

Constitution and Functions of the Managing Committee (Pre-Secondary) Rules, 1981

TRIPURA

India

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Constitution and Functions of the Managing Committee (Pre-Secondary) Rules, 1981 Last Updated 18th February, 2020

1. Short title and commencement.

- (i) These rules may be called the Constitution and Functions of the Managing Committee (Pre-Secondary School) Rules, 1981. (ii) They shall come into force on and from the date of their publication in the official Gazette.

2. Application.

- These rules shall apply to all Primary, Junior Basic/Junior High and Senior Basic Schools under the Government of Tripura.

3. Definitions.

- In these rules unless there is anything repugnant to the context- (a) "Assistant Inspector" means the Assistant Inspector of Schools of the area concerned. (b) "Committee" means the Managing Committee. (c) "Director" means the Director of School Education, Tripura and includes and Additional Director, Joint Director or Deputy Director of School Education. (d) "Government" means the State Government of Tripura. (e) "Guardian" means the father or mother or husband or father-in-law or mother-in-law or one of the following relations in the order stated namely : Grand-father and grand-mother, brother, sister, paternal-uncle, and maternal-uncle of the pupil. (f) "Head of the Institution/School" means the Headmaster/Headmistress/ Teacher-in-charge of the Institution/School and includes an Assistant Headmaster/Headmistress. (g) "Inspector" means the Inspector of Schools of the area concerned and includes a Deputy Inspector. (h) "State" means the State of Tripura. (i) "Voter" means the persons whose name appears in the Register of

Votes prepared and maintained under Rule 6.(j) "Working report" means the monthly report submitted by the Heads of the Institution/Schools to the concerned Inspector in respect of the attendance of the teaching and non-teaching staff and duties performed by these during the previous months.

4. Constitution of the Committee.

(1) In every Government Primary, Junior Basic, Junior High and Senior Basic School there shall be constituted a Managing Committee to exercise the powers conferred on and perform the functions as assigned to that Committee under these rules. (2) The Managing Committee shall consist of the following members, namely : (i) 4 (four) members to be elected from the guardians ; (ii) 2 (two) members to be elected from the persons interested in education in case of Junior High and Senior Basic School and one such member in the case of Junior Basic and Primary School; (iii) One member to be nominated by the Gram Panchayat, Municipality or Notified Area Committee from among the members of such Gram Panchayat, Municipality or Notified Area within which the school is situated ; (iv) 2 (two) members in the case of Junior High and Senior Basic School and one member in case of Primary or Junior Basic School to be elected from the Teaching Staff of the respective school ; (v) Head of the Institution or School shall be the ex-officio Member-Secretary of the Committee. Explanation. - "Teaching Staff" means a whole time teacher/Craft Instructor and Physical Instructor/Hindi Pracharak etc. serving in the Institution/School.

5. Election.

- The procedure for the election referred to in Rule 4 shall be regulated according to the provisions prescribed in Annexure A.

6. Register of Voters.

(1) A register of eligible voters for election of members of the Committee specified in Rule 4 shall be prepared by the head of the Institution/school in consultation with the existing managing Committee, if any, in a meeting convened for the purpose with a clear 7 days notice to the members of the Committee. (2) The Register shall be provisionally closed on the 15th day of March every year. It shall be open for public inspection and for filing objections within one month from that date and shall be finally closed on the last working day of April with such modification/revision as may be made by the head of the school/institution in consultation with the members of the existing Managing Committee, if any, after giving an opportunity of being heard to the person who has filed objection : Provided that in a school/institution where there is no Managing Committee the Register of Voters prepared by the head of the institution/school shall be finally closed after it is approved by the Assistant Inspector of Schools in respect of the Primary and Junior Basic Schools and by the Inspector in respect of Junior High and Senior Basic Schools. (3) In the year of election for the constitution of the Committee, the Register of Voters shall be provisionally and finally closed in accordance with sub-rule (2) and the Electoral Roll shall be published simultaneously on the notice board of the school at least one month before the date of election. (4) The Register of Voters shall contain the names of - (a) all guardians whose names are entered as such in the Admission Register

(b) persons belonging to the locality and interested in education the number of whom shall not be less than but shall exceed 10 as may be approved from time to time by the Assistant Inspector in respect of Primary and Junior Basic Schools and Inspector in case of Junior High and Senior Basic Schools which requires to be finally approved by the State Government.

7. Term of the Committee.

- The term of the Committee shall be 3 years from the date of approval of its constitution and every member shall vacate office with the expiry of the term of the Committee ; provided that such term may be extended by the Director with the approval of the Government for good and sufficient reasons but period of such extension shall not exceed one year in any case.

8. Approval and supersession of a Committee.

(1) A Committee constituted under these rules shall require approval of the Director. (2) The Director, with the approval of the Government shall have the power to supersede a Committee which in its opinion has not been functioning properly and he shall have the powers to appoint an ad hoc Committee to exercise the powers and perform the functions of a Committee. (3) The ad hoc Committee appointed under these rules shall exercise the powers and perform the functions of the superseded Committee for six months. The Director, with the approval of the Government may however, extend the term of the ad hoc Committee for a further period of not more than six months.

9. Office bearers and quorum.

(1) There shall be a President and a Vice-President in the Committee to be elected by the members of the Committee from among its members other than elected from teaching staff in the first meeting. (2) One-third of the total members of the Committee shall form quorum. (3) Ordinarily the President will preside over the meeting of the Committee. In absence of President, the Vice-President and in absence of both the President and the Vice-President, one of the members present, other than the teachers/members, to be selected by the members present shall preside over the meeting of the Committee.

10. Casual vacancy.

- Casual vacancies, i.e., vacancies caused by any reason other than by absence, except a vacancy in office or a teacher-member, shall be filled up by co-option from the original lists of voters on the basis of which the Committee was constituted and the member so co-opted shall represent the interest in respect of which the vacancy occurs. If any member of the Committee ceases at any time to fulfil the qualifications in respect of the category for which he was elected he shall cease to be a member and a vacancy shall automatically be created which shall be filled by co-option as provided in these rules, except in the case of teachers representatives, who shall be elected in the manner laid down in Rule 5. Any member co-opted or elected to fill a casual vacancy shall hold office for the unexpired portion of the term of the Committee.

11. Vacancy caused by absence.

- Any member of the Committee absenting himself from four consecutive meetings shall cease to be a member, unless the Committee otherwise directs in consideration of the reasons of his absence. The vacancy caused by absence shall be filled up in the manner as provided in the rules.

12. Functions of the Committee.

(1)The Committee will aid and advise the Inspector in the following matters ;(a)enrolment drive,(b)promoting the attendance of pupils,(c)parent-teacher co-operation,(d)preparing plans for development of the school,(e)repairs and construction of school buildings,(f)proper utilisation of funds for the development of the schools,(g)assisting teachers to get residential accommodation,(h)needs of school building, play-grounds, school-garden drinking water and sanitary facilities,(i)ensuring safety and security of school property,(j)proper implementation of pupil welfare and incentive scheme,(k)rustication, expulsion of students found guilty of serious breach of discipline and misconduct,(l)to render community support to the teaching staff of the school for all round development of the school,(m)to review the attendance position of teaching and non-teaching staff,(n)any other function that may be entrusted to the Committee by the Director of the Government.(2)The Committee will conduct all its activities according to the guidelines and norms issued from time to time by the Education Department of the State Government and the Tripura Board of Secondary Education.

13. Meetings.

(1)Meetings of the Committee shall be called by the Secretary, with the approval of the President at least once in every three months, except during the vacation. There shall be at least three meetings excluding the emergency meetings, in a year. Seven days notice of such meeting shall be given.(2)The Secretary will serve the notice of meetings, record the proceedings of the meeting and initiate actions for their implementation.

14. Emergency meeting.

- Emergency meeting may be convened by the President, if necessary, with not less than twenty four hours, notice to consider a matter of emergent nature requiring immediate attention.

15. Special meeting convened by requisition.

- A special meeting may be called by the Secretary with the approval of the President (with a clear seven days notice) if at least 50% of the members place a written requisition for such a meeting, with the Secretary. If the Secretary fails to convene a special meetings, the requisitionists shall refer the matter to the President who shall convene the meeting. In the event of the President failing to convene the meeting within ten days after reference to him, the requisition not being less than half of the total number of members shall have power to convene the meeting after giving seven days

notice.

16. Place of meeting.

- All the meetings shall be in the premises of the school, unless the members of the Committee decide to the contrary.

17. Casting vote.

- The President of the meetings shall have a casting vote in addition to the ordinary vote, when votes of the members present are equally divided.

18. Decision of the Secretary.

- All decisions of the Committee shall be on the basis of the majority of the votes of the members attending the meeting and voting.

19. Duties of Secretary.

- Under the direction of the Committee, the Secretary shall carry on correspondence the the proper authorities on behalf of the Committee. He shall also keep a record of the proceedings of the meeting of the Committee in a book maintained for the purpose and send a copy of the proceedings to the Inspector. The record of proceedings of each meeting shall be confirmed in the next meeting. The Secretary shall perform such other duties as may be assigned to him by the Committee.

20. Custody of Records and Registers.

- The Secretary shall be the custodian of all the records and registers related to the activities of the Committee.

21. Powers of the State Government.

- Nothing in these rules shall affect the powers of the State Government, to frame further or other rules for constitution composition powers and functions of the Managing Committee of such schools. Annexure A Procedure for election of the members of the Managing Committee of Government Pry./Jr. Basic, Sr. Basic/Jr. High Schools (vide Rule 5) and constitution of the Managing Committee

1. In this procedure the Head of the School means the Head of the teaching staff of the school by whatever name he or she may be designated.

2. "Election Officer" means a person who has been selected by the Head of the school, in consultation with the outgoing Managing Committee or a person appointed by the Inspector of Schools to conduct the election. The persons so selected should not be member of the existing Managing Committee or a prospective candidate for the election or a member of the staff of the school concerned.

3. The date of election of members of a Committee shall be so fixed that election of the Committee may be completed at least 30 (thirty) days before the expiry of the term of the existing Committee.

4. The programme in details, as per specimen at Form 1 (MC)/EDN/ Tripura, for the purpose of holding election shall be prepared by the Head of the school and got approved by the M.C./Inspecting Officer of the Circle/Block at least 15 days prior to the date of publication of provisional voters lists. Programme so drawn shall be displayed in the Notice Board of the Institution/School and also circulated to the local Institution/Officers including Gaon Sabha.

5. Voters will be (i) the guardian recognised as such in school records, and (ii) the persons belonging to the locality and interested in Education and included in the finally published voters list.

Note. - (i) "Locality" means the area in which the school is situated and from which at least 50 per cent of pupils of the school is drawn.(ii)A teacher cannot be treated as person interested in education in respect of the school he/she serves.

6. Every page of voters list nomination papers, programme for election etc. shall bear the signature of the school.

7. Nomination papers should be submitted as per specimen at Form 1 (MC)/EDN/Tripura to the Head of the school, who will also act as Scrutiny Officer.

8. Election of all categories of members shall be laid by joint electorate and secret ballot. In case any category goes unrepresented the matter shall forthwith be referred to the Inspector who will decide the next course of action.

9. The election shall be held on a public holiday, preferably on Sunday. If any election becomes due during the vacation arrangement it shall be made for holding the election before such vacancies commences. The Election Officer will conduct the election with the help of the Headmaster and other staff of the school. Counting of votes shall be completed on the same day and results be declared in presence of all concerned. The decision of Election Officer conducting the election shall be treated as final. When contesting candidates poll equal number of votes in a particular category decision shall be made by the Election Officer by drawing lots (only once) in presence of the candidates and the electors present at the time. The Election Officer will formally issue the declaration under his signature and hand it over to the Head of the school for record and for further necessary action.

10. Election of teachers representatives shall be held separately by the teachers of the school in a meeting convened for the purpose by the Head of the Institution/School at least 7 days before the election of the members of other categories. The teachers so elected shall not however be eligible to offer candidature for the office of President or Vice-President.

11. The Head of the school shall move local Gaon Panchayat/Notified Area Committee/Municipality to nominate the members as per Rule 4(2)(iii) in time to ensure that the person so nominated may be invited to attend the meeting for election of office bearers.

12. The Head of the school will invite all members elected and co-opted in a meeting at least 30 days before the expiry of the term of the outgoing Managing Committee for their recommendation regarding preparation of voters list as provided in Rule 6(i).

13. Three copies of the report on the constitution of the Committee shall be submitted to the Inspector within 3 days from the date of constitution as per specimen at Form III (MC)/EDN/Tripura for approval of the Director. The new Committee will take over immediately after receipt of the approval.

Form I (MC)/EDN/Tripura Programme for holding of election of members of the Managing Committee

1. Date and time of publication of the provisional voters list at 2 p.m.

2. Submission of claims to and objection against inclusion of anynames by 2 p.m.
3. Publication of the final voters list by 2 p.m.
4. Submission of nominated papers by 2 p.m.
5. Scrutiny of nomination papers at 2 p.m.
6. Withdrawal of nomination papers by 2 p.m.
7. Holding of election and counting of votes 9 a.m. to 12 p.m.
8. Declaration of Results

Signature of the Head of the School/Institution affixing the Official Seal.(Specimen)Form II
(MC)/EDN/Tripura

Nomination paper.....

....in the category

Name of the contesting candidate

(in block letters)

.....

Voter number in the list of

.....

The category from which he/she intends to contest the Election

.....

Proposed by (full signature)

Voter No. ... Category-

Seconded by (full signature)

Voter No. ... Category...

Signature in full by the candidate

Voter No. ... Category...

Date and time of receipt of nomination paper.....Signature of the Head of theSchool/Institution
with sealForm III (MC)/EDN/TripuraToThe Director of School Education.....(Through
proper channel)Subject : Report on the constitution of the Managing Committee of.....School
in.....Sub-Division/BlockSir,I beg to request to accord approval of the constitution of the Managing
Committee of.....School. Relevant particulars are furnished herein below :

1. The date of election of members under category (i) Guardian ; and (ii) persons interested in education.

2. The date of election of teachers representatives.

3. The date of receipt of nomination of the member from Gaon Panchayat/NAC/Municipality.

4. The date of election of office bearers.

5. The date of expiry of the term of the outgoing Managing Committee.

6. The date tentatively fixed for taking over charges by the new Managing Committee.

7. The name, occupation address and category of each member of the newly constituted Managing Committee.

Sl. No.	Name and address	Occupation category	Official/position in the MC
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8. Letter No. and date regarding recognition of the person belonging to the locality and interested in education.

9. Any other order that might have relevance to the constitution.

10. Whether nomination papers have been invited and election held by ballot.

11. Total number of voters category-wise.

I declare that the constitution of the Managing Committee was done strictly in accordance with the provisions of the rules for the constitution of the Managing Committee of Government Primary/Jr. Basic/Sr. Basic/Jr. High School circulated vide Government of Tripura, Education Department Notification No..... dated..... and particulars furnished are correct. Signature of the Head of the School/Institution with Official seal