

Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools Under Private Managements) Rules, 1993

ANDHRA PRADESH

India

Andhra Pradesh Education Act, 1982

Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools Under Private Managements) Rules, 1993

Rule

ANDHRA-PRADESH-EDUCATIONAL-INSTITUTIONS-ESTABLISHMENT of 1993

- Published on 3 January 1994
- Commenced on 3 January 1994
- [This is the version of this document from 3 January 1994.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools Under Private Managements) Rules, 1993 Published vide Notification G.O.Ms. No.1, Education (P.S.2), 1-1-1994 Published in Andhra Pradesh Gazette R.S. to Part 1, Extraordinary dated 3-1-1994 Last Updated 26th October, 2019 Order In exercise of the powers conferred by Section 99 read with Sections 20, 21, 79, 80 and 83 of the Andhra Pradesh Education Act, 1982 (Act 1 of 1982.) and in supersession of Andhra Pradesh Educational Institutions (Establishment Recognition, Administration and Control) Rules, 1988 issued in G.O.Ms.No. 524, Education Department, dated the 20th December, 1988. the Andhra Pradesh Private Institution Employees (Disciplinary Control) Rules, 1983 issued in G.O.Ms.No.467 Education, dated the 3rd November, 1983, the Andhra Pradesh Minority Educational Institutions (Establishment, Recognition and Regulation) Rules, 1988 issued in G.O.Ms.No.526, Education, dated the 21st December, 1988 in so far as schools are concerned, the Governor of Andhra Pradesh hereby makes the following rules relating to the grant of permission for establishment of schools, up-gradation of existing schools, according of recognition to schools, administration of schools and disciplinary control of the employees of the schools under private management including minority educational institutions.

2. These rules shall come into force with immediate effect.

Rules

1. Short title, extent and commencement.

(1) These rules may be called the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules, 1993. (2) Unless otherwise specifically mentioned, these rules shall apply to all categories of schools functioning under the private managements including Minority Educational Institutions imparting the following classes of education in the State of Andhra Pradesh. (a) Pre primary schools. - These schools are classified as Nursery, Kindergarten, Montessory and the like. They shall admit children who are in the age group of 3 to 5 years; (b) Primary Schools. - These schools shall consist of Classes I to V; (c) Upper Primary Schools. - These schools shall consist of Classes I to VII; (d) Secondary Schools (High School). - These schools shall consist of classes VI to X. The schools at (a) to (d) above impart school education; (e) Oriental Schools. - These schools impart education in Sanskrit, Arabic and the like up to the standard equivalent to Secondary level in general education; (f) Hindi Pathshalas. - These institutions impart education in Hindi language preparing the students to appear for Prathamika to Rashtrabhasha examinations; (g) Sanskrit Pathshalas. - These institutions impart education in Sanskrit language to the students preparing them to appear for Sanskrit entrance examination conducted by the Board of Secondary Education and Universities; (h) Hindi Vidyalayas. - Institutions imparting education in Hindi language up to the standard equivalent to secondary education (Matric or 10th Class) i.e., Prathamika to Praveena; (i) Special Schools. - These are institutions imparting education solely for handicapped children/persons and imparting instruction not above the Class X level.

2. Definitions.

(1) In these rules, unless the context otherwise requires: (a) "Act" means the Andhra Pradesh Education Act, 1982 (Act 1 of 1982); (b) "Educational agency" means the Society/Trust/Association including Endowment Board/Wakf Board and Christian Mission (Church/Dioecesis or congregation) and the like, sponsoring/managing/running the schools; (c) "Form" means the form as appended to these rules; (d) "Locality" means the area covered by a village with a population of two hundred or above in respect of rural areas, a ward in respect of Municipal areas; (e) [Competent Authority means the authorities specified in Rule 3 for deferent purposes mentioned therein, it includes the authority who is vested with the powers of granting permission or recognition or both to schools.] [Substituted by G.O. Ms. No. 377, Education (Ser. V), dated 17-11-1997.]; (f) "Minority Educational Institution" means any educational agency of which at least 2/3rd members belong to a religious/linguistic minority [and which has obtained minority status certificate from the Government] [Added by GO Ms. No. 74 Education (SE [PS-I]) dated 11-9-2006.]; (g) "School" means all the categories of educational institutions mentioned under sub-rule (2) of rule 1; (h) "Tribal locality" means the localities notified as agency areas by the Government. (2) Words and expressions used in these rules but not defined herein shall carry the same meaning as are assigned to them in the Act.

3. [Competent Authorities. - For the purpose of the rules, the following shall be the competent authorities] [Substituted by GO. Ms. No 377, Education (Ser. V), dated 17-11-1997.]

Category of Schools	Competent Authority
(1)	(2)
(1)(a) Pre-Primary, Primary and Upper Primary Schools	District Educational Officer
(b) Oriental Schools, Hindi Pathasalas, Hindi Vidyalayas, Sanskrit Pathasalas and Special Schools.	
(2) Secondary Schools.	[Government] [Substituted for 'Regional Joint Director of School Education' GO. Ms. No. 267, Education (Ser. V), dated 17-8-1998.]

4. Criteria for Establishment of Schools.

- [(1) Permission for establishment of new schools or up-gradation of existing school, may be accorded keeping in view of the educational needs of the localities taking into consideration the population of the school going children in the locality. Explanation: For the purpose of this rule, the locality shall be as follows: (i) for pre-primary/primary schools, the village or an area having a population of 200 and above; and a radius of 1 km from the proposed location. (ii) for upper-primary school, the village or an area having a population of 200 and above; and a radius of 2 km from such village/Habitation. In urban areas, it shall be 2 kms from the proposed location. (iii) for High School, the village or an area having a population of 200 and above and a radius of 5 kms from such village/area. In urban areas, it shall be 5 kms from the proposed location.](2) In respect of applications from minority educational institutions, the same shall be considered from the view point of minorities and notwithstanding the lack of need on a general basis.

5. [Requirements for Establishing of a New School or Up-gradation of the Existing School. [Substituted by G.O. Ms. No 41, Education (SE- P.SI), dated 11.5.2006.]

- Every educational agency desirous of opening a school or upgrading the existing school shall

-(1) deposit by way of national saving certificate or Kisan Vikas Patra and pledge with the District Educational Officer concerned towards endowment fund as follows: (i) Pre-Primary School, Primary School, Upper Primary School, Oriental School, Hindi Pathasalas, Sanskrit Pathasalas, Hindi Vidyalayas, Special Schools..Rs. 25,000/ (ii) Secondary Schools...Rs. 50,000/- This Endowment fund may be utilized after obtaining prior permission of the competent authority for the purpose of purchase of furniture, material and equipment required for the school; (2) have a provision of adequate accommodation for the smooth conduct of classes. This shall be approximately 6-8 Sq.ft. per pupil, and the area shall be calculated section wise; (3) have adequate accommodation for staff in respect of upper primary schools and high schools; (4) have adequate accommodation for laboratory,

library and Computer room in respect of high schools;(5)have separate and adequate sanitary facilities, for students and staff and for men and women;(6)Provide adequate safe drinking water facilities to the students and staff;(7)[The Primary, Upper Primary and Secondary schools in rural and urban areas (Municipal Corporation limits and Municipal limits) shall have minimum play ground facility of 2000 Sq.m. and 1000 Sq.m. respectively annexed to the school [Substituted by G.O. Ms. No. 74, Education (SE [PS-I]) dated 11-9-2006.].(8)provide grills to the balconies in case of high rise buildings;(9)provide suggestions boxes in prominent places in the school premises;(10)compulsorily provide fire extinguishers and fire fighting equipment as prescribed in the National Building Code of India part IV fire Protection, 1997 and approved by Fire Service Department of the State;(11)maintain first aid kits in sufficient numbers in the school premises;(12)follow the rules and regulations prescribed in Cir. Memo. No. 21748/D1/97, dated 16-2-1998 and other orders of Transport Authority regarding parking of school vehicles/maintenance of vehicles and ensure safety of children, and shall obtain fitness of the school vehicles from the Transport Authorities as prescribed by the Government from time to time;(13)the cost of providing zebra crossings at the roads crossing near the schools, which are located in Municipal Corporation/Towns shall be met by the School Managements;(14)have adequate personal to guide the movement of the children to ensure road safety and transportation;(15)produce sanitary certificate from the authorities concerned;(16)produce structural soundness certificate of the school building premises and produce occupancy certificate from the authorities concerned;(17)any Educational agency intending to seek permission for opening of new school or up gradation of existing school shall produce No Objection Certificate from the Police Department (traffic) and as well as concerned Municipal Corporation or the Municipality in respect of all Municipalities/Municipal Corporation Areas. In respect of villages the no objection certificate shall be obtained from the Local Gram Panchayat and no objection certificate from Police is not necessary.]

6. Application for permission for Establishment of New Schools or Up-gradation of Existing Schools.

-(1)The application seeking permission for establishment of a new school or up-gradation of the existing school shall be submitted to the competent authority on or before the 31st October of the preceding academic year, in triplicate, in Form I;[Provided that the said period may be extended with a late fee as prescribed below] [Added by G.O. Ms. No 99, Education, (PS-2), dated 16-8-2001.]:-

- | | |
|---|---------------------------------|
| (i) Before 30th Nov. of preceding academic year | with a late fee of Rs. 1,000/- |
| (ii) Before 31st Dec. of preceding academic year | with a late fee of Rs. 2,500/- |
| (iii) Before 31st Jan. of preceding academic year | with a late fee of Rs. 4,000/- |
| (iv) Before 28th/29th Feb. of preceding academic year | with a late fee of Rs. 6,000/- |
| (v) Before 31st March. of preceding academic year | with a late fee of Rs. 10,000/- |

Note: No application for establishment of a new school or for up-gradation of an existing school shall be accepted by the competent authority/Government after the 31st March of the preceding academic year.](2)Every application shall be accompanied by the following documents:(a)A copy of

the constitution and bye laws of the educational agency registered with the respective registration authorities together with the list of office bearers.(b)Evidence in support of payment of the following application fee to the concerned Head of account.

Category of School	Application fee	
(i)	Pre-Primary, primary Schools and Upper Primary Schools, Oriental Schools (all classes in all languages), Hindi Pathasalas (All classes), Hindi Vidyalayas (all Classes), Sanskrit Pathasalas, Special Schools.	Rs. 1,000
(ii)	Secondary Schools (High Schools)	Rs. 2,000

(c)[Deposit by way of National Saving Certificate or Kisan Vikas Patras and pledge with the District Educational Officer concerned towards Endowment fund as prescribed in Rule 5(1).] [Substituted by G.O. Ms. No 58, Education (SE- PS.1), dated 13-7-2006.](d)A sketch plan of the site indicating the proposed location of the school;(e)A plan of the building to evidence that the requirements indicated in rule 5 are satisfied;(f)Evidence of ownership of the land and building or lease of land or building as the case may be.

7. Scrutiny and Grant of Permission.

(1)On receipt of an application, the competent authority shall cause such verification of the proposal as is necessary and shall communicate the decision thereof by 1. Substituted for "by the 31st January" by G.O.Ms. No. 99, Education (PS-2), dated 16-8-2001.[within the period of three (3) months from the date of receipt of the application]. In case of refusal of permission the order shall contain reasons:(2)The grant of permission shall be in Form II;(3)[x x x] [Omitted by G.O.Ms. No. 58, Education (SE-PS-I), dated 13-7-2006.]

8. Validity of Permission.

(1)Permission granted or deemed to have been granted under rule 7 by the competent authority is valid only up to the end of July of every year. It shall be incumbent upon the educational agency to apply, in the manner prescribed under these rules for recognition. Failure to do so, will result in the permission being automatically lapsed. The burden of proof of having applied for recognition shall lie with the educational agency;(2)Permission for schools other than Secondary Schools shall be valid for all the classes. In respect of Secondary Schools, however, the permission granted shall be only up to class VIII. The educational agency shall be permitted to open classes IX and X only after obtaining due recognition and only from second and third year respectively after the commencement of class VIII. For example if class VIII is commenced in the academic year 1994 95, the class IX can be commenced in the next year and class X in the year 1996 97;[Provided that the Government may accord permission to an educational institution for opening of classes I to X or VIII to X at a time.] [Added by G.O. Ms. No 74, Education (SE-[PS.1]), dated 11-9-2006.](3)Grant of permission does not confer any right of recognition to the educational institution.

9. Recognition.

- [(1) Application for recognition in Form III shall be submitted by the educational agency to the competent authority before the 31st July of the year in which the permission has been granted under rule 7, if the management has fulfilled all the conditions mentioned under Rules 5 and 12] [Substituted by G.O. Ms. No. 58, Education (SE-PS-I), dated 13-7-2006.](2)The application among other things shall be accompanied by:(a)documentary evidence regarding the purchase of library books, laboratory equipment, sports material, furniture etc.(b)evidence of appointment of qualified staff as per staff pattern prescribed by competent authority from time to time;(c)evidence of providing sufficient accommodation as prescribed in rule 6.(3)On receipt of applications the competent authority shall make or cause such verification as is necessary and shall communicate a decision within three months. In case of refusal the order shall indicate the reasons.(4)Grant of recognition shall be in Form IV;(5)[Recognition shall be valid for a period of ten academic years. The educational agency shall, before expiry of recognition, seek renewal. However by the end of April every year, the educational agency shall file an affidavit to the effect the "there is no deviation or violation of norms/ rules prescribed by the Government from time to time.] [Substituted by G.O. Ms. No. 74, Education (SE [PS-I]), dated 11-9-2006.](6)The renewal of recognition shall be guided by the same principles as are applicable to grant of original recognition. The fee for the renewal shall be [Rs.5,000/-] [Substituted for '2,000/-' by G.O. Ms. No. 58, Education (SE [PS-I]), dated 13-7-2006.] in respect of Secondary schools and [Rs.2,500/-] [Substituted for 'Rs. 1, 000/-' by Ibid.] in respect of all other schools.

10. Conditions governing Permission/Recognition.

- In addition to specific conditions that may be prescribed in individual cases, every permission/recognition granted to the schools under these rules shall be subject to the following conditions;(1)that all the conditions prescribed under these rules shall be followed.(2)that the school shall invariably provide for teaching of Telugu as first/second language;(3)that the school shall follow the syllabus and text books as prescribed by the Government. This shall, however, not be applicable in respect of schools affiliated to Boards of Examinations other than the State Board, in which case, they would follow the requirements of the concerned Board;(4)that the instructions issued by the competent authority in respect of curriculum, work books etc., shall be implemented;(5)that the management of the schools shall be in consonance with the aims and objectives of the educational agency;(6)that the admissions into various classes shall be made as per the rules of reservation prescribed and by following the procedure prescribed by the Government from time to time;(7)that no student shall be denied admission on the ground of religion, caste, race or language. This shall, however, not prevent the Minority Educational Institutions from preferring the students of the concerned community;(8)that the Name Board of the school, the Transfer Certificate issued by the School, the applications prescribed for admission of students and the advertisements calling for the applications shall invariably contain the recognition number given. Vide [Rule 8 and 9] [Substituted for 'Rule 9(4) by G.O. Ms. No. 74, Education (SE [PS-1]), dated 11-9-2006.] above;(9)that promotion from one class to the next higher class shall be made in accordance with the rules in force;(10)that the National Policy of Education, 1986 envisages exclusion of corporal punishments to children in Schools. Therefore, the educational agency and the

Headmaster/Principal of the School shall ensure that the students are not subject to corporal punishments of any nature under any circumstances and the staff enforcing such punishments against the students shall be subject to suitable disciplinary action;(11)that the educational agency shall not collect fee or donations either in cash or in kind other than the fee prescribed by the Governing Body from pupils or parents or any other persons on their behalf, for any purpose whatsoever;(12)that the Teacher pupil ratio in respect of the pre/primary Schools shall not exceed 1:20 and in respect of all other Schools, the ratio shall not exceed 1:40.(13)that the educational agency shall not appoint any candidate as a Teacher whose certificate has been suspended or who has been convicted for offences involving moral turpitude or who has crossed the prescribed age limits or superannuated persons;(14)that the educational agency shall reinstate the teaching or non-teaching staff on receipt of orders from the appropriate authority, as per the Act, for such reinstatement:(15)that the educational agency shall adopt Teachers' Provident Fund Scheme or any other Scheme meant for the benefit of its employees as prescribed by the Government from time to time:(16)that the educational agency shall obtain permission from the competent authority for closure of any Class/Section with one year notice, but shall not close down in the middle of the academic year;(17)[That when a private aided Schools are forced to be closed down for any reason or whenever the management of the School goes out of the way to remove any of its staff members or whenever there is fall in strength in a private aided School for two successive academic years or whenever an exercise for retionalization of aided staff working in aided institutions is taken up, the Competent authority may transfer the staff, with or without posts, as the case may be, to any other needy private aided School within the district;(17A)Where, in pursuance of action taken under sub-rule (17), an aided post in an institution is rendered surplus, the same shall stand suppressed on transfer of the incumbent to another aided institution with effect from the date of such transfer.] [Substituted by Notification No. G.O.Ms. No. 39, dated 17.6.2013 (w.e.f. 3.1.1994).](18)that the educational agency shall maintain all the records and registers indicated as prescribed by the competent authorities and they shall be made available to the concerned inspecting officers for inspection/surprise checks;(19)that the Department reserves the right to introduce Panel Inspection System for any institution and its recommendations shall be binding on the Managements to take necessary corrective measures. Any institution that continues to get less than 20% pass for 3 years consecutively in the public examinations shall be liable for being closed;(20)that girls' institution shall not be allowed to be converted into a co-educational or boys' institution;(21)that under no circumstances shall the Oriental Schools, Hindi Pathasalas and Hindi Vidyalayas functioning under the Private Educational Agencies shall be allowed to be converted into other categories of educational institutions;(22)that the institutions are permitted to be established (or upgraded) to meet the educational needs of the respective localities, shifting of the institutions from the locality to another will not be permitted under ordinary circumstances, as a matter of routine. However, shifting of the institution from one building to another within the same locality or within the same town/municipal limits, may be permitted when the intention is to provide better accommodation or shifting into own building is proposed. Prior permission of the Competent Authority is required for any such shifting;(23)that the educational agency for which permission to establish an institution has been accorded shall not transfer the institution to any other educational agency;(24)that any institution which has been closed down without prior permission of the competent authority or any institution which has been closed down with the prior permission of the competent authority and has remained so for more five years, shall be treated as defunct institution. If the defunct institution

is proposed to be reopened, it should be treated as a fresh proposal and all the conditions prescribed for establishing the new institution shall be applicable to it;(25)that the educational agency shall not carry on or encourage any propaganda or practice wounding the religious feelings of any class of citizens of India or insulting the religion or the religious beliefs of that class or indulge in any act that undermines national integrity and insult to national anthem and national flag;(26)that the educational agency shall not force the staff or students of the institutions to take part in the religious discourses and preaching of religion irrespective of whether they belong to the same belief or not;(27)that the educational agency shall not refuse to co-operate with the departmental authorities in constituting the institutions as centres for conducting the common public examinations like VII, X classes and also other departmental examinations;(28)that no institution shall run in a shift system without the explicit permission from the Competent Authority. All institutions shall follow the timings as laid down by the Competent Authority;(29)that the educational agency will be held personally responsible for the regular repairs and upkeep of the school buildings and proper maintenance of sanitary conditions and are liable for inspection by the authorities of Education Department, Health Department, and Public Works Department;(30)that the premises of the institution or building or play ground or vacant site belonging to the institution shall be used only for the purpose of conducting the institutional activities or for conducting authorised examinations or for any other purposes specifically permitted by the District Educational Officer;(31)that the educational agency shall not permit the students of any college of education, college of physical education, teachers training institution, etc., to have teaching practice without obtaining prior written permission from the District Educational Officer;(32)that the educational agency shall carry out all the instructions issued by the Government and other competent departmental authorities relating to making of admission of students, appointment of staff and also relating to other academic and administrative affairs, in the interest of academic standards and smooth functioning of the institutions, from time to time.

11. Withdrawal of Permission and/or Recognition.

- Permission and/ or Recognition, granted under these rules is liable for withdrawal by the competent authority for violation of these rules. Provided that the educational agency shall be given an opportunity of making representation on the proposed action by competent authority.

12. Appointment of Staff.

(1)The educational agency shall appoint staff as per the staffing pattern prescribed by Government from time to time. All staff shall conform to the qualifications prescribed by Government from time to time;(2)All the staff teaching as well as non-teaching shall be recruited through Staff Selection Committee to be constituted by the educational agency in accordance with these rules;(3)All the posts shall be advertised in at least two News Papers having large circulation of which one shall be in Telugu;(3A)[Before filling-up of the aided teaching or non-teaching posts, the educational agency shall necessarily obtain clearance from the Competent authority, to the effect that, there are no surplus posts in the concerned district, and if there are suitable surplus candidates, they should be deployed against the said vacancies as per the subject requirements. The competent authority shall however obtain the permission from the Government before issuing clearance for filling up of any

aided posts.] [Inserted by G.O. Ms. No. 58, Education (SE-PS-I), dated 13-7-2006.](4)All educational institutions receiving grant in aid from Government shall notify vacancies to the Employment Exchange and in addition, advertisements in the News Papers, that they shall also be required to call the candidates sponsored by Employment Exchange for test and interview provided that the persons applying to the post in response to the advertisement in the news papers should have got registered their names in any Employment Exchanges in the State.(5)Aided Schools shall also be required to have a nominee of the District Educational Officer not below the rank of Deputy Educational Officer in the Staff Selection Committee. The educational agency shall fix the selection process (test/interview) in consultation with the District Educational Officer or his nominee and shall afford the D.E.O's nominee a reasonable opportunity of being present. The selection however, shall not be vitiated only on the ground of the absence of D.E.O's nominee if the educational agency has offered reasonable explanation. The burden of proving this shall lie with the educational agency.(6)The selection of the posts in all private educational institutions shall conform to the communal rotation roster. However this shall not apply to minority educational institution only if they are selecting a candidate belonging to the concerned minority community. Where such a candidate is fitted in a vacancy belonging to S.C/S.T., then the S.C/S.T., vacancy shall be carried forward to the next point.(7)[The Educational Agency shall be free to appoint employee/staff to an un-aided post as per subject requirements, provided they have the prescribed qualification to hold the posts. The service conditions of un-aided teaching and non-teaching staff shall be contractual in nature between the educational agency concerned and the appointee. Disputes, if any, in this shall be adjudicated in a civil court of competent jurisdiction/Educational Tribunal (as and when constituted) and without reference to competent authority or the Government. However, in respect of aided posts, the provision of sub-rules (4)1(5) and (6) shall apply.] [Substituted by G.O. Ms. No. 58. Education (SE-PS.1) dated 13-7-2006.](8)[All appointments made either teaching or non teaching staff by aided or unaided institutions shall be subject to the approval of the competent authority. For this purpose the educational agency shall inform the competent authority within one month of the selection. The competent authority shall grant approval unless the selection has been in violation of these rules. In order to obviate confusion, it shall be incumbent on the educational agency to remind the competent authority one month after the initial communication, if no approval is received. The burden of proof of having communicated the selection to the competent authority shall lie with the educational agency;] [Substituted by G.O. Ms. No. 114, Schedule Education PS-1, dated 30-8-2005.](9)The educational agency shall make the appointments only on the approval as per sub-rule (8) above;(10)Nothing in this rule shall prevent an educational agency from making a temporary appointment in a casual vacancy of unaided post provided that such appointment is not for a period exceeding 60 days.

13. Staff Selection Committee.

- [(1) The Staff Selection Committee for the purpose of filling up of an aided post other than promotion shall consist of the following persons as members:(a)President of educational agency or his nominee;(b)The Headmaster, who is ex-officio Correspondent/Secretary/Manager of the Institution;(c)Two subject experts, to be selected by the educational agency from the panel approved by the District Educational Officer Of these at least one should be the Headmaster of a recognized school.(d)An Officer of the Educational Department not below the rank of Deputy Educational

Officer nominated by the District Educational Officer concerned.](2)The president of the educational agency can either be the Chairman; or nominate one of the members of the Staff Selection Committee to be the Chairman.(3)The quorum for the Staff Selection Committee meetings shall be four of which the presence of District Educational Officer's nominee is compulsory.

14. Admission of children to the schools.

(1)No school shall admit child to Class I unless he/she has completed 5 years of age on the first day of academic year as defined in Section 16 of the Act. Correspondingly, children shall not be admitted into any higher classes unless they have completed $4 + n$ years of age as on the first day of the Academic year 'n' being the class to which admission is sought;(2)No school shall admit a child directly into 6th class unless he/she has:(a)Successfully completed Vth Class from a recognised school; or(b)Successfully completed Phase I of Non- Formal Education; or(c)Successfully completed Class V or equivalent through open school system; or(d)has passed 6th Class entrance examination conducted by the District Educational Officer.(3)No school shall admit child into VIII Class unless a child has:(a)Successfully completed VII Class from a recognised school conducted by the District Educational Officer; or:(b)Completed successfully phase II of Non Formal Education; or(c)Successfully completed VII Class through open school system.(4)No school shall admit child into Class IX and X Class unless a child has:(a)Successfully completed class 8th and 9th respectively from a recognised school; or(b)has successfully passed common examination conducted for VIII and IX Classes respectively by the District Educational Officer.

15. Constitution of the Governing Body.

(1)Every School, whether aided or un aided shall constitute a Governing Body to discharge the functions laid down in rule 16. The Governing Body shall have the following:(i)President of the educational agency;(ii)Secretary/Correspondent/Manager of the educational agency;(iii)Head Master/Principal of the School;(iv)One Representative of teaching staff to be chosen from among themselves;(v)President of the Parent-teachers' Association constituted under the provisions of G.O.Ms.No. 246, Education, dated the 17th February, 1987;(vi)[Vice President of Parents teachers Association] [Substituted by G.O. Ms. No. 92 Edn. (SE-PS-I), dated 17-8-2009.](2)The President of the educational agency shall be the Chairman of the Governing Body and the Secretary/Correspondent/Manager of the Schools shall be Secretary of the Governing Body;(3)The Secretary/Correspondent of the governing body will convene the meetings by giving a written notice of 7 clear days to all the members under acknowledgement;(4)The quorum for the meetings shall be 4;(5)The Governing Body will meet at least 3 times in an Academic Year. The following meetings shall be obligatory:(a)The first meeting shall be held within one week after the commencement of the academic year to take tentative decisions of fixing fee structure to be collected from the students of various classes within the maximum limits prescribed by the Government from time to time and the salary payable to staff appointed. [x x x] [Omitted by ibid.];(b)The second meeting shall be held about one or two months after the last date fixed for the admission of students, by which time the financial position of the institution will be clear. In this meeting the decisions taken in the first meeting may be ratified or may be revised keeping in view the financial position of the Institution. The meeting will also pass resolutions advising the management on various academic and

administrative matters for the improvement in the functioning of the Institutions;(c)The third meeting shall be held at any time before the end of February to ascertain how far the decisions taken in the 2nd meeting have been implemented and to advise the management on the corrective measures for the improvement in the functioning of the institution.

16. Functions of the Governing Body.

(a)Advise the educational agency in various aspects of administration of the school including the rules and procedure of admission of students;(b)to fix the salary structure for the staff keeping in view the financial position of the institution;(c)to fix the fee structure, i.e. the fee to be collected from the students for various classes keeping in view various expenses involved in the maintenance of the institution.

17. Criteria and Procedure for fixing salary structure for the Staff.

(1)The Staff appointed in un-aided private schools and those appointed in the un-aided posts of the higher classes of the upgraded school shall be paid salaries as prescribed by the governing body attached to the school as constituted under rule 15.(2)In order to meet the expenditure, it is open for the private management of unaided schools to collect fees at the rates prescribed by the Governing Body, as per criteria indicated in rule 18;(3)The Governing Body shall fix the salary structure of the staff taking into account the revenue position of the institution and other requirements mentioned under sub-rule (4) of rule 18 for which amounts are to be earmarked. Approximately 50% of the total revenue collection as fee from student shall be earmarked for payment of regular salaries to the staff and 15% of the revenue shall be earmarked for providing various benefits like Teacher's Provident Fund, Group Insurance etc.

18. Criteria for fixing fee structure and allocation of revenue earned as fee.

(1)Every un-aided school or upgraded aided school (without aid for higher classes) shall have its own fee structure to determine the fee to be collected from the students of various courses/classes;(2)The Governing Body attached to the institution is empowered to prescribe the fee structure. While fixing the fee structure, the Governing Body shall take into account the following:(a)Expenditure involving payment of salaries and other benefits to the staff;(b)Expenditure involving payment of rent for the building occupied by the institution and the upkeep of the building;(c)Expenditure involving electricity and water charges;(d)Expenditure involving office requirement like stationery, stamps etc.,(e)Expenditure involving class room needs like chalk, dusters etc;(f)Expenditure involving purchase of books for the library and chemicals and specimens for the laboratory;(g)Expenditure involving payments to the Auditors engaged for auditing the accounts;(h)Expenditure on contribution towards Education Cess;(i)Any other miscellaneous expenditure.(3)It is open for the governing body to take a decision to collect fees from students either monthly or quarterly or half yearly. However. the special fee shall be collected only once at the beginning of the academic year.(4)The fees collected from the students shall be allocated as to meet the following requirements:(a)5% of the fees collected shall be earmarked as personal income to the management;(b)15% of the fees collected shall be utilised for the maintenance of the

institutions towards expenditure involving the building rent, electricity and water charges, stationery etc. required for the office payment to be made to menials and auditors, purchase of library books, chemicals, specimens and other material required for the laboratory and expenditure involving the upkeep of the institution etc.,(c)15% of the fees collected shall be earmarked for the developmental activities of the institution i.e. expenditure involving opening of additional courses, classes, sections and up-gradations of the institutions, construction of additional accommodations, acquiring costly equipment and furniture, purchase of land for the use of the institution and the like;(d)50% of the fees collected shall be earmarked towards payment of salaries to the staff;(e)15% of the fees collected shall be earmarked as management's contribution towards staff benefits like gratuity, teachers provident fund, Group Insurance Scheme etc.(5)The educational agency shall maintain separate accounts in one or more banks for the amounts allocated for various purposes mentioned above so that the amount allocated for a specific purpose shall not be diverted for another purpose. These accounts opened as specified above shall be operated through joint accounts in the name of the Secretary/ Correspondent, Manager of the Institution and the Head Master/Principal of the Institution;(6)The amounts falling under items (a) to (e) of sub-rule (4) are subject to inspection and auditing by the Auditors appointed for the purpose by the governing body.

19. Disciplinary Control.

(1)The disciplinary powers are vested with the management in general. The appellate authority against the actions of the management is the competent authority as defined in rule 3. Subject to the provisions of the Act:(a)No employee should be kept under suspension by the management except as provided in Section 79 of the Act.(b)An employee who is kept under suspension shall be paid subsistence allowance at one half of the salary drawn by him immediately before suspension plus allowances admissible on such salary;(c)An order of suspension may at any time be revoked by the next higher authority to the competent authority;(d)In addition to the penalties specified in sub section (1) of Section 79 of the Act the following penalties may also be imposed against any employee for negligence of duty, disobedience of orders, misconduct, violation of code of conduct or for other sufficient cause:(i)Fine,(ii)Censure,(iii)Withholding of increments or promotion,(iv)Reduction to a lower rank in seniority or reduction in the time scale of pay,(v)Recovery from pay the whole or part of the pecuniary losses caused to the Government or to the institutions by negligence or breach of orders;(e)No employee shall be dismissed, removed or reduced in rank by an authority subordinate to the management.(f)In every case where it is proposed to impose any of the penalties specified, the ground on which the action is proposed shall be reduced to the form of a definite charge or charges. The charges shall be communicated to the person charged together with statement of allegations and their basis and of any other circumstances leading to the charges.The person charged shall be required within a reasonable time to put a written statement of defence and to state whether he desires an oral enquiry or only to be heard in person for the charges. The charged person shall be permitted to peruse the records and take extracts from such records as he may specify, provided that the management may for reasons to be recorded in writing refuse such permission, if in its opinion such records are not relevant for the purpose or it is against the interest of the institution to allow access thereto. If an oral enquiry is desired by the person charged the management shall appoint an Enquiry Officer who shall be superior in rank to the charged person to conduct enquiry. At that enquiry oral evidence may be

heard as to such of the allegations as are not admitted and the person charged shall be entitled to cross examine the witness, to give evidence in person and to have such witness called as he may wish, provided that the authority conducting the enquiry may for special and valid reasons to be recorded in writing refuse to call a witness; After the enquiry has been completed the person charged shall be entitled to put in, if he so desires, any further written statement, of his defence. If no oral enquiry is held and a person charged desires to be heard in person, a personal hearing shall be given to him by the authority directed by the management. The proceedings shall contain a sufficient record of the evidence and the statement of the findings and the grounds thereof. (g) After examination of the report of the Enquiry Officer or where no enquiry has been held on consideration of the statement of defence of the person charged and other circumstances of the case, the management shall issue a show cause notice of not less than two weeks to the charged officer enclosing the report of the Enquiry Officer. After considering the explanation the management may impose any of the penalties. Provided that in the case of dismissal, removal or reduction in rank the management should get prior approval of the authority or officer under sub-section (1) of Section 79 of the Act; (h) The above provisions shall not apply where the authority to impose the penalty is satisfied for reasons to be recorded in writing that it is not reasonably/practicable to hold an enquiry or to inform the employee in writing of the allegations or charges on which action is proposed to be taken or where it is proposed to impose the penalty on the ground of conduct which lead to his conviction on a criminal charge which involved moral turpitude. In such cases, the management shall obtain prior permission from the competent authority.

20. Submission of Annual Administration Report by the Educational Agency.

- The educational agency shall submit the annual administration report in the prescribed proforma to the competent authority for every financial year by the 30th September at the latest. Such report shall be supported by the audited statement of accounts of the school duly audited by Chartered Accountants. Separate accounts shall be maintained for each school. Similarly the educational agency which is running more than one school shall also submit such returns within the stipulated time to the competent authority.

21. Powers to relax Rules.

- The Government may relax any of the provisions in these rules involving any undue hardship to any educational agency or in public interest. Form I Application for Grant of Permission for Establishment of New Schools/Up-gradation of Existing Schools

1. Name of the Educational agency proposing for opening of a school :
 (a) Address of the office of the educational agency :
 (b) Registration particulars :
2. Names of the members of the Executive Body of the Educational agency, their status and address. :
3. (a) Name, address and qualifications of the correspondent. :
 (b) Name, address and qualifications of the Secretary. :

4. Category of the school to be started. :
5. Class wise strength in existing classes in case of upgrading the institution. :
6. Classes proposed to be opened :
7. Medium of instruction- proposed to be adopted in the school. :
8. Locality/village in which the school is proposed to be started (in case it is slum area S.T. area proper proof to that effect obtained from Municipality/Collector/Revenue Official shall be reproduced). :
9. Names of schools existing in the locality/village :
10. No. and Date of challan/D.D. obtained from Treasury/Bank in which the application fee is remitted. :
11. Sketch plan of the building in which the school is proposed. :
12. Sketch plan of the play ground duly indicating the area. :
13. Lease deed in case of the building if the school is proposed to be located in a rented building. Sources of income from which the management proposes to meet the expenditure in running the school. :
14. D.D. No. and Date of the D.D. in which the amount is deposited for Endowment Fund. :
15. Details of the facilities available at the time of proposals in respect of : :
- (a) Furniture : :
- (i) for the staff : :
- (ii) for the students : :
- (b) Library : :
- (c) Laboratory : :
- (d) Play material : :

Declaration We, Sri. (1) (2) the Executive members of Society hereby declare that the particulars furnished in the application are correct. We will abide by the conditions prescribed by Government for running an educational institution in the State from time to time. We nominate Sri. as correspondent Secretary of the Institution. Signature Place : Date : Form II (Refer Rule 7) Proforma for Granting of Permission for Establishment of New Schools/Up-gradation of the Existing Schools Under Private Managements Proc. Rc.No. Dated: Sub: Education - Opening of schools - Permission accorded - Reg. Ref: 1. Application from dated

2. Inspection Report Rc. No dated of the Dy.E. O/Dy.I.O. s/M . E.O.

3. Lr.Rc. No..... dated from D.E.O. (in case of High Schools).

4. G.O.Ms.No.....Edn. (Rules) dated

The Society Trust Board has applied for according permission to open/upgrade (Primary/up/High School in (locality) of (District). The Inspection Officer..... (Dy.E.O./Dy.I.Os/M.E.O.) has caused inspection and submitted his/her report in the

reference cited. After careful examination of the proposals from the Society and also the inspection report of the Inspecting Officer in the reference cited permission is hereby accorded for starting/upgrading the educational institutions with classes subject to the following conditions.

- 1. that the society shall abide by the rules and regulations made in the government order fourth cited above.**
- 2. that the society shall provide the necessary amenities like accommodation, sanitary facilities, drinking water facilities, furniture, library, laboratory equipment, play field required staff as per the staff pattern and other facilities necessary, before approaching the competent authority.**
- 3. that the society shall apply for recognition by 31st August at the latest duly fulfilling the conditions.**
- 4. that the permission accorded is restricted to this year only and it is not valid for the subsequent academic year.**
- 5. that this permission does not confer any right on the society for claiming recognition.**
- 6. that the permission is accorded to society and no other society or body can open a school on their behalf.**
- 7. the permission is accorded to open the school premises in the locality and there shall not be any change in the premises or locality.**
- 8. the society shall provide the necessary material even if it costs more than the deposit amount.**

The receipt of these proceedings may be acknowledged. Form III [Refer Rule 9 (1)] Application for Grant of Recognition

- 1. Name of Institution with full address.**
- 2. No. & date of orders of the competent authority in which permission was accorded.**

3. The classes to which permission was accorded

4. Details of Accommodation provided:

(a)No. of class rooms (with dimensions).(b)No. of rooms provided for staff, library, laboratory etc.Approved plan should be furnished.

5. Details of the furniture provided:

(a)No.of Dual Desks etc. Black Board and other furniture required in class.(b)Chairs, Tables, foot rests and other furniture required.(c)Chairs, Tables etc., in the staff rooms.(d)Furniture required like chairs, table, typewriter, Almirah etc., in the office room.(e)Furniture in H.M's. room(f)Amount spent on furniture with evidence.

6. Library:

(a)No.of reference books purchased for the teacher, teachers' hand books. :(b)Copy of syllabus, Maps, Charts. :(c)No.of books for students use. :(d)No. of books for library reading :(e)Amount spent on Library books with evidence :

7. Details of Lab equipment provided in respect of UP/High Schools :

(a)Equipment required for teaching physics(b)Chemistry(c)Biology :(d)Other equipment necessary in the Library.(e)Amount spent for purchase of Lab. equipment with evidence

8. Play Materials :

Play material required for:(a)Pre-Primary/Primary classes :(b)Play material required for general games (indoor/out-door viz) Chess, Carroms, Volley Ball, Foot-Ball, Badminton etc. :

9. Sanitary Facilities :

No.of urinals provided:-(a)for ladies :(b)for gents :

10. Drinking Water

(a)tap water :(b)bore water :(c)well water :

11. Staff appointed :

Sl. No. Name of the Employee Designation Age and date of birth Qualifications
(Kindly furnish proof of qualifications and also appointment letters with acknowledgement).

12. Proposed fee structure:

	Tuition fee	Special fee
Pre-primary		
Primary		
Upper Primary		
Secondary		

13. Proposed scales of pay to the staff:

Post	Scale of Pay
S.G.B.T.	
B.Ed., Asst.	
Lang.Pandit	
Non-Teaching staff	
Spl. teacher	

Signature of the Correspondent _____ Place: _____ Date: _____ :Form IV(Refer Rule 9 (iv)]Proforma for Grant of Recognition of Schools Started/Upgraded by _____ Proc.Rc.No.....Dt.....Sub: Education - starting up-gradation of (Primary/Up/HS) School Provisional Registration.Ref: 1. Orders of the Permission of the competent authority in proceedings Rc.No..... dated

2. Application educational agency dated for according recognition.

3. Report of the inspecting officer in Lr. No..... dated.....

4. Lr. from the D.E.O., Rc.No..... dated.....

5. G.O.Ms.No..... Education (Rules) dated

Permission has been accorded for starting/upgrading a school with classes by(education agency) during the academic year in the orders first cited. The..... provisional recognition to the school for the year..... letter third cited. The D.E.O..... District has verified the application for provisional recognition with reference to the inspection report of the inspecting officer and also with reference to the conditions laid down in the permission orders and G.O.Ms.No.....dated.....and submitted a report in his letter 4th cited.After careful examination of the references cited and the conditions prescribed in G.O.Ms.No..... dated The competent authority hereby accords provisional recognition for a period of 5 years commencing from the academic year.

- 1. that the Society shall abide by the instructions/rules regulations made by the Government or Authorised Officer from time to time.**
- 2. that the educational institution shall serve the needs of the locality more particularly.**
- 3. that the institution shall adopt the curriculum and syllabus prescribed from time to time.**
- 4. the school timings, vacations and mid-term holidays shall be as prescribed by Government from time to time.**
- 5. that the qualified staff within the age limits prescribed by the Government for Government employees shall be appointed as per the staff pattern.**
- 6. that the results of institution shall be satisfactory every year.**
- 7. that the records/accounts shall be furnished to the D.E.O. every year by at the latest.**
- 8. that the list of governing body shall be furnished to the D.E.O. every year.**
- 9. that the pay structure/fee structure fixed by the governing body shall be got approved by the D.E.O. every year.**
- 10. that all the conditions prescribed in the G.O.s and other orders which are not specified in this order shall be complied with.**
- 11. that the school shall not be closed without giving notice both to the parents/D.E.O. and competent authority at least 6 months before.**
- 12. that the school shall be closed or permitted to be closed only from the date on which summer vacation is declared.**
- 13. that the Society shall submit proposals for renewal of provisional recognition sufficiently in advance i.e., at least 6 months prior to the date of expiry of the renewal.**

The receipt of the proceedings shall be acknowledged.[Substituted by G.O. Ms. No. 74, Education SE [PS-1], dated 11-9-2006.]