and the managing committee shall either accept or reject or modify the penalty as recommended by the disciplinary authority for reasons recorded in writing and pass orders accordingly.

Any employee aggrieved by the decision of the managing committee of the school referred to in sub-rule 1(d) may prefer an appeal to the Director within 30 days of the communication of the order to the delinquent employee.

Any employee of a recognized private school who is aggrieved by an order of the Director in respect of such disciplinary proceedings may prefer an appeal to the Tribunal within 30 days of the communication of the order of the Director.

55. Payment Of Pay And Allowances On Reinstatement

1.When an employee who has been dismissed, removed or compulsorily retired from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, as the case may be, the managing committee shall consider and make a specific order-

a. with regard to the salary and allowances to be paid to the employee for the period of his absence from duty, including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, and

b. whether or not the said period shall be treated as the period spent on duty.

Where the managing committee is of opinion that the employee who had been dismissed, removed or compulsorily retired from service has been fully exonerated, the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired from service or suspended prior to such dismissal, or compulsory retirement from service, as the case may be:

Provided that where the managing committee is of opinion thath the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee had been delayed due to reasons directly attributable to the employee, it may, after giving a reasonable opportunity to the employee to make representations and after considering the representation, if any, made by the employee, direct, for reasons to be recorded in writing, that the employee shall be paid for the period of such delay only such proportion of the salary and allowances as it may determine.

The payment of allowances shall be subject to all other conditions under which such allowances are admissible and the proportion of the full salary and allowances determined under the proviso to su-rule (2) shall not be less than the subsistence allowance and other admissible allowances.

56. Pensionary Benefits Of Teachers And Other Persons Employed In Private Schools

Every employee of an aided school for whom staff grant is being paid by the Government shall be entitled subject to other provisionsof the Act and rules, to receive pension, family pension and gratuity at the rates applicable to corresponding categories of employees in the Government.

57. Power To Specify Procedure For Payment Of Salaries, Etc.

1.The Director shall specify the detailed procedure for payment of pay and allowances, pension, gratuity, accounting of provident fund and payment of other allowances such as children's educational allowance to the employees of aided schools.

2.The Director shall, in like manner, specify the detailed procedure for the deposits made by the managing committed of recognized private schools of their share of pay and allowances, pension, gratuity, provident fund ad the benefits specified in the rules.

CHAPTER - VI - ADMISSIONS TO SCHOOLS AND FEES

58. Admission Of Students

1.Admissions to recognized schools or to a class thereof shall be made on the basis of an admission test or on the basis of the results of a student in a class.

2.Admission of students in aided recognized schools shall be made without any distinction of religion, accentuate, place of birth or any of them, but shall be in accordance with the policy of reservation as determined by the Government.

59. Manner Of Admission

1.No student shall be admitted to a recognized school unless an application in the prescribed form, signed by his parent or guardian, has been submitted to such school.

2.The parent or guardian shall state the exact date of birth of his child or ward in the application for admission and the statement shall be supported by a certificate of birth issued by a local authority and where the birth certificate is not available, the statement shall be supported by an affidavit.

3.Every application for admission to a recognized school shall be kept in a separate file and form part of the permanent record of the school.

60. Entry On The Rolls

A newly admitted student shall have his name entered on the rolls of the school on the date on which he first attends his clas after making payment of all specified dues.

61. Admission To Be Made Once A Year

Admission shall ordinarily be made once a year and shall not be made after the 31st day of July of the year, except where the Director being satisfied that, for special reasons, like migration of a student from a school outside Union territory of Pondicherry, the delay in seeking admission has been unavoidable and was due to circumstance beyond the control of the parent or the guardian of the student, directs the admission of such student after that date.

62. Admission On Transfer Certificate

1.No student who had previously attended any recognized school shall be admitted to any other recognized school unless he produces a transfer or school-leaving certificate from the school which was last attended by him: Provided that if such student had studied in a school outside the Union territory of Pondicherry he shall produce such transfer or school leaving certificate duly countersigned by the concerned inspecting authority of schools having jurisdiction over the school.

63. When Migrating Students May Be Admitted To Higher Class

A Student coming from another recognized school shall not be admitted to a class higher than the one in which he was studying at his former school, unless the transfer certificate states that he has been promoted to the next higher class.

In the Puducherry School Education Rules, 1996, for the existing rule 64 and the entries relating thereto, the following shall be substituted, namely:-

64. Fees And Other Charges in private schools

(1) *Fees and other charges in private schools*.- Fees and other charges in private schools shall be as fixed by the committee constituted for the purpose of regulating the fee to be collected in private schools.

(2) Committee for fixation of fee and other charges in private schools.-

(i) *Constitution of Fee Committee*.- The Government shall constitute a committee to recommend a reasonable school fee structure to the aided and unaided private schools in the Union territory of Puducherry. The committee shall comprise of the following officials and non-officials to study the existing fee structure, in the private aided and unaided schools in the Union territory of Puducherry and recommend appropriate fee and other charges to be collected by each of the private schools.

The committee shall comprise of:

(1) A Retired High Court Judge / Retired I.A.S. Officer nominated by the Government.

..Chairperson.

(2) Director of School Education .. Member Secretary.

(3) Chief Engineer (Buildings), .. Ex officio

Public Works Department. Member. (4)
Deputy Secretary / Under Secretary (Education) .. Ex officio Member.
(5) Joint Director of School Education .. Ex officio Member.
(6) Deputy Director of Elementary Education
(7) Senior Accounts Officer, Directorate of
.. Ex officio
Member.
.. Ex officio
School Education. Member.
(8) Chartered Accountant nominated by the Government.
(9) Three representatives of Private School Managements.
.. Member.
.. Member.

(ii) *Terms and conditions of Office of the Chairperson and Members*.- The term of Office of the Chairperson and Members shall be for a period of three years from the date of their nomination and in the case of any vacancy arising earlier, for any reason, such vacancy shall be filled for the remainder of the term.

(iii) *Sitting fee*.- The Chairperson shall be eligible to draw such rate of sitting fee and travelling allowance on par with that of the Chairperson of the Fee Committee, constituted to determine the fee structure of the unaided private professional colleges, etc.

(iv) *Proceedings of the committee*.- No act or proceeding of the committee shall be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of the committee.

(v) *Factors for determination of fee*.- (l) The committee shall determine the fee leviable by a private school taking into account, the following factors, namely:-

(a) The locality of the private school, namely, urban/ rural area, more specifically, taking into consideration, the taluk, revenue village, hamlet wherein the school is situated;
(b) Students strength of the school;
(c) Classes of study and total number of classes in the school;
(d) The available infrastructure, namely, status of the school, as indicated below:-
(1) Schools having minimum infrastructure facilities as prescribed by the Government from time to time.
(2) Schools having infrastructure facilities more than that prescribed:- (i) Schools having more than the minimum requirement of laboratory more number of library books, classroom facilities and other sanitary and drinking water facilities.
(ii) Schools having more than adequate classroom facilities, laboratory facilities, library area, number of books, very good sanitation facilities, highly protected drinking water facilities and other sanitary facilities together with high percentage of results.
(iii) Schools fully equipped with modern facilities like equipment for conducting smart classes, provision of air-conditioner, etc.
(e) the recurring and non-recurring nature of expenditure on administration and maintenance, including payment of salaries, etc.; (f) the reasonable surplus required for the growth and development of the Private school;
(g) teacher-pupil ratio; and
(h) any other factors as may be prescribed by the committee;

(2) The committee shall, on determining the fee leviable by a private school, communicate its decision to the school concerned;
(3) Any private school aggrieved over the decision of the committee shall file their objection with sufficient material in support of this objection before the committee within fifteen days from the date of receipt of the decision of the committee;
(4) The committee shall consider the objection of the private school and pass orders within thirty days from the date of receipt of such objection;
(5) The orders passed by the committee thereon shall be final and binding on the private school for three academic years. At the end of vate school would be at liberty to apply for

revision;

(6) The committee shall indicate the different heads under which the fee shall be levied.

(vi) *Authorised officer*.- For the purposes of these rules, the following officers of the Directorate of School Education shall function as the authorised officers:-

(1) Joint Director

(2) Chief Educational Officer of the region concerned

(3) Deputy Director (Women)

(4) Delegate to Director of School Education, Yanam

(5) Deputy Inspector of Schools.

(vii) *Maintenance of accounts and submission of returns*.-

For the said purpose, the schools shall comply with the following:-

(1) *Maintenance of accounts*.-

(a) Every private school shall keep separate accounts for different kinds of transactions namely, fees collected, grants received, financial assistance received, payments of salary to staff, purchase of machinery and equipments, laboratory articles, library books, stationery and other expenditure incurred.

(b) Every private school shall keep the registers, accounts and records within the premises of the educational institution. They shall be made available at all reasonable times for inspection by the authorised officer.

(c) Accounts maintained by private school together with all vouchers relating to various items or receipts and expenditure shall be preserved by that school until the audit of accounts is over and objection, if any, raised is settled.

(d) The authorised officer or the members of the Fee Committee who have made inspection of any private school shall send a report with relevant records to the Director within 30 days.

(2) *Submission of returns*.-

(a) Every private school shall submit to the authorised officer an annual financial return in the form for the period ending with 31st of March of every year, not later than the 1st day of July of every year or within such further time as may be permitted by the authorised officer. The return shall bear the signature of the Secretary or Correspondent or Principal of the private school.

(b) In addition to the returns referred to in sub-rule (l) above, every private school shall within such time, or within such extended time, as may be

fixed by the authorised officer furnish such returns, statistics or other information that may be required from time to time by him.

(viii) *Powers and functions of the committee*.-

(1) The powers and functions of the committee shall be,-

(a) to determine the fee to be collected by private schools;

(b) to hear complaints with regard to the collection of fee in excess of the fee determined by the committee. If the committee, after obtaining the evidence and explanation from the management of the private school concerned comes to the conclusion that the private school has collected fee in excess of the fee determined by the committee, it shall recommend to the appropriate authority for the withdrawal or cancellation of the recognition or approval, as the case may be, of the private school or for any other course of action as it deems fit in respect of the private school concerned.

(2) The committee shall have the power to,-

(a) require each private school to place before the committee the proposed fee structure of such school with all relevant documents and books of accounts for scrutiny within such date as may be specified by the committee;

(b) verify whether the fee proposed by the private school is justified and it does not amount to profiteering or charging of exorbitant fee; (c) approve the fee structure or determine some other fee which can be charged by the private school.

(3) The committee shall have the power to,-

(a) verify whether the fee collected by the private school affiliated to the respective State Boards of School Education, the Central Board of Secondary Education, Indian Council short ICSE) or any other

affiliating body commensurate with the facilities provided by the school;

(b) to hear complaints with regard to collection of excess fee by a private school affiliated to the Central Board of Secondary Education, ICSE or any other affiliating body; and

(c) to recommend to the Central Board of Secondary Education, ICSE or any other affiliating body, as the case may be, for disaffiliation of the private school, if it comes to a conclusion that the school has collected excess fee, in violation of the fee structure prescribed by the committee.

(d) to recommend to the appropriate authority to withdraw permanently or for any specified period the recognition of any private school, under section l3 (l) of the Act.

65. Ban On The Levy Of Unauthorized Fees Or Fund

No fee, fund or contribution, other than those specified in these rules or permitted by the Director in writing, shall be charged by any school.

66. Donations Not To Be Levied Compulsorily

No school shall require any student or parent or guardian to donate compulsorily in any form or by whatever name for any purpose.

67. Collection Of Fees Or Donation With The Approval Of The Director

1.The managing committee of a recognized school may, with the previous approval of the Director, invite voluntary contributions from the parents or guardians for the construction of any building for the school or its hostel or for the extension of any such building or hostel.

2.No appeal for any such contribution as is referred to in sub-rule (1) shall be made at the time when admissions are made to the concerned school or when results are declared by that school.

68. Fees Payable For Twelve Months

All fees and funds shall be charged for a full period of twelve months from the students at the rates specified in these rules except in the following cases, namely:-

1.a student, who has been expelled or rusticated during a session shall not be required to pay fees and funds beyond the month in which he was expelled or rusticated.

2.in the case of re-admission of student to the school last attended or in any other school, fee shall be payable from the month from which he had left school in the same session;

3.a second fee for the same month shall not be charged from a student on transfer from one Government or aided school to another Government or aided school;

Provided that the student gives proof of payment of fees and funds in the former school.

69. Last Date For Payment Of Fees And Contributions

All fees and contributions payable to a school by the student shall be payable by the 10th day of the month in which they are due:

Provided that where the school remains closed on 10th day of the month, such fees or contributions shall be payable on the date following the 10th day on which the school reopens:

Provided further that where the school remains closed for the long vacation, fees and contributions shall be payable within ten days from the day on which the school re-opens after the long vacation.

70. Fine For Late Payment Of Fees, Etc

1.A fine for late payment of the fees or contributions due to a school shall be charged from te student at the rate of five paise for every day after the 10th day of the month during which the default continues.

2.The Head of School may, if satisfied that the delay in payment of the fees and contributions was unavoidable, remit the whole or any part of the fine referred to in sub-rule (1).

71. Maintenance Of Accounts Of Fees And Contributions

Accounts of fees and contributions collected by a school shall be maintained at the office of the school in accordance with the Government rules for the maintenance of public accounts and such accounts shall be liable to be inspected by the Director or any person authorized him in this behalf.

CHAPTER - VII - TAKING OVER THE MANAGEMENT OF SCHOOLS

72. Taking Over The Management Of Schools

1.The Director, if on the basis of information available is of the opinion that the educational agency or manager of any recognized school, other than a minority school has neglected to perform any of the duties imposed on it or him, by or under the Act and that it is expedient in the interest of

school education to take over the management of such school, may inquire or cause to inquire into the state of affairs of the school and where the inquiry report reveals that the complaints are substantiated shall submit a proposal to the Government for taking over the management of the school.

2.The Government shall on being satisfied as to the proposal submitted by the Director shall call upon the educational agency or manager of such school to show cause as to why the management should not be taken over.

3.The educational agency or the manager shall within fifteen days of receipt of the show cause notice or within such further time as the Government may give, submit a detailed explanation on all issues raised in the show cause notice.

4.The Government shall thereupon consider the explanation offered and if it is satisfied that the educational agency or the manager has not satisfied that the educational agency or the manager has not satisfactorily replied to the issues raised, shall order the taking over of the management of the school for a limited period not exceeding the period or periods as provided under the provisions of section 30 of the Act and shall authorize te Director or his nominee to take over charge of the said school.

CHAPTER - VIII - ACCOUNTS, AUDIT, INSPECTION AND RETURNS

73. Withdrawals From The School Fund

Withdrawals from the School Fund or Recognised Unaided School Fund, as the case may be, shall be made jointly by the Head of School and the manager of such school, or jointly by the Head of School and by any duly authorized member of the managing committee, where the Head of School is also the manager of the school.

74. Accounts Of The School How To Be Maintained

The accounts with regard to the School Fund or the Recognised Unaided School Fund, as the case may be, shall be so maintained as to exhibit, clearly the income accruing to the school by way of fees, fines, income from building rent, interest, development fees, collections fro specific purposes, endowments, gifts donations, contributions to pupils fund and other miscellaneous receipts, and also, in the case of aided schools, the aid received from the Government.

75. Trust Or Society Not To Collect Fees, Etc., Schools To Grant Receipts For Fees, Etc., Collected By It

1.No fee, contribution or other charge shall be collected from any student by the trust or society running any recognised school.

2.Every fee or contribution or other charges collected from any student by a recognised school, whether aided or not, shall be collected in its own name and a proper receipt shall be granted by the school for every collection made by it.

76. School Fund How To Be Maintained

1.Every School Fund of an aided or unaided school shall be kept deposited in a nationalized bank or a scheduled bank or any post office in the name of the school.

2.Such part of the School Fund as may be approved by the Director or any officer authorized by him in this behalf, may be kept in the form of Government securities.

3.The Director may allow such part of the School Funds, as he may specify in the case of each school depending upon the size and needs of the school, to be kept as cas in hand: Provided that in the case of an unaided minority school, the proportion of such fund which may be kept in the form of Government securities or as cash in hand shall be determined by the managing committee of such school.

77. Collections For Specific Purposes To Be Spent For That Purpose

Income derived from collections for specific purposes shall be spent only for such purpose.

78. Fees Realized By Unaided Recognised Schools How To Be Utilized

1.Income derived by an unaided recognised schools by way of fees shall be utilized in the first instance, for meeting the pay, allowances and other benefits admissible to the employees of the school: Provided that savings, if any from the fees collected by such school may be utilized by its managing committee for meeting capital or contingent expenditure of the school or for one or more of the following educational purposes, namely:- award of scholarships to students; establishment of any other recognised school; and

assisting any other school or educational institution, not being a college, under the management of the same society or trust by which first mentioned school is run.

2.The savings referred to in sub-rule (1) shall be arrived at after providing for the following, namely:-

pension, gratuity and other specifie admissible to the employees of the

school;
the needed expansion of the school or any expenditure of a developmental nature;
co-curricular activities of the students; and
reasonable reserve fund, not being less that ten per cent of such savings.

3.Funds collected for specific purposes, like sports, co-curricular activities, subscriptions for excursions or subscriptions for magazines, and annual charges, by whatever name called, shall be spent solely for the exclusive benefit of the students of te concerned school and shall not be included in the savings referred to in sub-rule (2).

4.The collections referred to in sub-rule (3) shall be administered in the same manner as the monies standing to the credit of the Pupils Fund are administered.

79. Amount Received For Scholarships To Be Spent For That Purpose

Every amount received by the managing committee of any school, whether aided or not, for payment of scholarships to the students shall be utilized solely for payment of such scholarships and proper receipts shall be obtained from the students to whom scholarships are paid and shall be preserved by the managing committee for the inspection of the Director or any officer authorized by him in this behalf.

80. Schools To Keep Accounts Of All Income

1.Every recognised school shall keep accounts of income from all sources and of all expenditure as specified by the Director.

2.The accounts of the school shall be open to inspection by inspecting officers authorized by the Director.

81. Recognised Schools To Submit Returns

1.Every recognised school shall submit as required under sub-section (5) of section 28, section 32 and section 33 of the Act, returns in

Form-XIII.

2.Every return referred to in sub-rule(1) shall be submitted to the Director by the 31st of July of each year, after the returns have been audited by a chartered accountant.

82. Inspection Of Schools

1.The Director shall be responsible for supervision and inspection of all recognised schools, whether aided or not.

2.For the purposes of sub-rule (1) the Director may assign all or any of his functions relating to supervision and inspection to such officers as may be authorized by him in this behalf.

3.Every officer authorized by the Director under sub-rule (2) shall discharge his powers of supervision and inspection under the direction, control and supervision of the Director.

4.The Director may also form a panel of persons with special knowledge and experience of the different subjects taught in schools, to carry out inspection of a school.

5.The Director may also carry out surprise inspections through any officer authorized by him in this behalf.

6.Every person, other than the Director, inspecting a school shall, within fifteen days from the completion of the inspection, submit to the Director, the report as to the results of the inspection and shall simultaneously send a copy of the report to the school concerned.

7.Where the Director himself makes the inspection, he shall make a note of the defects or deficiencies noticed by him and shall send a copy of that note to the concerned Head of School.

83. Inspection How To Be Made

1.Every inspection shall be as objective as possible and shall be aimed at bringing about improvements in the standards of teaching in the school.

2.In making the inspection the following items shall be critically examined, namely:-

a. academic work, that is to say, actual teaching and its different aspects;
b. library and its service to students and teachers;
c. games and supports and their organization;
d. co-curricular activities;
e. cordiality or otherwise of the teachers of the school with the parents of the students and the community in general;
f. administration of the school;
g. accounts of the school and their maintenance; h. the school plant and physical needs of the school;
i. discipline, tone and tenor of the school;
j. observance by the school of the rules and instructions; and
k. service matters of the teachers.

The inspecting officer shall go to each class and watch the teaching by each teacher in at least two classes and shall specifically note the matter specified by the Director.

84. Inspection Report

The report of every inspection shall be made in such form as may be specified by the Director and shall contain such information with regard to each matter specified in that form.

85.

An appeal under the provisions of section 36 shall lie to the Secretary to Government in charge of Education.

CHAPTER - IX - MISCELLANEOUS

86. Fees For Appeal To The Tribunal

Every appeal to the Tribunal shall be filled on a non-judicial stamp paper or Re.1 and shall be presented in the form of a petition.

87.

1.The term of office of every member of the Advisory Board constituted under section 45 of the Act shall be for a period of two years at a time.

2.The travelling and daily allowance payable to the members of the Advisory Board shall be such as payable to Group A officers of the Government of Pondicherry.

Form I
Form II
Form III
Form IV
Form V
Form VI
Form VII
Form VIII
Form IX
Form X
Form XI
Form XII
Form XIII
Appendix - I

APPENDIX - II (SEE RULE 48)
CODE OF CONDUCT

1.Every teacher or other person employed in the school shall discharge his/her duties efficiently and diligently.

2.Every employee shall at all times maintain absolute integrity, devotion to duty and shall do nothing unbecoming of such and employee.

3.Every employee shall carry out the work assigned to him/her by superiors conscientiously, faithfully and diligently in accordance with sacrifice or general instructions of his/her superiors and shall maintain discipline at all times in the

Department of work, place or premises of the school. He /She shall also co-operate with his/her superiors and co-employees.

4.Every employee shall be at the disposal of the institution and serve the Institution in all its activities at such places as he/she may from time to time be posted . 5.Every employee shall abide by the rules and comply with all the lawful orders, instructions and directions given from time to time, by any persons under whose jurisdiction, superintendence or control he/she may be placed from time to time. 6.Every employee shall be courteous and considerate to the superiors, management, staff, visitors and the public.

7.Every employee shall obey the legitimate and legal orders of his/her immediate superior officer in the school.

8.Every employee shall observe the house of work and be regular and punctual. 9.Every employee shall refrain from accepting any other employment or assignment with or without remuneration.

10.Every employee shall take due care that the performance of his/her duties is not affected, in any way, by the influence of any intoxicating drink or drugs.

11.Every employee shall co-operate with the management in matters of discipline, work and work efficiency and promotion of its activities and interests.

12.Every employee shall be responsible for the safe keeping and return in good condition and order, subject to wear and tear of all the institution's properties which may be in his/her use, custody or charge.

13.Promptness and regularity in submitting the notes of lesions, mark lists etc. on due dates must be strictly observed without need for reminders.

14.No teacher or other person employed in the school shall send and application for employment anywhere else except with the written consent of the principal of the school.

15.Every employee shall refrain from using the institution's name or its properties for his/her own purpose or benefit.

16.The employees of the institution shall desist from making joint representation.

But, every employee making any representation should do so separately in his own name. Pseudonymous and anonymous petitions will be viewed seriously.

17.No employee of the institution shall practice untouchability in any form as it is forbidden and abolished by article 17 of the Constitution of India.

18.No employee employed in the school shall accept any gift or gratification in kind or cash from the pupils or their parents or on their behalf for the work done by him/her in the school.

19.Employees who go out of station during the holidays and weekends should leave their addresses for communication.

20.Employees shall refrain from absenting himself/herself from duty except with special permission or accordance with leave rules.

21.No employee shall engage himself/herself in any other work or business for himself/herself or for any other person during the period of employment in school. 22.No employee shall undertake tuitions without obtaining pervious consent of the management or accept students beyond the optimum number agreed to by the management.

23.No employee shall leave the place of work without permission form his superiors. 24.No employee shall interfere with other employees' work, disturb them or cause annoyance to them at work.

25.No employee shall disturb the peaceful atmosphere in the school by demonstrating, shouting, loud talk or indulge in any act prejudicial to the interest of school or peaceful; working of the school.

26.No. employee shall indulge in quarrels, fights, violence or any other disorderly or indecent behaviour in the school.

27.No employee shall hold any meeting, stick or distribute handbills, notices, leaflets, booklets, pamphlets, posters or make collection of any money in the school premises without prior written permission from the management.

28.No employee shall disfigure or damage or write on walls and other school property.

29.No employee shall tamper with the school records or notices.

30.No employee shall remove school property or properties from one place to another or outside the school without authorization.

31.No employee shall communicate directly or indirectly any official document or information to an employee or any person to whom he/she is not authorized to communicate such document or information, except in accordance with any general or special order of the school in the performance of the duties assigned to him/here.

32.No employee shall smoke inside the campus in places other than those specially assigned for the purpose.

33.No employee shall bring liquor or other intoxicants to school premises, consume any intoxicants in the school premises or report for work in an intoxicating state.

34.No employee shall indulge in money lending for profit motive to any person. 35.No employee shall be in possession of fire arms, other weapons or any other article in the school premises, detrimental to the security of the school or persons or property.

36.No employee shall act in contravention for in derogation to any of the provisions of these service rules or any rules or instructions notified by the management to the employees from time to time.

37.No employee shall give to the press, radio or any general news media any comment, talk, news or articles regarding the school without the written permission of the management.

38.No employee shall stand for election for local bodies such as corporation, municipality, Panchayat etc, or participate in any type of political activities, without prior written permission of the management.

TABLE - 1A

(See item 20 of Form - I, item 15 of Form - II, item 9 of Form -IV, Item 9 of Form -VII, item 11 of Form -VIII and item 1 of Form - XI)

SCHEDULE FOR MINIMUM SPACE REQUIREMENTS FOR DIFFERENT TYPE OF SCHOOL

A. Teaching area Per pupiL	0.88 sq.mt.	0.99 sq.mt.
B. Library	PP- One SCR for Play room/toy room	UP MS - Two SCR SS
C. Laboratory	Nil UP	 MS - Two SCR SS
D. Art room	Nil	one SCR
E. Administrative area Per	0.14 Sq.mt.	0.25 Sq.mt. pupil

*Category - I - Pre-Primary School (PP), Primary school (P), Lower Primary School (LP) **Category - II - Upper Primary school (UP), Midle school (MS), Secondary Stage (SS), Higher Secondary School (HS).

Standard Class Room (SCR) for Category - I=(0.88 N+5.2) Sq.mt.
Standard Class Room (SCR) for Category - II=(0.99 N+5.2) Sq.mt.

Where N=Number of pupils in the class.

TABLE - 1B

(*See item 20 of Form - I, item 15 of form - II, item 9 of form VI, item -9 of Form -VII, item 11 of Form-VIII and item 1 of Form-XI)

SCHEDULE OF SPACE REQUIREMENTS FOR DIFFERENT TYPE OF SCHOOL

A. Physics		
(i) Laboratories 690*980	67.62	
(ii) Store rooms 690*230	15.87	99.36
(iii) Dark room 690*230	15.87	
B.Chemistry		
(i) Laboratories 690*980	67.62	
(ii) Store -cum-Preparation 690*230	15.87	99.36
(iii) Balance Room 690*230	15.87	
C. Biology		
(i) Laboratories 690*980	67.62	
(ii) Store rooms 690*230	15.87	99.36
(iii)Museum 690*230	15.87	
D. Computer Science		
ComputerRoom		One SCR for category II

TABLE -2

(See item 21 of Form - I, item 16 of Form - II, item 10 of Form VI, item -12 Form - VIII, item 2 of Form- XI)

MINIMUM SANITARY FACILITIES FOR SCHOOLS

FOR PUPILS	**Range in number of students**	**Girls**	**Boys**
a. Latrine Seats	1-30 2	1	
	31-50 3 2		
	51-70 4 2		
	71-100 5 3		
	101-150 6 3		
	151-200 8 4		

In addition, provision should be made for la

b. Urinal	1-30 2	1
	31-50 3 2	
	51-70 4 2	
	71-100 5 4	
	101-150 6 5	
	151-200 8 6	

In addition;, provision should be made for latrtine seats at I per 30 students.

c. Drinking Water Foundations	1 for every 40 pupils or part thereof	1 for every 50 pupils or part thereof

d. Cleaner's Sink e. Waste Paper

1 per floor, minimum

1 in each room i.e class, office etc.

FOR STAFF Female	**Male**	
a. Water Closet	1 for 1-12 persons	1 for 1-15 persons
	2 for 13-25 persons	2 for 16-35 persons
	3 for 26-40 persons	3 for 36-65 persons
	4 for 41-57 persons	4 for 66-100 persons
	5 for 58-77 persons	
b. Wash basin	1 for 1-25 persons	1 for 1-25 persons
	2 for 26-50 persons	2 for 26-50 persons
	3 for 51-75 persons	3 for 51-75 persons

(By order of the Lieutenant Governor)

S. Hemachandran

Secretary to Government (Education)