

The M.P. Prathamik Middle School Tatha Madhyamik Shiksha (Pathya Pustakon Sambandi Vyavastha) Niyam, 1974

MADHYA PRADESH

India

The M.P. Prathamik Middle School Tatha Madhyamik Shiksha (Pathya Pustakon Sambandi Vyavastha) Niyam, 1974

Rule

THE-M-P-PRATHAMIK-MIDDLE-SCHOOL-TATHA-MADHYAMIK-SHIKSHA of 1974

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The M.P. Prathamik Middle School Tatha Madhyamik Shiksha (Pathya Pustakon Sambandi Vyavastha) Niyam, 1974 Published vide Notification No. 978-1892-20-3-74, dated 23-5-1974, M.P. Rajpatra (Asadharan), dated 28-5-1974 at pages 1266 to 1271

1. Short title and commencement.

(1) These rules may be called the Madhya Pradesh Prathamik, Middle School Tatha Madhyamik Shiksha (Pathya Pustakon Sambandhi Vyavastha) Niyam, 1974. (2) These rules shall come into force on such date, as the State Government may, by notification, appoint.

2. Definitions.

(1) In these rules, unless the context otherwise requires :- (a) "Act" means the Madhya Pradesh Prathamik, Middle School Tatha Madhyamik Shiksha Pustakon Sambandhi Vyavastha) Adhiniyam, 1973 (No. 13 of 1973); (b) "Approved organisation" means the Board or the Madhya Pradesh Pathya Pustak Rachna Evam Shaikshanik Anusandhan Nigam, as the case may be; (c) "Organisation" means a body incorporated under the Indian Companies Act, 1913 (No. VII of 1913), a corporation under the Madhya Pradesh Non-Trading Corporation Act, 1962 (No. 20 of 1962), a society registered under the Madhya Pradesh Society Registrickaran Adhiniyam, 1973 (No. 44 of 1973) or a co-operative society under the Madhya Pradesh Co-operative Societies Act, 1961

(No. 19 of 1961) engaged in the preparation, printing and distribution of text books;(d)"Standing Committee" means standing committee established and constituted under Rule 3;(e)"Section" means a section of the Act.(2)The words and expression used in the Act and not defined in these rules shall have the meaning assigned to them in the Act.

3. Standing Committee.

(1)The State Government shall establish and constitute, by notification, a Standing Committee for Text Books for advising the State Government to discharge functions entrusted to it under the Act.(2)[The Standing Committee shall consist of the following :-] [Substituted by Notification No. P. 46-9-90-C-3-XX, dated 15-9-1993.]

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| (1) Persons nominated by the State Government | Chairman |
| (2) Commissioner, Public Instructions Madhya Pradesh, Bhopal | Vice-Chairman |
| (3) Managing Director, Madhya Pradesh Text Book Corporation | Member |
| (4) Director (Education) Tribal Welfare | Member |
| (5) One Representative of the National Council of Educational Research and Training, New Delhi | Member |
| (6) Field Representative of National Council of Educational Research and Training at Bhopal | Member |
| (7) Secretary, Madhya Pradesh Board of Higher Secondary Education | Member |
| (8) Two eminent educationists from the Education faculties of Universities of Madhya Pradesh | Member |
| (9) Three representatives of non-Government organisations working in the field of primary education among them one should be associated with education of tribals | Member |
| (10) Eminent persons not exceeding 5 in number in the field of education/social science/science/literature art and culture | Member |
| (11) Two teachers/trainees from primary/middle level | Member |
| (12) Director, State Council of Educational Research and Training | Member/Secretary.] |

(3)All the members of the Standing Committee other than ex-officio members and representative of National Council of Educational Research and Training, New Delhi and of the Board shall be nominated by the State Government.(4)The Constitution of the Standing Committee shall be notified in the Gazette and term of the Standing Committee shall be three years from the date of the constitution of the Standing Committee.(5)Any casual vacancy caused among the nominated members of the Standing Committee by reason of resignation, death or otherwise shall be filled by the State Government, and the person or person so nominated shall hold office for the remaining period of the term committee.

4. Function of the Standing Committee.

(1)The Standing Committee shall advise the State Government on :-(i)the preparation, amendment or review of syllabi;(ii)the suitability of (a) text books in force before the appointed day and continued under sub-section (2) of Section 4; (b) new text book to be prescribed;(iii)the methods to be adopted in the preparation, printing or distribution of prescribed text book; and(iv)any other matter or issue relating to syllabi or text books which may be referred to it.(2)Standing Committee may follow such procedure for the conduct of its business as the committee may, by a resolution passed by a two-third majority of its members, decide.(3)The Standing Committee may invite suggestions from individuals and organisations interested in the development of education before tendering advice to the State Government.

5. Conduct of business of Standing Committee.

(1)The Standing Committee shall meet for the transaction of business as often as may be necessary.(2)The Member-Secretary may convene an ordinary or special meeting of the Standing Committee. The date, time and place of the meeting shall be fixed in consultation with the Chairman.(3)The notice of an ordinary meeting shall be given at least eight clear days before such meeting and that of special meeting shall be given at least five clear days before such meetings.(4)Every meeting of the Standing Committee shall be presided over by the Chairman and in his absence by the Vice-Chairman. In the event of both the Chairman and Vice-Chairman being absent, the members present shall elect one of the members as the Chairman to preside over and conduct the proceeding of the meeting.(5)[Seven] [Substituted by Notification No. K 46-9-90-C.-3-XX, dated 15-9-1993.] members of the Standing Committee shall constitute the quorum.(6)All decisions at the meeting shall be taken by the majority of the vote of the members present and voting and in case of equality of votes, by the casting vote of the Chairman of the meeting.(7)The minutes of the proceedings at the meeting shall be prepared so as to clearly bring out the Committee's recommendations regarding the prescription of syllabi and text books and also its advice on such other matter as may be referred to by the Government.(8)The minutes of the proceedings shall be confirmed by the person presiding at the same or the next ensuing meeting, and shall put his signature thereon in token of confirmation and such confirmation shall be taken as final proof of the authenticity of Standing Committee's recommendations.(9)The proceedings of the meeting shall include :-(a)the name of the members present;(b)decision of the standing committee on every question considered;(c)when the decision is not unanimous the number of votes and names of the members voting for or against such question and the names of those who remained neutral and gist of the opinion expressed by such of the members shall be accorded as far as possible.

6. Manner of conveying advice to Government.

- The Standing Committee's advice shall be conveyed to the State Government which shall be sent so as to reach the Secretary to the Government, Education Department at least one month earlier than the dates specified in sub-rule (2) of Rule 11 or sub-rule (4) of Rule 12, as the case may be, or such earlier date as the State Government may fix for a particular year. The State Government may,

however, in a special case, allow the Standing Committee further time but the request for further time on behalf of the Standing Committee shall be made well in advance by the Member-Secretary.

7. Authentication of orders and resolutions, Act.

- All orders and resolutions passed and decisions taken by the Standing Committee shall be authenticated under the seal and signature of the Member-Secretary.

8. Reconsideration of the matter once disposed of.

- No subject once finally disposed of by the Standing Committee shall be reconsidered by it unless three months have elapsed from the date of such disposal or unless recorded consent of not less than three-fourth of its members is obtained or the Government has directed such reconsideration.(2)No subject shall be reconsidered at any time except at meeting specially called for the purpose.

9. Vacancy, etc., not to invalidate proceedings.

- No act or proceeding of the Standing Committee shall be invalid merely by reason of-(i)any vacancy in or defect in the constitution of the Standing Committee;(ii)any defect in the appointment or qualification of any person acting as member of the Standing Committee; or(iii)any defect or irregularity in the procedure of the Standing Committee not affecting the merit of the case.

10. Review or amendment of syllabus.

(1)The State Government may in consultation with the Standing Committee review the syllabus for primary education and middle school education, in whole or in part, at any time, but such review shall, in any case, be made once in five years.(2)The State Government may, at any time in consultation with the Standing Committee amend the syllabus already in force under the provisions of sub-section (2) or the syllabus laid down under sub-section (1) of Section 3.

11. Publication of the syllabi.

(1)The syllabi laid down or amended under sub-rule (1) and sub-rule (2) of the Rule 10 shall be published-(i)in the official gazette;(ii)in the form of a booklet or other document under authority of the State Government for being made available to the public at an appropriate price.(2)The fact of laying down the syllabi or amending syllabi shall be published for general information in such manner as the State Government may deem fit not later than the 30th September preceding the academic session in which the syllabus is to be brought into force :Provided that the State Government may for reasons to be recorded extend the date beyond 30th September but in no case beyond [31st May, next] [Substituted by Notification No. F. 32-1-88-C-3-XX, dated 22-3-1988.].

12. Prescription of new text books.

(1)The State Government may,-(i)entrust the preparation of the text books to the Director of Public Instruction, or to an approved organisation, or to an organisation or to individual authors with experience in writing of text books; or(ii)invite authors, or an approved organisation or organisations to submit manuscripts or text books for the consideration of Government; or(iii)in the case of secondary education, authorise the Board to get text books prepared.(2)The text books prepared or received [in accordance with clauses (i) and (ii) of sub-rule (1)] [Substituted by Notification No. F. 32-1-77-C-3-XX, dated 15-11-1977.] shall be referred to the Standing Committee for advice :Provided that in respect of text books for Secondary education there shall be prior consultation with the Board.(3)After considering the recommendations of the Standing Committee the State Government may approve the text books or reject them or refer back to the Standing Committee with such directions as may be deemed necessary.(4)Where the State Government accord their approval, such books shall be prescribed as text book in accordance with sub-section (1) of Section 4:Provided that the approval shall be accorded latest by the 31st January preceding the academic session for which the text book is to be prescribed :Provided further that the State Government may, for reasons to be recorded in writing intend the last date for approval beyond 31st January but in no case beyond the date of commencement of the ensuing academic session.(5)Where the text book is returned to the Standing Committee it shall be re-examined in the light of the directions given by the State Government and re-submitted with the fresh recommendation. Thereafter, the State Government may accord approval in accordance with the procedure mentioned in sub-rule (4).

13. Printing, publishing and distribution of text books.

- The State Government may undertake the printing, publication and distribution of text books prescribed under Section 4 through-(i)the Controller of Printing and Stationery, Madhya Pradesh or any Government printing press or other similar Government agency;(ii)an approved organisation;(iii)an organisation.(2)Where the State Government entrusts the printing, publication and distribution of text books to the Controller of Printing and Stationery, Madhya Pradesh or any Government Printing Press or similar other Government agency or an approved organisation it shall lay down-(i)specification;(ii)price;(iii)form and get up;(iv)the time limit by which the book shall be made available.(3)Where the State Government entrusts the printing, publication and distribution of the text books to any organisation, it shall enter into an agreement which shall provide in addition to the conditions laid down in these rules, any other matter which may be mutually agreed upon.

14. Appointment of an organisation as agent.

(1)Whenever an organisation is to be appointed for publication of text books, a notice for the purpose shall be given in the official gazette and in such other manner as the State Government may deem fit giving terms and conditions of the agency and invite application for such appointment.(2)the State Government, may accept or reject any application without assigning any reason thereof and entrust the work to a party which in its opinion, is suitable for the work.

15. Terms and conditions.

- The preparation, printing and distribution of text books through an agency under Rule 13 shall be subject to the following terms and conditions, namely :-(i)The agency shall carry on the work of preparing, printing and distributing text books are representative of the State Government.(ii)the text books shall be prepared according to the instructions issued by the State Government in this behalf.(iii)The agency shall undertake to sale or keep for sale the text books and to dispose of the same according to the directions of the State Government.(iv)The paper, type, binding and embellishments shall be in accordance with specimens approved by the State Government and prices at which such text books shall be sold shall be as may be fixed by the State Government.(v)The text books shall be prepared, printed and distributed well in time as may be determined by the State Government.(vi)It shall be duty of the agency to advertise and exhibit for display the text books ready for sale.(vii)The agency shall make all such arrangements which may be lawful and expedient for the purpose for which it is appointed by the State Government.

16. Inspection.

- The State Government may authorise any officer of the State Government to inspect and report on the observance of the conditions laid down in Rule 15 and it shall be the duty of the agency concerned to do such things as may be required of it by the Inspecting Officer to facilities inspection.

17. Removal of doubts.

- If any doubt arises as to the interpretation of any of the provisions of these rules, the matter may be referred to the State Government and the decision of the State Government shall be final.

18. Special provision for academic year 1974-75.

- Reference to 30th September, preceding the academic session contained in sub-rule (2) of Rule 11 and to 31st January preceding the academic session contained in sub-rule (4) of Rule 12 shall with reference to the academic session 1974-75, be construed as a reference to 30th June, 1974 and 15th July, 1974 respectively.