

The Bihar Primary and Middle Education Rules, 1961

JHARKHAND

India

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Rule

THE-BIHAR-PRIMARY-AND-MIDDLE-EDUCATION-RULES-1961 of 1961

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The Bihar Primary and Middle Education Rules, 1961Published vide Notification No. 4195 L.S.G., dated the 9th May, 1961No. 4195 L.S.G., dated the 9th May, 1961. - In exercise of the powers conferred by Sections 54A, 54B, 62, 62B, 63, 65B, sub-sections (3) and (4) of Section 65C and Section 138 of the Bihar and Orissa Local Self-Government Act of 1885 (Bengal Act III of 1885), as subsequently amended and in supersession of all previous Rules on the subject the Governor of Bihar is pleased to make the following Rules, the same having been previously published as required by Section 143 of the said Act, namely :

Part I – General

1. Short title.

- These Rules may be called the Bihar Primary and Middle Education Rules, 1961.

2. Definitions.

- In these Rules unless there is anything repugnant in the subject or context:(a)"the Act" means the Bihar and Orissa Local Self-Government Act of 1885;(b)"aided school" means a school under private management receiving financial assistance from the District Education Fund;(c)"Department" means the Department of Education including the office of the Director of Public Instruction, Bihar;[(?k [Substituted by G.S.R. 30, dated 29.4.1969.]) "mi f'k{kk v/kh{kd" ls rkRi;Z gS vf/kfu;e dh /kkjk 62&d ds v/khu fu;qDr inkf/kdkjh vkSj blesa efgyk f'k{kk v/kh{kd Hkh 'kkfey gS(](f)"District Education Fund" means the Fund formed under Section 54A of the Act;(g)"Director" means the Director of Public Instruction, Bihar, and includes the Additional Director of Public Instruction, Bihar;(h)"District Inspector" (now known as District Education Officer) means an officer appointed

in a district to perform, such duties as may be assigned by the State Government from time to time;(i)"District Insepectress" means an officer appointed in a district or for more than one district to perform such duties in respect of female education as may be assigned by the State Government time to time;(j)"District Superintendent" means the District Superintendent of Education appointed under Section 62A of the Act;(k)"Grant-in-aid" includes any kind of aid sanctioned to a Primary or Middle school either out of the District Education Fund or the Consolidated Fund of the State;(l)"Regional Deputy Director" means the Deputy Director of Education in-charge of a division;(m)"Panchayat" means a Gram Panchayat established under Section 3 of the Bihar Panchayat Raj Act, 1947 (Bihar Act VII of 1948);(n)"Planning Committee" means the Education Planning Committee constituted under Section 65C of the Act;(o)"Private funds" means funds derived from sources other than public funds;(p)"Public Funds" means all funds assigned for the purpose of education from the Consolidated Fund of the State, or from local or municipal fund;(q)"Recognised School" means a school recognised by the Department of Public Instruction;(r)"school" means an institution in which the course of instruction does go beyond the middle or the senior basic standard;(s)"School Authority" means the Committee which manages a school and includes a Panchayat established under Section 3 of the Bihar Panchayat Raj Act, 1947 (Bihar Act VII of 1948);(t)"Sub-divisional Education Officer" means an officer appointed for a subdivision or a smaller until to perform such duties as may be assigned by the State Government or the Director;(u)"school under private management" means a recognised school of which the managers are private persons or bodies;(v)"school under public management" means a recognised school which is managed by the department or by any local authority, or by any person or committee appointed by, and acting on behalf of, the State Government;Note. - The expression "Board-managed school", wherever used, means a school under the direct management of District Board.

3. Recognition of schools.

- A school shall ordinarily be recognised if it follows the courses of study prescribed or approved, fulfils the conditions laid down, and complies with the instructions issued by the Department from time to time and is included in the District Plan; but recognition may be withheld or withdrawn from any school which:-(i)has committed a wilful breach of transfer Rules; or(ii)has not attained or does not attain a reasonable standard of efficiency; or(iii)does not maintain a satisfactory standard of discipline or employs any teacher who takes part in political agitation directed against the authority of Government or who endeavours to inculcate opinions tending to excite feelings of disloyalty to the State or disaffection among the pupils, or to promote feelings of hatred or enmity between different classes of the citizens of India or to disturb the public peace; or(iv)appears, for any other reason, to the authority empowered to grant recognition, to be conducted in a manner not conducive to the interest of education.

4. Inspection of recognised schools.

- Every recognised school shall be open to inspection by the authorities referred to in Rule 15 and its pupils shall ordinary be eligible for admission to public examination or tests or assessments held by the Department.

5. District Education Fund.

- The balance standing to the credit of the District Education Fund shall be kept in the Government Treasury of District and shall be operated by the District Superintendent through a system of cheques and transfer credits.

6. Payments from the Fund.

(a) All payments out of the District Education Fund shall be made by the District Superintendent. In the case of Board-managed schools, however, the pay orders on the bills may be given by the Chairman of the District Board, but the Chairman may delegate this power to the District Superintendent for facilitating prompt payment. (b) The District Superintendent shall keep an account of the income and expenditure of the District Education Fund under such different heads as may be prescribed by the Department from time to time. (c) The payment of salaries and allowances of masters, assistant masters and other members of the establishment of schools maintained or aided from the District Education Fund as also grants for equipments, etc., for such schools shall, as far as possible, be made by money order.

7. Control and expenditure over schools by District Board.

- A District Board shall not exercise control over, and may not incur expenditure from the District Education Fund on any class of recognised schools other than the follows:-(a) Middle, Primary, Senior and Junior Basic Schools directly managed and maintained by the District Board under part III of these Rules; (b) any other school or class of schools which the board may, under the direction of the State Government given under Section 63 of the Act, maintain and manage.

8. Expenditure by District Board on Education.

- Save as expressly provided in these Rules, a District Board shall not incur any expenditure on, or make any grant-in-aid to, any educational institution without the previous sanction of the State Government. Note. - For the purposes of this Rule, the Bharat Scouts and Guides Association, the Bihar Sharirik Shikshan Mandal or any of their local branches shall be deemed to be an educational institution.

9. Staff in the office of the District Superintendent.

(1) The staff employed in connection with education by the district and local boards, shall work under the District Superintendent. Final disciplinary powers over them will, however, vest in the District Board. The District Superintendent shall be consulted in every Case of disciplinary action and due weight shall be attached by the Board to his opinion. The District Superintendent may also initiate disciplinary action against such staff. (2) No member of the staff referred to in sub-Rule (1) shall be transferred or recalled to the establishment of the District Board except on promotion or for reasons of public interest which shall be recorded in writing. The Chairman shall invariably consult the

District Superintendent before ordering the recall or transfer of any such member and such recall or transfer shall ordinarily be made with the prior consent of the District Superintendent.(3)Casual leave to such staff shall be granted by the District Superintendent but other kinds of leave shall be granted by the District Board with the consent of the District Superintendent.(4)Appointments to permanent or temporary vacancies caused by death, retirement, leave, etc., of any member of such staff shall be made by the District Board in consultation with the District Superintendent.(5)The Service Books and Character Rolls of such staff shall be maintained by the District Superintendent on behalf of the District Board.(6)The staff sanctioned by the State Government for the office of the District Superintendent shall be entirely under his control, but the District Board may report to the District Superintendent against any member of such staff for necessary action.(7)Work among both the categories of staff mentioned in sub-Rules (1) and (6) shall be distributed by the District Superintendent in the interest of administration and in consultation with the Chairman of the District Board.[10- f'k{kdksa dh lsok iqLr rFkk pfj=&iqLrh & [Substituted by G.S.R. 30, dated 29.4.1969.](1)fu;kstd us vxj gjsd f'k{kdk ds fy;s vjktif=r ljdkjh deZpkfj;ksa ds fy;s fofgr QkWje esa ,d&d lsok&iqLr u [kksy j[kh gks rks ,slh iqLr] vko';d ifjorZu lfgr rqjUr [kksy nh tk,xh vkSj mlesa v|ru izfof"V;ka dj nh tk;xhA vkxs pydj lsok esa HkrhZ gksus okykA dh n'kk esa ,slh lsok&iqLr mudh fu;qfDr ds rqjUr ckn [kksy nh tk;sxhA lsok&iqLr dh lkjh izfof"V;ka dks lE;d vuqizek.ku ds fy;s izcU/kd }kjk izkf/kd`r inkf/kdkjh dj nsxkA(2)ftu fo|ky;ksa esa dsoy ckfydk,a gh i<+rh gksa] muls fHkUu fo|ky;ksa esa lsokyXu f'k{kdksa dh n'kk esa] lsokiqLr dh izfof"V;ka vuqeaMy f'k{k inkf/kdkjh }kjk rFkk ckfydk fo|ky;ksa dh n'kk esa] ftyk f'k{k fujh{kdk }kjk o"kZ esa ,dckj lR;kfir dj yh tk;sxhA lsok&iqLr dh izfof"V;ka lR;kfir djusokyk inkf/kdkjh vius vuqizek.ku ds lkFk bl vk'k; dk izek.k i= ns nsxk fd izfof"V;ka lR;kfir dj yh xbZ gSaA(3)lsokiqLr esa izfof"V] osrueku vkSj le; & le; ij fy;s tkus okys osru rFkk HkRrs ogh jgsaxs tks ,sls fo|ky;ksa ds fy;s ljdkj }kjk fofgr gksaA(4)ftk f'k{k fuf/k ls vuqj{k.k izkIr ;k lgk;rk izkIr fo|ky;ksa esa lHkh f'k{kdksa dh lsok iqLrksa rFkk pfj= iqfLr;ksa ds vuqj{k.k dh fEesnkjh ftyk v/kh{kdk ij jgsxhA bu pfj= & iqfLr;ksa vkSj lsok iqLrksa esa lHkh izkFkfed rFkk xSj ljdkjh twfu;j csfld fo|ky;ksa ds f'k{kdksa dh n'kk esa lEc] iz[k.M f'k{k izlkj inkf/kdkjh }kjk] rFkk ckydksa ds lHkh e/; rFkk xSj&ljdkjh lfhu;j csfld fo|ky;ksa ds f'k{kdksa dh n'kk esa fo|ky;&mi&fujh{kdk }kjk] rFkk ckfydk&fo|ky;ksa ds f'k{kdksa ;k f'kf{kdkvksa dh n'kk esa fo|ky; mi&fujh{kdk }kjk izfro"kZ miLFkkfir fd, x;s fjiksVZ i= jgsaxsA cgqf'k{kdk izkFkfed fo|ky;ksa vkSj e/; fo|ky;ksa dh n'kk esa mDr fjiksVZ esa iz/kkuk/;kid vius v/khu dke djus okys izR;sd f'k{kdk ds lEcU/k esa viuh vfHk;qfDr;ka Hkh ns nsxkA gjsd f'k{kdk ds lEcU/k esa ,sls fjiksVZ&i=] ftykcksMZ ds v/;{k vFkok ftyk v/kh{kdk dh ;Fkkd`r vfHk;qfDr;ksa ds lkFk vyx&vyx lafpdkvksa esa ftyk v/kh{kdk dh futh vfHk;j{kksa esa j[ks tk;saxsA ftyk f'k{k inkf/kdkjh izfof"V djus ds fy;s fdllH Hkh f'k{kdk dh pfj=&iqLrh eaxk Hkh ldsxkA]

11. List of teachers and schools.

- A list of all teachers and all schools in each district shall be maintained by the District Superintendent, in such form as may be prescribed by the Director from time to time.

12. Proceedings of the District Board and its Education Committee relating to education.

- The District Superintendent in his capacity as the Secretary of the Education Committee shall record all proceedings of the Committee and forward copies thereof as well as copies of the proceedings of the District Board relating to education to the Regional Deputy Director who may make observations thereon for the consideration of the District Board.

13. Annual reports and returns.

- At the close of every financial year such educational reports and returns as may from time to time be required by the Department shall be prepared in the office of the District Superintendent jointly by the District Superintendent and the District Education Officer, and submitted on such dates as may be prescribed by the Department. The Board shall furnish to the District Superintendent and District Education Officer such information as may be required for the preparation of these reports and returns. A report on the educational operations of the District Board shall be drafted by the District Superintendent and the District Education Officer jointly every year within the time prescribed by the Department. The District Superintendent shall submit the report to the District Magistrate in quadruplicate alongwith such comments as the Chairman of the District Board may like to make. The District Magistrate shall, on or before the date fixed by the Department, forward the same alongwith his comments, in triplicate, to the Regional Deputy Director, who shall submit it to the Commissioner in duplicate with his remarks together with his own report on education in the division under his charge. The Commissioner will forward the same alongwith his comments to the Director within the prescribed date.

14. Procedure in cases of difference of opinion between the Regional Deputy Director and the District Board.

- If a difference of opinion arises between the District Board and the Regional Deputy Director on any question connected with Board-managed schools or if the District Board omits to take action in any case when requested to do so by the Regional Deputy Director or if the Regional Deputy Director disapproves of any action taken by the Board, the question shall be referred to the State Government either in the Education Department by the Regional Deputy Director through the District Magistrate and the Director or in the Local Self-Government Department by the District Board through the District Officer. In such cases the Education Department and the Local Self-Government Department will issue necessary order in consultation with each other.

Part II – Rules Applicable to all Types of Schools Maintained or Aided out of the District Education Fund

15. Inspection of schools and their records.

- Any school maintained or aided out of the District Education Fund, together with its accounts, books and other records, shall at all times be open to inspection and examination by the Commissioner, the executives of the District Board, the District Magistrate, Sub-divisional Officers,

the Anchal Adhikaries, the Block Development Officers, inspecting officers of the Department at various levels and any other officer or officers authorised by the Department in this regard: Provided that the account books and records of the Board-managed Schools shall be open to inspection and examination also by the members of the District Board and of its Education Committee.

16. Returns to be submitted by schools.

- Every such school shall submit punctually in the prescribed form such annual and periodical returns as may be called for by the officers of the Department.

17. Records to be maintained in schools.

- Every such school shall have an attendance register, an admission register, an inspection register, a visitors' book, a register of transfer certificates received and issued, and account books, each of which must be kept in such form as the Department may prescribe. The school shall also maintain such other registers and books as the Department may prescribe from time to time.

18. Observance of departmental Rules by schools.

- Every such school shall observe the transfer and other Rules of the Department.

19. Disqualification of teachers.

- A teacher in any school maintained or aided out of the District Education Fund shall be disqualified from continuance in his employment. (a) if he takes part in any political activity or demonstration or becomes, or continues to be, a member of a political organisation or of any other organisation whose activities tend to be political: or Note. - For the purposes of this Rule, the expression "political activity" includes participation in any form whatsoever in elections to a local body, the House of the State Legislature or the Houses of Parliament, except the exercise of the right of franchise at such election and also includes participation in any form in any elections of a political organisation or in any activity of such an organisation, or in any activity tending directly or indirectly to excite disaffection towards, or to embarrass, the Government established by law or to promote feelings of hatred or enmity between different classes of the citizens of India or to disturb the public peace. (b) if he is guilty of misconduct in the discharge of his duties: or (c) if he is convicted of any offence, or subjected by a criminal court to any order involving moral turpitude, which in the opinion of the Department makes him unfit to be a member of the teaching profession.'

20. Course of studies and text-books.

(1) Every such school shall provide instruction according to the course of studies prescribed by the Department. (2) Except with the previous approval of the Department no text-book or any other book to be used by the teachers or students in any such school shall be selected by the Headmaster from outside the list prescribed by the Director and published in the Bihar Gazette. (3) The Chairman of

the District Board, the District Superintendent or any inspecting officer of the Department shall not issue or circulate any list of books for use in schools other than the lists prescribed by the Director.

21. Change in system of administration of schools.

- No change in the system of administration or control of recognised schools shall be introduced without the previous sanction of the State Government. Applications for such sanction shall be forwarded to the Director through the District Superintendent and the Regional Deputy Director who shall record their opinions on the proposal.

22. Fees from pupils in Senior Basic and Middle Schools.

- The rates of fees to be payable by pupils in senior basic and middle schools shall be regulated in accordance with the orders issued from time to time by the State Government and shall be subject to such general or special exemptions and concessions as the State Government may grant from time to time. No fees will, however, be payable by girls reading in senior basic and middle schools.

23. Fees from pupils in Junior Basic and Primary Schools.

- No. tuition fee shall be payable by students in junior basic and primary schools or in primary classes of Senior Basic and Middle Schools.

24. Seat-rent in hostels.

- In the hostels, if any, attached to the Senior Basic, Junior Basic, Middle or Primary Schools, managed or aided out of the District Education Fund, such percentage of the boarders as may be fixed by the Director, may be exempted from payment of seat-rent and furniture rent, provided that only really poor boarders shall be so exempted. In the case of Board managed schools the number of the boarders in hostels belonging to the scheduled castes or scheduled tribes who may be exempted from payment of seat-rent may be fixed by the District Board on the recommendation of its Education Committee.

25. Procedure for the submission, scrutiny and countersignature of establishment and order bills of all schools managed or aided from the District Education Fund.

(a) Primary and non-Government Junior Basic Schools (i) The Headmasters of all primary and non-Government junior basic schools, and in the case of single teacher primary schools such teachers, shall prepare monthly bills for the salaries and allowances of the staff and for contingencies and other payments or grants-in-aid, due to the school in the form prescribed by the Director and submit the same to the Sub-Inspectors of Schools at the monthly Guru gatherings alongwith a Money Order from duly filled in with all details excepting the amount and a certificate signed and dated by the teacher or teachers, as the case may be, to the effect that he or they have

received the previous month's salaries and allowances. (i) [gjsd e/; rFkk xSj&ljdkjh lhfu;j csfld Ldwy dk iz/kkuk/;kid fo|ky; ds deZpkfj;ksa ds ikous] osru vkSj HkRrs rFkk vkdfLedrka vkSj vU; Hkqxrku ;k lgk;d vuqnekusa ds laca/k esa funs'kd }kjk fofgr QkWje esa ekfld fcy rS;kj dj ckydksa ds fo|ky; dh n'kk esa] mi&fo|ky; fujh{k d ds ikl rFkk ckfydk fo|ky;ksa dh n'kk esa] fo|ky; mi fujh{kdk ;k ftyk fo|ky; fujh{kdk ds ikl] fucaf/kr Mkd ls ;k fo'ks"n nwr ds tfj,] bl izdkj Hkstsxk fd og mlds ikl vxkeh ekgh rhljh rkjh[k rd igqap tk,A ,sls fcyksa ds lkFk] ges'kk gh ,d euhvkMZj QkWje yxk jgsxk] ftesa jde dks NksM+dj vkSj LHkh C;ksjs lE;d : i ls Hkjs jgsaxs vkSj LHkh f'k{kdkksa }kjk gLrk{kfjr vkSj fnukafdr bl vk'k; dk izek.k i= Hkh lkFk yxk jgsxk fd bu yxsxksa us fiNys eghus ds osru vkSj HkRrs izkIr dj fy;s gSaA ;fn fiNys eghus ds osru vkSj HkRrs izkIr u gq, gksa rks bl vk'k; dh ,d fVIi.kh vfHkfyf[kr dj nh tk;sxhA [Substituted by G.S.R. 30, dated 29.4.1969.]](ii) [ckydksa ds fo|ky; dh n'kk esa fo|ky; mi&fujh{k vkSj ckfydk fo|ky;ksa dh n'kk esa mi&fujh{kdk ;k ftyk fo|ky; fujh{kdk bu fcyksa dks lko/kkuh ls tkap dj vkSj izfr&gLrk{kfjr djds nzqrr lku ls] eghus dh lkroha rkjh[k rd ftyk v/kh{k d ds ikl Hkst nsxk@nsxhA ckydksa ds fo|ky;ksa dh n'kk esa LHkh fo|ky; mi&fujh{k vkSj ckfydk fo|ky;ksa dh n'kk esa fo|ky; mi&fujh{kdk rFkk ftyk fo|ky; fujh{kdk bl dRrZO; ds lEiknukFkZ gj eghus ds izFke lRkg esa eq[;ky; esa vo'; gh mifLFkr jgsA [Substituted by G.S.R. 30, dated 29.4.1969.]](iii) [iz[k.M f'k{k izlkj inkf/kdkjh izR;sd mi&vapy esa dke djus okys xSj&ljdkjh twfu;j csfld fo|ky;ksa ds lkFk&lkFk LHkh izkFkfed fo|ky;ksa ds iz/kkuk/;kidksa dh ,d ekfld xq: LHkk gj eghus ds 100ha rkjh[k dks ml mi&vapy ds eq[;ky; esa vk;ksfr djsxkA bu xq: LHkkvksa esa iz[kam&f'k{k izlkj inkf/kdkjh xSj ljdkjh twfu;j csfld fo|ky;ksa lfgr LHkh izkFkfed fo|ky;ksa ds ekfld fcy izkIr djsxkA og bu fcyksa dks lko/kkuh ls tkap dj vkSj izfr&gLrk{kfjr djds eqgjcUn fyQkQs esa gj eghus dh 150ha rkjh[k rd lacaf/kr ftyk f'k{k v/kh{k d ds ikl Hkst nsxkA [Substituted by G.S.R. 30, dated 29.4.1969.]](iv) [;fn iz[k.M f'k{k izlkj inkf/kdkjh fdh vfjgk;Z dkj.ko'k fdh xq:&LHkk esa mifLFkr gksus dh fLFkfr esa u gksa] rks og mi & vapyh; eq[;ky; ds fdh e/; ;k csfld Ldwy ds iz/kkuk/;kid dks viuh vksj ls xq:vkksa ls fcy izkIr djus vkSj mUgsa bl iz[k.M&f'k{k izlkj inkf/kdkjh ds ikl Hkst nsus ds fy;s] tks mldh vuqifLFkfr esa mDr inkf/kdkjh ds dRrZO; lEikfnr dj jgk gks] igys gh uke fufnZ"V dj nsxk rkfd iz[k.M f'k{k izlkj inkf/kdkjh mUgsa tkapdj vkSj izfr&gLrk{kfjr djds ftyk&v/kh{k d ds ikl Hkst nsA ,sls ekeyksa esa] ftyk f'k{k izlkj inkf/kdkjh ftyk v/kh{k dks vius }kjk dh xbZ O;oLFkkvksa dk C;ksj nsrs gq, vfxe lwpuk ns nsxk ,sls mi&vapyksa esa] tgka mi;qZDr e/; ;k csfld Ldwy u gks] ftyk v/kh{k d xq: LHkk esa iz[k.M f'k{k izlkj inkf/kdkjh dh vuqifLFkfr esa mldh vksj ls fcy xzg.k djus ds fy;s fdh vU; mi;qZDr O;fDr dks uke fufnZ"V dh vuqefr ns ldsxkA [Substituted by G.S.R. 30, dated 29.4.1969.]](v) Payment of salaries and allowances to school teachers in selected National Extension Service and Community Development Blocks may be made through the Block Development Officer or Project Executive Officer at the Block headquarters according to the procedure laid down by the Department from time to time.

26. Examination of bills and remittances of payments by the District Superintendent.

(1) All bills received by the District Superintendent from the Sub-Inspectors of Schools and Sub-divisional Education Officers shall be immediately entered in the bill register. Thereafter each bill shall be properly scrutinised with the least delay and necessary entries made in the prescribed registers and the amount of the bill that has been passed for payment shall be entered in the Money Order form. (2) Remittance shall be made on a monthly basis for all categories of schools and teachers. (3) The District Superintendent shall, in consultation with the Superintendent of Post

Offices or where there is no such officer, in consultation with the Head Postmaster, prepare a roster according to which, as far as possible on every working day, the remittances in respect of a batch of schools shall be made. The roster shall be strictly followed and it will be the duty of the District Superintendent and the Deputy Superintendent to see that the Money Orders are ready and handed over to the Post Office in the first hour of the appointed day. In the even of holidays, the roster shall be adjusted well in advance. If there be any departure from the roster, the grounds on which such departure was made shall be recorded in a register to be maintained specially for this purpose.(4)Except the sums on account of the price of equipments and teaching and craft materials for which orders have to be placed at the district headquarters, all other sums shall be remitted on a monthly basis to the Headmaster or teacher-in-charge of the school or where it is necessary, to the Secretary of the school, the details being mentioned in the Money Order coupon.

27. Receipt of payments by schools.

(1)The Headmaster or teacher-in-charge shall, on receipt of the Money Order, enter the amount in the register prescribed by the Department and distribute the salaries and allowances to the staff, on the day the Money Order is received or on the next working day at the latest. The amounts on account of the prices of equipment, teaching and craft materials, contingencies, etc., shall be deposited by the Headmaster or teacher in-charge into the Post-Office Savings Bank Account, the very day it is received or on the next working day at the latest. The account shall ordinarily be operated by the Headmaster of the school and local donations, if any, shall also be deposited in this account. The District Superintendent in consultation with the Chairman of the District Board may also permit the Secretary of the School Committee to operate the account jointly with the Headmaster in special cases where such arrangement is considered to be more desirable. Where it is not possible to open any Savings Bank account for want of a Post Office with Savings Bank facilities within a reasonable distance of any school, the District Superintendent may, in consultation with the Chairman of the District Board, approve of any other suitable arrangement for the proper custody of such sums.(2)The local committee or panchayat should be associated with the disbursement of sums relating to items other than salaries and allowances of staff, in accordance with such general or special instructions as may be issued by the District Superintendent in consultation with the Chairman of the District Board.

28. Security from Headmasters of schools.

- Headmasters or teachers-in-charge of schools shall be required to furnish such security with or without sureties as may be prescribed from time to time.

29. Central purchase of equipments.

- Some of the teaching equipments and craft materials may be purchased by the District Superintendent in consultation with the Chairman of the District Board at District headquarters, but the prior approval of the Director shall invariably be obtained to the list of articles and the number of each article to be so purchased.

30. Approval of tenders or quotations.

- After the list has been approved by the Director, tenders and quotations shall be invited, but for articles manufactured in basic institutions, the Reformatory Schools, the Cottage Industries Institute, the Bihar Khadi Samiti, the Bihar Vidyapith and other organisations approved by the Director, orders may be placed with such organisations without calling for tenders. Before placing orders with institutions and concerns other than those mentioned above, tenders and quotations shall be thoroughly scrutinised by the District Superintendent and approved by a committee consisting of the District Magistrate as President and the Chairman of the District Board, the District Education Officer and the District Superintendent as members.

31. Procedure for purchase of books and periodicals.

(1) No book shall be purchased for use in schools or distributed among schools unless—(a) it is in the list of text-books published by the Director for the year in which it is proposed to be purchased or distributed, or (b) it is in the list of books approved by the Director for use as prize books or library books; or (c) its purchase or distribution has received the previous approval of the Commissioner or the Director. (2) No newspapers, periodicals or other documents shall be purchased for use in schools or distributed among schools except with the previous approval of the Director.

32. Formalities to be observed in purchase of books and periodicals.

- For the purchase of books, periodicals, newspapers and other documents for Board-managed schools, the District Superintendent will place orders in consultation with the Chairman of the District Board: and for other schools the District Superintendent will place orders himself. In both cases, the procedure laid down in Rule 30 and any other instructions which may be issued by the Superintendent of Libraries from time to time shall be strictly followed.

33. Local Committee.

- It shall be the duty of the District Superintendent and the Chairman of the District Board to see that within such period as may be prescribed by the Director, every school receiving aid from District Education Fund, is placed under a Panchayat or a properly constituted local committee. Powers may be delegated to such committee or Panchayat by the District Superintendent on the basis of its record and in accordance with the general or specific instructions of the Director.

Part III – Special Rules Applicable to Board-Managed Schools

34. Delegation of powers to the Secretary of the Education Committee.

- The day-to-day administration of Board-managed schools shall, with the approval of the District Board, be entrusted to the Secretary of the Education Committee. A list of items regarding which powers may be delegated to the Secretary shall be prepared, so that the work may be carried on

smoothly.

35. Meetings of the Education Committee.

(1)The Education Committee shall elect one of their members to be the President of the Committee.(2)The Education Committee shall ordinarily meet at least once every month, but emergent meetings of such Committee may be called by the President at any time if so required.

36. Responsibilities of the Education Committee.

- The Education Committee will ensure that every school is properly managed and that accounts of contingencies, etc., of every school are duly maintained and that the buildings and equipments of the schools are kept in proper state of repair.

37. Action on decisions of the Education Committee.

- All decisions and instructions of the Education Committee as approved by the District Board shall be signed and communicated to all concerned on its behalf by the Secretary of the Committee.

38. Consultation of District Superintendent by the District Board.

- Any action proposed to be taken by the District Board regarding the posting and promotion of masters and assistant masters and other establishments of Board-managed schools and any disciplinary action including removal and dismissal proposed to be taken against them shall be reported without delay to the District Superintendent who shall furnish his opinion within fourteen days of the receipt of the report. If the Chairman does not accept the advice of the District Superintendent, the latter shall refer the matter to the prescribed authority whose decision thereon shall be final. The prescribed authority shall act in the manner indicated in Section 62 (c) of the Act. Pending the decision of the prescribed authority under Section 62 (c) of the Act the District Board shall not give effect to the proposed action.

39. Withdrawal of recognition of schools.

- If it appears to any inspecting officer of the Department that the teachers in any school maintained by the Board are not properly qualified for their work, that the teaching imparted is not efficient, or that discipline is not being properly maintained or that the accounts are not being properly kept or if he be in any other way dissatisfied with the management of the school, he shall report the matter to the District Superintendent who shall bring it to the notice of the Chairman of the District Board forthwith, alongwith his recommendations, for necessary action. Recognition should not be withdrawn ordinarily except at the end of a session, but it may be withdrawn at any time under the special orders of the Regional Deputy Director for reasons to be recorded in writing and the orders shall be communicated to the Chairman of the District Board and the District Superintendent.

40. List of holidays.

- The list of holidays and vacations to be observed in Board managed schools shall be drawn up annually by the Education Committee, within the date prescribed by the Director, subject to such general or special orders, as may be issued from time to time by the State Government. A copy of the list shall be forwarded to the District Education Officer, District Superintendent, Sub-divisional Education Officer and Deputy Superintendent of Education as also to all Sub-Inspectors of Schools at the beginning of each year.

41. Remittance of school fees.

- Proper accounts shall be maintained in every Board-managed school showing the income from school fees at the end of each month. The total amount realised as school fees each month shall be remitted by the Headmaster of the teacher incharge, as the case may be, latest by the first working day of the following month by Money Order to the District Superintendent for being credited to the District Education Fund. Full particulars of the amount remitted shall be noted on the Money Order coupon and the carbon copy of the Money Order receipt shall be appended to the establishment bill for the month. The District Superintendent shall credit the amount to the District Education Fund through transfer credit.

Part IV – Special Rules Applicable to Schools receiving Aid out of the District Education Fund

42. Religious neutrality in giving aid.

- Grants-in-aid out of District Education Fund shall be given without any discrimination on religious grounds.

43. Responsibility of the School Committee.

- The Committee or Panchayat incharge of any school receiving grants-in-aid from the District Education Fund shall be responsible for the proper expenditure of the school funds in accordance with the conditions of the grant. It shall appoint a Secretary to conduct, its correspondence with the District Superintendent and other authorities.

44. Duties of the District Superintendent.

- The District Superintendent shall subject to the general control of the Director, be responsible for the distribution of grants-in-aid shall exercise general supervision over all matters connected with the finances, accounts, maintenance and management of all aided schools and may issue instructions from time to time in that connection to the Managing Committee or Headmasters or teachers incharge.

45. Posting, transfer, disciplinary action, etc., against school staff.

- The power regarding the appointment, posting and promotion of, and disciplinary action, including removal and dismissal of masters and assistant masters and other members of the establishment of aided schools shall be exercised by the District Superintendent, in consultation with the District Board. The District Superintendent, shall, ordinarily, obtain the opinion of the managing committee concerned and such committee may also initiate proposals or send recommendations on these matters to the District Superintendent.

46. Consultation of the District Board by the District Superintendent.

- Every action proposed to be taken by the District Superintendent regarding the appointment, posting, promotion of Headmasters and assistant masters and other members of the establishments of aided schools and any disciplinary action proposed to be taken against them shall be reported to the District Board immediately, which shall furnish its opinion within fourteen days of the receipt of the report. In case of a difference of opinion between the District Board and the District Superintendent on the question of the removal or dismissal of any member of the establishment of any such school no action shall be taken pending the decision of the prescribed authority under Section 62(c) of the Act.

47. Leave to teachers.

(1) Leave to teachers of aided primary and non-Government junior basic schools shall be granted by the Sub-Inspector of Schools concerned, according to such Rules as may be prescribed by the Department. (2) Leave to teachers of aided Middle and non-Government Senior Basic Schools shall be granted by the school authority or by any person, to whom the school authority may delegate this power. Prompt intimation of any casual leave or other kinds of leave granted to any teacher, should be sent to the Sub-divisional Education Officer and through him to the District Superintendent who may object to the grant of the leave, stating in full the reasons of such objection.

48. List of holidays.

- Subject to such general and special instructions as may be issued, from time to time, by the State Government, the list of holidays and vacations to be observed in aided schools shall be drawn up by the District Superintendent, not later than the first of November preceding the year for which the list is intended. In drawing up the list, the District Superintendent shall take into consideration the recommendations and suggestions, if any, of the managing committee. A copy of such list shall be forwarded to the Chairman of the District Board, District Education Officer, Sub-divisional Education Officer and Deputy Superintendent of Education and also to all Sub-Inspectors of Schools and all schools at the beginning of each year.

49. Applications to be addressed to the District Superintendent.

- Applications for inclusion of schools in the plan and for grants-in-aid shall be made to the District Superintendent.

50. Application Form.

- Every application for the inclusion of schools in the district plan and for any grant out of the District Education Fund shall be submitted to the District Superintendent with complete information on the following points as prescribed in Form A appended to these Rules:-(a)The names of the persons constituting the committee of management with the name of the Secretary and the President of the committee,(b)particulars of the land and buildings belonging to the school,(c)the average number of pupils expected,(d)the fees to be charged for each class,(e)the number, qualifications and salaries of the teachers in detail,(f)the proposed monthly expenditure on other items in detail,(g)pecuniary resources on which the school will depend for its support,(h)the amount of aid sought with justification for the same, and(i)the names of other Primary, Basic, Middle or High Schools within a radius of five miles from the school together with their actual distance from the location of the proposed school.

51. Application register.

- Every application for inclusion in the plan or for grants-in-aid or for renewal or revision thereof shall be entered as soon as it is received in a register to be maintained for the purpose by the District Superintendent.

52. Preliminary enquiries.

- Before the application is placed before the Planning Committee for consideration, the District Superintendent shall have full enquiries made through the subordinate Inspecting staff and shall also obtain the opinion of the District Education Officer and the Chairman of the District Board.

53. Criterion for sanctioning aid.

- Subject to the provisions of Rules 54 and 55, grants shall ordinarily be given only to those recognised schools which are managed by committees, whose constitution has been approved by the District Superintendent and which, with the help of the grant to be given, can adopt a scale of establishment not lower than that prescribed by the State Government from time to time. This Rule shall only be relaxed with the previous approval of the State Government. Reasonable local contributions from private sources shall be a condition precedent to the giving of a grant.

54. Disposal of applications for grant-in-aid.

- No application for grant-in-aid shall be disposed of except in accordance with the plan prepared under Sub-Section (5) of Section 65-B, of the Act. In exceptional cases, however, the District Superintendent may, with the previous approval of the Director, sanction grants in anticipation of the approval of the plan.

55. Grant to new schools.

- Grants may be given for starting new schools, even without any applications for any grant being made provided such schools are Included in the plan prepared under sub-section (5) of Section 65-B of the Act.

56. Approval of the Director.

- The recommendations of the Planning Committee shall be sent forthwith to the Director for approval. On receipt of the Director's approval the school will be included in the District Plan.

57. Action to be taken after the name of a school is included in the Plan.

- After a school has been included in the Plan, the District Superintendent may, subject to the general or special instructions of the Director, sanction a suitable grant, provided the funds at his disposal are sufficient for the purpose. Priority, if any, laid down by the Planning Committee while preparing the list of schools to be aided or by the Director while approving the same shall be strictly followed.

58. Period of grant.

- Grants shall ordinarily be sanctioned for a period of five years, but the District Superintendent may, at any time during the currency of any grant, for reasons to be recorded in writing reduce, suspend or withdraw a grant under intimation to the Director. No grant shall be increased without the prior approval of the Director.

59. Intimation to be sent regarding grant.

- The District Superintendent shall notify to the Chairman of the District Board and the District Education Officer all cases in which grants have been suspended, withdrawn, reduced or increased or new grants have been given.

60. Conditions of grant.

- Sanction to a grant shall be conveyed in Form B appended to these rules and subject to the conditions to be stated therein.

61. Renewal of grants.

- Applications for renewal of existing grants shall be disposed of by the District Superintendent.

62. Conditions to be accepted by the school authority.

- When a grant is sanctioned, the school authority shall forward to the District Superintendent an agreement on stamped paper to the effect that the school would be conducted in accordance with the conditions of the grant.

63. Action to be taken on non-fulfilment or breach of conditions.

- If it appears to the Regional Deputy or District Director Education Officer or the District Inspectress that the teachers in any aided school are not properly qualified for their work, that the teaching imparted is not efficient or that discipline is not being properly maintained or that the accounts are not being properly kept or that any of the conditions of the grant is not being observed or if he or she be in any other way dissatisfied with the management of the school, he or she shall bring the matter to the notice of the school authority and the District Superintendent. If the school authority fails to take necessary action within a reasonable period, the District Superintendent should take necessary action forthwith. Recognition should not be withdrawn ordinarily except at the end of the session, but it may be withdrawn at any time under the special orders of the Regional Deputy Director for reasons to be recorded in writing.

64. Control over Managing Committees.

- If it appears to the District Superintendent that the Managing Committee of any school has mismanaged the affairs of the school or has deliberately flouted the departmental instructions or has misused the funds of the school, he will call upon the Committee to take measures for the proper management of the school, or, as the case may be, to the irregularities or to place the accounts on a proper footing within a fortnight of the receipt of the notice failing which the District Superintendent may supersede the Committee, take such other action as he may consider necessary and make suitable alternative arrangements to run the school in an efficient manner.

Part V – Rules for the District Education Planning Committee

65. District Education Plan.

- An annual plan for the expansion and improvement of primary and middle school education in each district shall be prepared by the Planning Committee which shall contain the particulars required by these rules.

66. Implementation of the District Education Plan.

- Except as otherwise provided, all grants for the expansion and improvement of schools shall be given in future only to schools included in the annual plan and no new schools not included in the plan shall ordinarily be entitled to receive grants from the District Education Fund.

67. District Education Map.

(1) Each District Superintendent will maintain in his office one set of revenue thana maps showing therein by means of suitable symbols, prescribed by the Director from time to time, the location of primary middle and secondary schools of different categories. These maps should always be kept up-to-date and should also show the boundaries of different Anchals in red lines. On the right hand side of each revenue thana map, the following particulars should be shown:-(a) An index giving the details of the various symbols used: (b) a chart showing the revenue thana number of each village, the name of the village, its population (male and female to be shown separately), the number of children of school-going age/underage groups 6-11 years, 11-14 years and 14-17 years: and (c) particulars of schools in such villages in respect of which the space in the main map is so small as not to permit the use of symbols in the body of the map, (2) A similar set of revenue thana maps shall be prepared and bound in a book form. One book for each map shall be sent to the Director for record. These sets of maps should be sent by the Director to the District Superintendent in April each year and the Superintendent should return them to the Director latest by the end of May after filling the particulars corrected up to the 31st March of the year.

68. Register of schools.

- The District Superintendent shall also maintain a register of schools Anchalwise, with at least two pages allotted for each village in the Anchal. Besides particulars regarding population and the number of children of school-going age of different groups in each village, the register should also contain the particulars of each school, such as, the name of the school, the number of classes, the number of teachers, the number of boys and the number of girls on the rolls, the average attendance, etc. This register shall be permanent in character and shall be kept up-to-date. Detailed instructions regarding their maintenance should be issued by the Director from time to time.

69. Preparation of the District Education Plan.

(1) The District Superintendent shall obtain from the Sub-Inspectors, Sub-divisional Education Officer, Chairman of the District Board and from other sources, a list of institutions for inclusion in the District Education Plan that may be considered by the Planning Committee. He shall also place before the Committee all applications received by him under rule 49 for inclusion in the Plan or for grants-in-aid. The Committee shall also consult the District Inspectress and other persons and officers according to the advice of the Director in preparation of the Plan and may, if the President of the Planning Committee so desires, invite them to attend the meetings of the Committee. (2) While examining applications or recommendations for the establishment of new

schools or for the expansion or improvement of existing schools, the Planning Committee shall, after studying the District Education Map, and the register of schools referred to in Rules 67 and 68 consider whether the school shall remove a long-felt want in the locality, whether the teaching staff in the case of existing schools is competent and adequate, whether local resources including the resources of the Committee would be adequate to meet the necessary expenses, whether special facilities like offer of land or buildings are available, whether the school deserves priority, in the context of the overall needs of the district and whether the funds in the District Education Fund are sufficient to meet the requirements, etc., special consideration shall be given by the Planning Committee to the needs of the scheduled castes and scheduled tribes and to the people living in backward areas as also to the necessity of providing increased facilities for the education of girls bearing in mind the fact that all schools upto the upper primary standard should be co-educational.

70. The contents of the Plan.

- The Plan shall include, among others, the following particulars:-(a)the number and names of schools to be upgraded (whether traditional or basic) and the number of additional teachers and details of equipments required for the purpose;(b)the number and names of new schools whether traditional or basic to be started with details about the number of teachers and other requirements;(c)the number and names of unaided (recognised) schools which are in existence from before and which deserve to be brought under the Plan and aided out of the District Education Fund;(d)the number and names of schools to be converted into basic schools with details of the requirements of each such school;(e)the number and names of schools to be improved or expanded;(f)the number and names of schools which deserve financial aid for additions and alterations to its buildings, with particulars;(g)The number and names of schools which deserve financial aid for furniture and equipments;(h)the names and other particulars of untrained teachers working in various schools;(i)the names and other particulars of schools to be relocated according to local needs and changed circumstances; and(j)any other information relevant to the Plan.

71. Approval of the Plan by the Director.

- The Annual Plan will relate to the academic year beginning from the first of January each year. The District Superintendent shall submit the Annual Plan in duplicate to the Director for approval by the end of September of the year preceding each academic year. The Director shall communicate his approval to the Plan after making such changes as he may consider necessary and return one copy of the Plan to the District Superintendent within two months of its receipt.

72. Preparation of a list of suitable candidates for appointment as teachers.

(1)A list of suitable candidates for the post of teachers shall be prepared by the Planning Committee at least once a year. Ordinarily, the annual list should be prepared within one month of the publication of the results of the examination in Training Schools. The annual list of suitable candidates prepared by the Planning Committee may be subsequently supplemented during the course of the year and shall be valid till the preparation of the next annual list.(2)The list of suitable candidates for employment as teachers drawn up by the Planning Committee shall be arranged in

order of preference, sub-divisionwise and according to such instructions as may be issued by the Department from time to time.(3)At the time of the preparation of the list of suitable candidates, the Planning Committee shall consult the Regional Employment Officer and the Principals of Senior and Junior Training Schools in the district.(4)While advertisements inviting applications should be issued in advance, the Planning Committee may also obtain lists of trainees, or trained personnel from the heads of training institutions and others.(5)In the matter of reservation of posts for, or preference to be given to, members of particular communities, the Planning Committee shall be guided by instructions which may be issued from time to time by the State Government.(6)The minimum qualifications of the candidates shall be laid down by the Director from time to time, but preference shall invariably be given to a trained candidate over an untrained candidate.(7)Every list prepared by the Planning Committee shall be submitted forthwith to the Director, who may, after specifying the grounds, direct the Committee to re-examine the list in the light of his advice and make necessary changes. The list when prepared and finalised shall be given wide publicity and copies thereof shall be supplied to the Chairman of the District Board, all inspecting officers in the district and all organisations running the educational institutions, such as authorities of Christian Missions, Adimjati Sewa Mandal, etc.(8)The Planning Committee may interview candidates and also hold written competitive tests.(9)If an existing school included in the District Plan has on its staff a qualified teacher whose initiative and efforts have contributed towards the building up of the institution, such teacher or teachers shall be appointed to the sanctioned posts by the District Superintendent subject to the approval of the Planning Committee.(10)If there be a dearth of names in the approved lists and if the Planning Committee is not likely to meet immediately, the District Superintendent, in consultation with the Chairman of the District Board and the President of the Planning Committee, may make provisional appointment of a teacher or teachers, subject to the approval of the Planning Committee at its next meeting. All such appointments shall be reported to the Director alongwith the reasons for making them.

73. Meetings and quorum of the Planning Committee.

- The Planning Committee shall meet at least once every quarter, but may also hold more frequent meetings at the time of the preparation of the District Plan and the selection of suitable candidates. The meeting of the Planning Committee shall be convened by its Secretary in consultation with its President. The quorum for a meeting shall be four, but an adjourned meeting may be held without the required quorum. No final decision on the Plan and the list of suitable candidates shall be taken in the absence of the permanent President.

74. Absentee members.

- All members other than ex-officio members who fail to attend four consecutive meetings of the Planning Committee shall cease to be members unless their absence is condoned by a special order of the State Government.

75. Term of office of non-official members.

(1)The term of office of nonofficial members of the Planning Committee shall be three years from the date of constitution of the Committee provided that the State Government may by notification, reduce or extend the term.(2)If a non-official member of the Planning Committee ceases to be a member thereof, by reason of his death, resignation, removal or otherwise, the vacancy so caused shall forthwith be reported to the State Government by the President of the Committee, who may fill up the vacancy by a fresh nomination. The person so nominated shall fill such vacancy for the un-expired portion of the term for which the non-official members would have continued in office.

76. Powers and functions of the President of the Planning Committee.

(1)The District Magistrate shall preside at every meeting of the Planning Committee. In case of his absence from any particular meeting, he should nominate in advance any member of the Committee to preside over it.(2)The agenda for each meeting shall be prepared well in advance by the Secretary and should be approved by the President.(3)The President shall fix the date of each meeting of the Planning Committee and shall have power to cancel a meeting or postpone the consideration of any of the items on the agenda of a meeting for reasons to be-recorded in writing.(4)The President shall conduct the business of the Planning Committee in accordance with accepted parliamentary practice and in case of equality of votes, shall have a second or casting vote.(5)The President shall have powers to invite distinguished persons and educationists to attend any meeting of the Planning Committee.

77. Powers and functions of the Secretary of the Planning Committee.

(1)The Secretary shall convene ordinary meetings of the Planning Committee with the approval of the President and shall ensure that the notice of such meeting alongwith the agenda is issued to all members at least seven days before the meeting.(2)The Secretary may call, with the approval of the President, emergent meetings of the Planning Committee after giving 48 hours notice to the members.(3)The Secretary shall act as the Educational Adviser of the Planning Committee and shall come to the meeting fully prepared with all information, Rules, regulations, departmental instructions, etc., that may be required in connection with the deliberations of the Committee.(4)The Secretary shall record the proceedings of the meetings under the direction of the President and take further action on the decisions according to the Rules.(5)The Secretary shall supply copies of the proceedings to members on request.

Part VI – Rules relating to Construction of, and repairs to, School Buildings and Expenditure to be incurred thereon out of the District Education Fund

78. Items over which expenditure may be incurred.

- Expenditure may be incurred from the District Education Fund, subject to availability of funds, on the construction of and additions, alterations and improvements to primary and middle school buildings. Notes. - (i) Expenditure on the purchase of buildings with the prior approval of the Director may be treated as expenditure on the construction of buildings, (ii) Except with the prior approval of the Director, any expenditure incurred previously on school buildings, shall not be taken into consideration in making any grant.

79. Earmarking of funds for repairs and maintenance of school buildings.

- Specific amounts in each district shall be earmarked for the repairs and maintenance of all Primary and Middle School Buildings. The amount so earmarked shall be known as the "School Building Repair Fund" and shall form a part of the District Education Fund. The "School Building Repair Fund" shall comprise of:- (a) the amount sanctioned by the State Government for the repair and maintenance of the buildings of Middle Schools which stood recognised on the 31st March, 1949; (b) the amount earmarked by the District Board out of its contribution for the repair and maintenance of school buildings; (c) such other amounts as may be sanctioned by the State Government or by the District Board from time to time for this purpose; and (d) Cash donations, if any, received from private sources for this purpose.

80. Accounts of the School Building Repair Fund.

- Separate accounts shall be maintained to show clearly the receipts and expenditure out of the School Building Repair Fund. Balances, if any, left unspent in this Fund, at the end of a financial year shall be carried forward to the next financial year.

81. Procedure to be followed in the matter of repairs of school buildings.

- Repairs and maintenance of primary and middle school buildings may be grouped under two broad categories, namely, minor routine repairs and major repairs. Minor routine repairs shall include white-wash or cowdung wash to the walls, maintenance of the floor, maintenance of the doors and windows and annual repairs to the leaks in the roof. Major repairs shall ordinarily include repairs to major cracks or defects in the walls, thorough overhauling of the roof and other similar items entailing fairly heavy expenditure.

82. Procedure to be followed in the case of minor routine repairs.

(1) No payment shall be made from the School Building Repair Fund for minor routine repairs to any school building without the prior approval of the Director. The Director shall approve the payment of grants for such works only in very exceptional cases where special justification exists. The procedure for the execution of such works shall be as follows:- (a) Minor routine repairs to school buildings shall form a part of the craft activity of the pupils and the staff of all Primary and Middle

Schools.(b)The staff of each school with the help of the pupils and local villagers shall mud-plaster the walls both inside and outside every year before the rains. If adequate local contributions become available, the walls may be plastered also with lime and cement.(c)The floor of the building wherever not cemented already shall be mud-plastered thoroughly every year before the rains in a similar manner. If adequate local contribution is forthcoming.(d)If the school committee cannot arrange to finance the regular whitewashing of the walls, the walls shall be given cowdung wash at least once a fortnight by the staff and the pupils. This shall form a part of the school routine and at least one period shall be devoted each fortnight to this work. Efforts should also be made to decorate the walls as is done by villagers in their own house in different parts of the State.(e)Annual repair to the leaks in the roof shall be attended to by the staff and pupils before the rains each year and they shall also obtain the help of the local villagers in this work wherever necessary and possible.(2)A special mention of the success achieved in this work by the Headmaster and the staff of the school shall be made by the Sub-Inspector of Schools and Sub-divisional Education Officer in the annual confidential reports on the work of such staff.(3)All Sub-Inspectors of Schools shall be responsible for ensuring that the procedure laid down in sub-rule (1) is strictly followed in all the Primary Schools under their charge.(4)All Sub-divisional Education Officers shall be responsible for ensuring that the procedure laid down in sub-Rule (1) is strictly followed in all the Middle Schools under their charge.(5)A special mention regarding the success achieved by each Sub-Inspector of Schools and Sub-divisional Education Officer in this connection shall be made in his annual confidential report by the District Education Officer and the District Superintendent.

83. Procedure to be followed in the case of major repairs.

(1)Efforts shall be made to get major repairs also done through the school committee with the co-operation of the villagers, the staff and the pupils.(2)In deserving cases the school committee may get some help from the "School Building Repair Fund" to meet a part of the cost of major repairs.(3)Immediately after the rains each year each Sub-divisional Education Officer and Sub-Inspector of Schools shall review the condition of each Middle and Primary School respectively under their charge, and decide whether any of them is in need of major repairs. A list of such buildings in order of priority alongwith rough plans and estimates for the repairs shall be prepared by the Sub-divisional Education Officer and the Sub-Inspector of Schools and forwarded to the District Superintendent latest by the 30th November each year. The Sub-divisional Education Officer and the Sub-Inspector of Schools shall also report the approximate local contributions that may be forthcoming and the assistance recommended to be paid from the "School Building Repair Fund.(4)The District Superintendent after making a preliminary scrutiny of the list, shall satisfy himself that all the cases mentioned in the list referred to in sub- Rule (3) come within the definition of "major repairs". Thereafter, he shall, in consultation with the District Engineer, get detailed plans and estimates prepared for each such case with the help of the technical staff under him. These detailed plans and estimates shall be ready latest by the 31st January each year.(5)In the month of February each year, the detailed plans and estimates shall be thoroughly scrutinised and subject to funds being available in the District Education Fund under the sub-head "Building Repair", the works shall be sanctioned in strict order of priority, preference however, being given to cases where more than 50 percent of the cost will be met by the local committee and villagers.(6)(a)The estimates relating to major repairs of Board-managed Schools shall be placed before the Public

Works Committee of the District Board constituted under Section 72 of the Act, and also before the Education Committee for their approval alongwith a short memorandum in respect to each and all Schools. The memorandum shall indicate the maximum amount of local contribution to be available either in cash materials or in shape of labour and the name of the party or agency through which the work is proposed to be executed. In such case, where local contribution is upto fifty percent of the total cost, the work shall ordinarily be done through the local Gram Panchayat or representative committee of the villagers under the supervision of the District Engineer and his subordinate technical staff.(b)The estimates relating to aided schools shall be placed before a committee consisting of the District Magistrate as President, Chairman, District Board, the District Education Officer, the District Engineer as members and the District Superintendent as Secretary of the committee for approval. The memorandum will also specify the maximum amount of local contribution to be available for the work either in cash, materials or in shape of labour. The grant shall normally be sanctioned to schools where local contribution is substantially available at least to the extent of 25 percent of the total cost, except in very special circumstances where either the people of the locality are very backward or economically hard hit. The work shall ordinarily be executed through the local Gram Panchayat or representative committee of the villagers under the supervision of the District Engineer.(7)Except in the case of Board-managed Schools, payments to the School Committee for major repairs shall be made through the officer-in-charge of Community Project, National Extension Service or Anchal-cum Development Blocks, as the case may be.In the case of Board-managed Schools, payments shall be made on the recommendation of the District Engineer.Advice of the Block Development Officer or Project Executive Officer, as the case may be, shall invariably be taken by the District Superintendent before considering the case for payment of building repair, grant for major repair and also at different stages while the work is under progress and after the work has been completed.(8)Since the amount available under the sub-head "Building Repairs" will be limited, every effort should be made to include some of projects in other programmes of assistance under taken by the State Government, such as the Local Development Works Programme, Community Development Programme, etc.(9)If in any district large balances are left in the "School Building Repair Fund", which are not urgently required for the purpose for which it meant, proposals may be submitted to the Director for approving the transfer of the whole or a portion thereof to the "School Buildings Construction Fund" referred to in Rule 85.

84. Earmarking of funds for construction of new schools buildings including additions to existing school buildings.

- Specific sums shall be earmarked in each district for the construction of new school buildings, including additions to existing school buildings. The amount so earmarked shall be known as "The School Buildings Construction Fund" and shall form a part of the District Education Fund. The "School Buildings Construction Fund" shall comprise of. -(a)the amount sanctioned by the State Government from time to time for the construction of new school buildings and additions to existing school buildings;(b)the amount earmarked by the District Board and transferred to the District Education Fund for the purpose;(c)cash donations, if any, received from the public for the purpose, and(d)the amounts transferred to this sub-head from the "Building Repairs" subhead under sub-rule (9) of Rule 83.

85. Construction of new buildings.

- All new school buildings to be constructed with the help of grants from the District Education Fund shall conform to the type plans, specifications and estimates prescribed by the Department from time to time. This Rule may be relaxed in individual cases by the Director. Note. - For the purpose of this rule, construction of new school buildings includes the provision of additional blocks, comprising of one or more rooms to meet the additional requirements of existing schools.

86. Accounts of the "School Buildings Construction Fund".

- Separate accounts shall be maintained to show clearly the receipt and expenditure out of the "School Buildings Construction Fund". Balances, if any, left unsent in this fund, at the end of any financial year shall be carried forward to the next financial year.

87. Conditions of grant.

(1) Grants for construction of buildings shall be sanctioned only on the conditions that.-(a) Sufficient land is made available by the local people, free of cost, for the construction of the building and for meeting the requirements of the school to be housed therein, such as playground, land for gardening, land for future expansion, etc., (b) a deed is executed providing for the legal ownership of the premises in favour of the Gram Panchayat, if any, or the local School Committee or the District Board or the Governor of Bihar; (c) the applicants for grants undertake in writing the responsibility for the proper maintenance of the buildings after construction and for the efficient management of the institution to be housed there in; and (d) the applicants for grants give a written guarantee regarding their contribution and a written undertaking to observe the various conditions, such as the prescribed plans and specifications, etc. (2) As sufficient funds may not be available to meet the requirements of every new school and additional requirements of every existing school, a system of priorities in the matter of selection shall be adopted. Those villages where the local people have already provided some buildings or where they come forward with contribution which exceed the minimum prescribed by the State Government shall be given preference. Exceptions to this may be made only in the case of villages situated in backward areas or villages where the people are so poor and backward that they are not in a position to contribute more than the minimum prescribed by the State Government. Note. - In no case shall any money be paid from the District Education Fund for the construction of any building which does not conform to the type plan without the prior approval of the Director. Except in the backward areas, the higher the local contribution exceeds the minimum prescribed, the higher shall be the property in sanctioning assistance from such fund.

88. Advice of Sub-divisional and Block Officers to be obtained.

- The Officer incharge of the Community Project Block, Anchal-cum-Development Block and National Extension Service Block, wherever such a Block exists, shall invariably be consulted before entertaining any request or proposal for construction of new school buildings or additions to existing school buildings in villages under their respective jurisdiction. In other areas, the respective

Sub-divisional Officers shall be similarly consulted.

89. Procedure and agency for construction of new buildings of primary and middle schools.

(1) The plan and estimates either for construction of new buildings or for making additions in the existing one in respect of Board-managed schools, shall be prepared by the District Engineer and placed before the Public Works Committee constituted under Section 72 of the Act for necessary action. Before, however, formal orders sanctioning allocation of fund to different institutions are passed, all proposals for allotment of fund together with a short memorandum indicating therein the rough estimate, shall be placed before the Education Committee for its approval. The memorandum shall also indicate the maximum amount of local contribution to be available in cash, in shape of materials or in shape of labour. While making allocation of fund, preference will be given to institutions where local contribution is available at least to the extent of 25 per cent of the total cost, except in very special circumstances, where either the people of the locality are very backward or economically hard hit. Where considerable amount of local contribution in cash, materials or in shape of labour, is available, the work shall ordinarily be done through the local Gram Panchayat or in the absence of a Gram Panchayat through a representative committee of the villagers, under the supervision of the District Engineer. (2) The Plan and estimates either for construction or for making additions in the existing buildings of aided schools, shall also ordinarily be prepared by the District Engineer, if the buildings are not to be constructed in accordance with the approved type plan. All proposals for grant after due scrutiny and examination shall be placed by the District Superintendent together with a short memorandum indicating the rough estimated cost, before a committee consisting of the District Magistrate as President, the Chairman, District Board, the District Education Officer, the District Engineer as members, and the District Superintendent as secretary of the committee for approval. The memorandum shall also specify the maximum amount of local contribution to be available for the work either in cash or in kind. The grant shall normally be sanctioned to schools, where local contribution is substantially available at least to the extent of 25 per cent of the total cost except in very special circumstances, where either the people of the locality are very backward or economically hard hit. The work shall ordinarily be executed through the local Gram Panchayat or a representative committee of the villagers under the supervision of the District Engineer.

90. Agency for execution.

- The execution of the construction of school buildings shall be entrusted to the Officer-in-charge of Community Project Blocks. Anchal-cum-Development Blocks and National Extension Service Blocks, wherever such a Block exists, and in other areas to the respective Sub-divisional Officers. The Officers shall, of course utilise various agencies for immediate supervision such as Gram Panchayats, local committees, etc. Panchayats to these agencies shall be made through the Sub-divisional Officer or the Block Development Officer, as the case may be. The services of the technical staff under the District Superintendent shall, as far as possible, be made available to the Sub-divisional Officers and Block Development Officers who shall also utilise other available technical personnel under them for this purpose.

Part VII – Rules for the Examination and Award of Lower Primary Scholarships

91. Value and eligibility.

- The District Board shall be responsible for the award and payment of lower primary scholarships. These scholarships shall be of the value of Rs. 3 a month and be tenable for two years. They shall be distributed by thanas and be open to competition only among pupils reading in class III of recognised primary and middle schools. Candidates from any such school in the district shall be eligible for the scholarship whether or not the school is situated in the area under the control of the District Board. The pupils shall not be over 11 years of age on the date of examination (for members of scheduled castes and scheduled tribes the age limit shall be 12 years) and no candidate shall appear at the examination more than once. A fee of eight annas will be charged from each candidate. A preliminary selection shall be made by Sub-Inspectors of schools who shall fix centres to which teacher shall send their candidates for examination, provided that no pupil shall be required to attend a centre more than four miles distance from the school. Each Sub-Inspector shall forward to the District Education Officer a list of eligible candidates from schools under his control. The number of names in the list shall not exceed eight times the number of scholarships available. The District Education Officer shall scrutinise the list and strike out or add names if he thinks necessary. Not more than two candidates shall be selected from any one school.

92. Selection Examination.

- The examination of the candidates thus selected shall be held at the headquarters of the Sub-Inspector of Schools or at any other convenient place within his jurisdiction and arrangements for such examination shall be made by the District Board in consultation with the District Education Officer and the District Superintendent. The examination shall be limited to the prescribed course. Written answers shall be required in composition and in arithmetic: the rest of the examination shall be oral. The oral examination shall be conducted by the Centre Superintendents appointed by the District Board, who shall also set and mark the papers to which written answers are required, unless the District Board prefers to make other arrangements. Both in the written and in the oral parts of the examination the questions shall be set to test the intelligence of the examinees, rather than their memory alone.

93. Result of the examination.

- The marks allotted to the candidates at the oral and written examinations shall be forwarded to the District Education Officer who shall submit them to the board with his views regarding the award of scholarships and with such other remarks as he may deem necessary.

94. Award of scholarships.

- The scholarships shall be awarded by the District Board in consultation with the District Education Officer and in accordance with these Rules. Not more than one scholarship shall be awarded to the pupils of one school, provided that scholarships may be awarded to a boy and a girl belonging to the same school, and that the board may in exceptional cases award more than one scholarship to pupils of the same school. A District Board shall, when awarding scholarships, conform to such general Rules relating to scholarship as may, from time to time be prescribed by the State Government.

95. Scholarship bills.

(1) Bills for lower primary scholarships tenable in upper primary schools shall be countersigned by the Sub-Inspector of Schools and shall be submitted by him to the District Superintendent for payment. (2) In the case of lower primary scholarship awarded by the District Board and made tenable with the consent of the board in another district, the bills shall be drawn up by the Headmaster of the schools in which the scholarship is held and presented for payment to the District Superintendent of the former district through the District Superintendent of the latter district. (3) Bills for lower primary scholarship tenable in Middle Schools shall be submitted by the Headmaster of such schools direct to the District Superintendent. (4) Bills for lower primary scholarship tenable in High Schools shall be submitted by the Headmaster direct to the District Superintendent.