

ANDHRA PRADESH PRIVATE EDUCATIONAL INSTITUTIONS MAINTENANCE GRANT (REGULATION) ACT, 1995

11 of 1995

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**ANDHRA PRADESH PRIVATE EDUCATIONAL INSTITUTIONS
MAINTENANCE GRANT (REGULATION) ACT, 1995**

11 of 1995

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An Act to Regulate the Fixation and Payment of Maintenance Grant to Private Educational Institutions in the State of Andhra Pradesh and matters connected therewith or incidental thereto. Whereas the Grant-in-aid Code which is a non-statutory set of rules governs the payment of grant-in-aid to the private educational institutions; And whereas, under Rule 27-A (ii) thereof there is a provision for payment of maintenance grant equal to ten percent of the teaching grant payable to private educational institutions: And whereas, the payment of maintenance grant as a percentage of the teaching grant results in an unintended hike in the maintenance grant as and when the scales of pay of teachers are revised thus requiring the concerned authorities to pass suitable orders with regard to payment of maintenance grant as and when the scales of pay of teachers are revised: And whereas, accordingly the District Educational officer, Krishna, in Circular Rc.No.B1/90, dated the 24th October, 1990 among other things ordered for the payment of

maintenance grant according to 1978 pay scales of the teachers; And whereas, the General Secretary, Krishna District Aided and Unaided Schools Managers, Correspondents Association and others have challenged the said Circular in the High Court of Andhra Pradesh in W.P.No.1159 of 1991; And whereas, the High Court of Andhra Pradesh in their judgment, dated the 7th March, 1991 in W.P.No.1159 of 1991 directed to release the maintenance grant at six percentum on the basis pay of the teachers that is being drawn from year to year. And whereas, Writ Appeal No.963 of 1991 filed by the Government against the said judgment has been dismissed by the High Court on the 4th February 1993. And whereas, the High Court of Andhra Pradesh in its order dated the 9th April, 1993 in W.P.No.14493 of 1992 directed the Government to release the maintenance grant to the petitioners therein at six percent as ordered in W.P.No.1159 of 1991: And whereas, it is evident from Sections 45 and 46 of the Andhra Pradesh Education Act, 1982 that the private educational institutions cannot claim grant-in-aid as a matter of right : And whereas, the Government will have to incur a huge expenditure of more than 78.25 crores of rupees if maintenance grant is to be paid at six percentum of the basic pay of the teachers that is being drawn from year to year, thus seriously hampering the developmental activities of the State: And whereas, on a review of the whole issue it is considered necessary to empower the Government to fix the quantum of maintenance grant retrospectively for each year commencing from the 1st April, 1978 in public interest. And whereas, the Bill to regulate the fixation and payment of maintenance grant to private educational institutions in the State of Andhra Pradesh and matters connected therewith or incidental thereto has been introduced in the Legislative Assembly of the State has not been passed by the Legislative Assembly; Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty sixth year of the Republic of India as follows:-

1. Short title, Application and Commencement :-

A sum of money is annually set apart to be expended under these rules as grants-in-aid of recognised educational institutions under private management with the objects of extending and improving secular education in the State and such grants shall be given impartially and without reference to any religious instruction to all such institutions, which impart sound secular instruction, subject to the conditions hereinafter specified and with due consideration of

the requirements of each locality and of each institution and of the funds available. These rules do not apply to Anglo-Indian Schools or to Elementary Schools including Adult Literacy Schools and Pre-Basic Schools or sections which are aided under separate rules.

2 \Definitions

The words and expressions used in this ordinance shall have the meaning respectively assigned to them in the Andhra Pradesh Education Act, 1982.

3. Powers to fix quantum of maintenance grant :-

Grants are given for teaching and other purposes as specified in the various chapters in this code.

4 \Validation

Notwithstanding anything contained in any judgment decree or order of any Court, Tribunal or other authority, no private educational institution receiving aid from the Government shall be entitled to claim or receive any amount in excess of the amount fixed by the Government under sub-section (1) of Section 3 towards the maintenance grant and accordingly.

(a) no suit or other proceeding shall be instituted, maintained or continued in any Court against the Government or any person or authority whatsoever for the payment of maintenance grant otherwise than in accordance with Section 3: and

(b) no Court shall enforce any Judgment decree or order directing the payment of any maintenance grant except to the extent provided by the Act.

5. Repeal of Ordinance 11 of 1994 :-

The appendice to this code shall have the same effect as the rules of the code shall and be treated as part of the code.

5 \Repeal of Ordinance 11 of 1994

The Andhra Pradesh Private Educational Institutions Maintenance Grant (Regulation) Second Ordinance, 1994 is hereby repealed.

CHAPTER 1

Introduction

1. Preamble :-

A sum of money is annually set apart to be expended under these rules as grants-in-aid of recognised educational institutions under private management with the objects of extending and improving secular education in the State and such grants shall be given impartially and without reference to any religious instruction to all

such institutions, which impart sound secular instruction, subject to the conditions hereinafter specified and with due consideration of the requirements of each locality and of each institution and of the funds available. These rules do not apply to Anglo-Indian Schools or to Elementary Schools including Adult Literacy Schools and Pre-Basic Schools or sections which are aided under separate rules.

2. Definitions :-

In these rules, unless there is something repugnant in the subject or context, the term "Director" means the Director of Public Instruction, Andhra Pradesh State and the Regional Deputy D.P.I. means Regional Deputy Director of Public Instruction. "State" means the State of Andhra Pradesh; "Government " means the State Government; "Department" means the Educational Department; "District" means the Educational District "District Educational Officer" includes Inspectress of Girls' Schools; "Year" means the financial year; and "Manager" includes a Board of managers.

3. Objects for which aid is given :-

Grants are given for teaching and other purposes as specified in the various chapters in this code.

4. Interpretation of Rules :-

The interpretation of any rule in this code shall in the instance rest with the Director. The of final interpretation and the to change or modify the rules in this Code are reserved by Government.

5. Appendices to have the effect of Rules :-

The appendice to this code shall have the same effect as the rules of the code shall and be treated as part of the code.

CHAPTER 2

General conditions of aid

6. Recognition :-

No grant under the provisions of these Rules shall be paid to an institution : or in respect of a Department or class therein, which has not been recognized by or under the Andhra Pradesh Educational Rules.

7. Management :-

Every institution on behalf of which aid is sought shall be under the management of one or more persons recognized by the Department who in the capacity of proprietors, or of trustees or of members of

committee elected by the Society or Association by which the institution is maintained, shall undertake to be answerable for the maintenance of the institution and the fulfilment of all the conditions of recognition and aid including the due enforcement of such rules of discipline as are prescribed from time to time. The management may, with the approval of department, appoint a person as correspondent to transact the current business of the institution with the department. Application for change of management in respect of Secondary schools and Special institutions (excluding Oriental Colleges) shall be made to the Regional Dy.D.P.I. concerned. In respect of all other institutions applications for change of management shall be made to the D.P.I. Application for change of management of institutions should be made to the Director. The Director shall approve the change of correspondentship in respect of College. The change of correspondentship in respect of other institution shall be approved by the officers authorised by the Director in that behalf. The Director, may, after giving an opportunity for making representation declare any person unfit to hold the post of correspondent in respect of a College receiving aid under the Code and remove him from the correspondentship either permanently or for receiving aid under the Code and remove him for a specified period for proved charge of maladministration or for failure to comply with or for not following or adhering to the instructions issued by the department, besides taking such other action as may be deemed necessary under the provisions of this Code. This order of the Director in all such matters shall be final.

8. Declaration by the management :-

Every application for aid shall be made in such form as may from time to time be prescribed and shall contain a declaration signed by the correspondent to the effect that the conditions of recognition and aid as laid down in Andhra Pradesh Educational Rules and in the Grant-in-aid Code are being and will continue to be fully observed excepting any rules from which the institution may be specially exempted, and that the management is prepared to subject the institution together with its current endowment and trust accounts, its establishment, time table and registers, to inspection and to furnish such returns as may be required by the department.

9. Sanctioning Authority :-

Except in cases where reference to Government is required or

where authorities subordinate to the Director have been permitted to sanction grants, all grants paid from State funds are sanctioned by the Director. The Deputy Director of public Instruction (Finance) and any other Gazetted Assistant in his office as may be empowered in this behalf may also exercise the powers of the Director in this behalf. The Regional Dy.D.P.I's concerned are also authorised to sanction grants in respect of Secondary Schools and Special Institutions (excluding oriental colleges) under this rule.

10. Reservation of discretion by Government :-

Notwithstanding anything contained in these rules, the Government reserve to themselves the right to refuse or to withdraw any grant at their entire discretion. A sanctioned grant may be withdrawn by the authority empowered to sanction such grant at a time before payment and shall not be deemed to be a debt enforceable by suit or by any other legal process.

11. Lapse of grant :-

The eligibility of an institution for purposes of aid from State funds shall cease automatically if the recognition of that institution is withdrawn and such ineligibility shall take effect from the date from which the withdrawal of recognition takes effect. Subject to this condition, an institution which works throughout a financial year or for a part of a year shall be eligible for grant of such period whether or not it works beyond that period.

12. Disbursal of grant :-

Teaching grant disbursed to an Educational Institution during an year relates to the working of the institution during the previous financial year and shall be treated as such except for purposes of classification under accounts.

13. Penalties :-

The Director or the Regional Deputy Director of Public Instruction concerned who is authorised under these rules to sanction grants to the said institutions may after necessary investigation withdraw, withhold, reduce or suspend any grant due in respect of an institution.

(1) if the institution concerned fails to fulfil all or any of the conditions of recognition or aid; or it refuses admission to any pupil on the ground of caste or community to which the pupil belongs; or the manager or any of the Teachers employed in the institution takes part in political agitation directed against the authority of

Government or inculcates opinions tending to excite feelings of political disloyalty or disaffection among the pupils; or the institution, directly or indirectly encourages propaganda calculated to bring into hatred, ridicule or contempt the beliefs and practices of any religion ; or there is violation of any orders of the Director with regard to the employment of any teacher whose certificate has been cancelled or suspended after due enquiry or who after due enquiry has been considered by him to be unfit or undesirable to be a teacher; or there is falsification of registers, or misuse of special fee collections or other funds for purposes other than those for which they are collected or there is misrepresentation regarding fees, attendance or other matters or other proved fraud or irregularity.

(2) and further in the case of school, if the character, the efficiency and the financial condition of the schools, the educational needs of the locality or the funds at his disposal warrant the adoption of such a course; or there is failure to remedy defects in organisation, discipline, instruction or accommodation pointed out in writing after a previous inspection or to remedy defect in the maintenance of accounts pointed out by the Auditors; or the management fails to restore a teacher whose services have been wrongfully dispensed with or fails to pay him any arrears of salary or other benefits when directed by the Director to do so; or the management fails to take action for the removal of a teacher or Headmaster who contravenes the provisions of Rule 160 of the Andhra Pradesh Educational Rules; or the management fails to take action for the removal of a member of the teaching staff of an affiliated and recognised college, who contravenes these provisions of the regulation relating to conduct of taking part in election made under the relevant provisions of the concerned University Act.

14. Adjustment of grants and payment of arrears :-

(a) Any adjustment which in consequence of the operation of Rule 13 or in the course of audit referred to in Rule 17 or for any other reason that may be found necessary to carry out in the teaching grant or any other grant already paid may be made in the teaching grant paid in the following year or in the payment of any other grant due to the institution or in such other manner as the Government deem fit.

(b) Teaching Grant on particular items of expenditure, if any disallowed in an year for want of full particulars or pending

rectification of any defects and which would otherwise have been admitted for purposes of grants may be paid by the Director or the Regional Deputy Director as the case may be in the next year after rectification of the defects or supplying the omissions provided that any claim not preferred for such arrears before the close of the next financial year shall not be admitted.

15. Direct payment to teachers :-

Whenever the management of schools or colleges allows the salaries of teachers to fall into arrears for more than two months, the Director or the Deputy Director as the case may be may cause an enquiry to be made into the matter and after considering the report of enquiry, order the disbursal of the salaries due to staff from out of the grant that may be payable to the institution under the rules in this code and pay the balance, if any to the management. In such cases, if the Director considers it necessary he may direct the managements of the colleges, schools to deposit the tuition fee collections in Bank in the name of an Officer authorised by him or in the joint account of the representative of the Management and the Director or his nominee for utilisation of the amount towards direct payment of salaries to the staff.

16. Income to be devoted to education purposes :-

No aided institution shall be allowed to spend any portion of its income except in furtherance of the purposes of the institution or for similar purposes approved by Government. Subject to the above condition, managements of schools are allowed to retain any surplus amounts left with them in respect of the working of the institution in a particular year with a view to spending the sums thus accumulated on funds improvements to the institution concerned. Large accumulation of funds beyond a limit considered desirable by the Director or the Regional Deputy Director as the case may be shall not however, be permitted.

17. All payments are subject to audit :-

The accounts of every institution receiving aid from Government shall be subject to audit and it shall be open to the Director to decide in respect of each institution whether such audit shall be carried out by the auditors of his department or by outsiders and how often and at what intervals such audit shall be carried out. The auditors deputed by Director shall be given full access to all Registers, Records, Account Books, etc, which the auditors find it necessary to be perused to a satisfactory discharge of their duties.

In case of each institution not covered by the system of departmental audit, the Financial Statement of that institution should bear the countersignature of a competent Auditor not in any way connected with the institution. The Auditor should certify to the receipts and expenditure being correctly stated and supported by proper vouchers. The decision of the Director in the case of colleges and of the District Educational officer concerned in the case of other institutions as to whether any person is a competent auditor will be final.

18. Payment of dearness allowance :-

In case where the managements of aided educational institutions do not pay dearness allowance or war allowance at Government rates to the staff under their control, the Director or the Regional Deputy Director as the case may be, shall carry out investigation into the financial position of the institution and if, after such investigation he is satisfied that the managements can afford to pay the allowance at Government rates, shall direct the management concerned to pay the allowance at Government rates. If ever after the issue of such a direction, the managements receiving grants from State funds do not pay the allowance at Government rates, the grant payable to them may be withheld either in full or in part. The refusal of the payment of the allowance at Government rates by managements which do not earn any teaching grants may be considered as a valid reason for the withdrawal of recognition.

19. Age limit for assessment of grant :-

No grant shall be paid in respect of the members of the teaching and non-teaching staff in schools who have completed fifty five years.

(1) No grant shall be paid to a college (Degree as well as junior) on behalf of the members of the teaching and non-teaching and non-teaching staff who have completed fifty five years.

(2) No grant shall be paid in respect of office peons (Attenders) and similar categories of staff working in colleges (Degree and Junior) drawing the identical scales of pay who have completed Sixty Years.

20. . :-

A member of the staff of any institution receiving aid from Government shall not stand as a candidate, or interfere or use his

influence in any way or any thing in aid or in obstruction of any candidate in any election to a legislative body or local authority whether in India or elsewhere nor shall he take part in, or subscribe in aid of any electioneering party organisation :

Provided that if he is qualified to vote at such election, he may exercise his to vote but if he does so he shall give no indication of the manner in which he proposes to vote or has voted. The Government aid shall not be extended to any private educational institution, whether collegiate, secondary or elementary, which allows any of its teachers to stand for election to a local body or to a legislative body.

21. Appeals :-

An appeal for the revision of any orders by the competent authority under these rules shall lie to the next higher authority. But in the case of appellate orders passed by the Regional Dy.D.P.I. a second appeal shall lie to the Director.

CHAPTER 3

Teaching grants on behalf of Secondary School

22. Average daily attendance of pupils :-

A grant shall not be given to an institution which had not, for the previous year, an average daily attendance of 45 pupils in classes VI to VIII in the case of Middle Schools or in Classes IX to XI in the case of High Schools or 60 in Classes IX to XII in the case of Higher Secondary Schools. The Regional Dy. Director, may however, relax this rule in special cases.

23. Number of school meetings :-

An institution shall not ordinarily be eligible for the full grant in any year unless it met in the previous school year on 220 school days or 1200 hours or on such number of school days as may be prescribed by the Director with the approval of the Government. For purposes of these rules the Regional Deputy Director shall be competent to grant condonation of shortage in the number of working days only upto a maximum of a deficiency of 5%.

24. Definition :-

The school day shall consist of atleast four hours of secular instruction; but two meetings, each of not less than two hours, whether on the same day or on different days, shall be counted as one school day.

25. Scales of pay :-

The scales of pay adopted for the several members of the teaching and non-teaching staff in aided secondary schools shall not be less than the scales prescribed by the Government.

26. Application for aid :-

Application for first admission to aid shall be made in the prescribed form (Appendix A) to the Regional Deputy Director through the District Education Officer concerned before 1st July. The application shall be accompanied by such returns as the Regional Deputy Director may from time to time prescribe with a view to ascertaining the financial position of the school and its eligibility for aid.

27. . :-

(A) In the case of aided Secondary Schools, the amount of grant payable in a year will normally be :-

(i) A teaching grant equal to the expenditure on salaries (including allowance) of the teaching and non-teaching staff in the preceding Financial Year excluding the expenditure on the menial staff paid from contingencies.

(ii) A maintenance grant equal to 10% of the expenditure referred to in item (i) above.

(iii) The amount of tuition fees collected by the management (as explained in B (iii) below) shall be deducted from the total of items (i) and (ii) above, while arriving at the net grant-in-aid payable to the School.

(B) No management shall, without the prior consent of the Director, either increase or decrease the rates of fees charged in their schools in 1961-62 and 1963-63 in respect of Andhra and Telangana regions respectively.

(i) The term "Secondary Schools" includes "Oriental Schools" and "Post Basic Schools" and excludes "Training and Special Schools".

(ii) The maintenance grant equal to 10% of the expenditure includes the expenditure relating to:

(a) Expenditure on menial staff paid from contingencies.

(b) Teachers' Provident Fund Contribution of managements.

(c) Rents

(d) Taxes

(e) Repairs and upkeep of buildings, furniture, equipment etc.

(f) Contingencies (Postage, Stationery etc,)

(g) Outlay (Audit fees etc).

(h) Casual purchase of reference books, Furniture, Laboratory appliances etc.,

provided these are not covered by separate grants.

(iii) The amount of tuition fees to be reckoned for the purpose of income includes the:

(a) Actual income on tuition fees.

(b) Income foregone by the managements on account of irregular sanction of concessions and is exclusive of

(c) The income foregone by way of sanctioning managements concessions provided the amount of loss does not exceed the amount lost in 1960-61.

28. Financial statement :-

The management of every aided Secondary school shall submit to the Regional Deputy Director through the District Educational Officer not later than 1st May of each year a Financial Statement in the form prescribed in Appendix (E).

29. Payment of grants :-

Method of payment of grant due for the year shall be worked out on basis of the September pay bill payable on the 1st October; in respect of newly opened schools and in all other cases on the basis of July pay bill payable on the 1st August. The grant so arrived at, after adding also 10% for maintenance and contingencies, shall be divided into equal monthly instalments and shall be paid to the Correspondent monthly in the shape of cheques to be issued so as to reach the Correspondent on the last working day of the month after obtaining a certificate of disbursement of salaries of the previous month signed by both the Correspondent and the Headmaster. The excess or short payment of grants, if any, will be adjusted after the audit of the School is over.

Explanation 1 :- In respect of Schools for which audit is not

completed up to date (3) three percent of the assessed grant of the latest financial year for which accounts are audited, may be added to the amount of grant assessed for the latest year of audit for each of the subsequent years for which audit has not taken place and 1/12 of the total amount so arrived at may be fixed as the monthly rate of advance teaching grant.

Explanation 2 :- In case where additional Section or classes opened by the management have been admitted to aid subsequently 1/12 of the admissible expenditure on these classes or sections may also be added to the monthly grant arrived at under explanation (1) above.

Explanation 3 :- In the case of additional section/sections opened and admitted to aid proportionate grant payable to the section/sections may be added to the grant fixed. If additions to D.A.etc. are sanctioned lumpsum grants may be paid to the schools.-

Explanation 4 :- Should it be found subsequently that excess payment was made to the management due to the furnishing of incorrect particulars by the management or suppression of facts, the management shall be penalised by effecting a cut of an amount equal to 20 percent of the excess amount paid for each of the years during which the excess advance teaching grant remained with the management by way of penalty and the amount recoverable from the advance grants payable thereafter in twelve equal instalments.

29-A :- Payment of grants :

(a) The District Educational Officer shall obtain the pay bills of the staff working against the posts admitted to grant-in-aid from the correspondent every month, for Non-Plan and Plan posts separately.

(b) For payment of advance teaching grants the following certificate shall be obtained by the District Educational Officer also with the pay bills signed by both the Headmaster and correspondent.

(i) That the salaries of the previous month have been completely disbursed and acquittances obtained.

(ii) That the economic strength is maintained in all the section as per rules.

(iii) That all the posts for which grants claimed, have been admitted to grant-in-aid.

(iv) That the temporary posts sanctioned to the school for which grant-in-aid claimed in the bill have been ordered to be continued for the period ending with Vide G.O.Ms.No.....dated.....

(v) That the teachers on behalf of whom salaries are claimed in any bill are qualified or exempted if not qualified.

(vi) That the un-disbursed amount if any from the previous month grant, have been deducted from out of the present bill (Details of amounts and reasons) of the amount lying for disbursement during the current month.

(vii) That the salaries now claimed in the bill have not been drawn/released earlier.

(viii) In addition to the above, any certificates prescribed under Rules by the competent authority from time to time.

(c) Based on the pay bill for a month along with the acquittances received from the Correspondent, duly signed by the Headmaster and Correspondent, the Dist. Educational Officer shall release advance teaching grants for that month for disbursement of salaries to the staff.

29-B. Drawal of grants :-

(i) Grants may be drawn on a bill prepared in the prescribed form (Appendix -F) and countersigned by the District Educational officer concerned.

(ii) On receipt of the countersigned bill, the manager shall endorse it and present it at the nearest treasury in accordance with instructions given in the sanction order and obtain payment.

CHAPTER 4

Teaching Grants on behalf of Aided Colleges for General Education and for Teachers training

30. Application for aid :-

Application for first admission to aid under this Chapter shall be made in the form prescribed in Appendix -B so as to reach the Director not later than 1st August. No college shall be eligible for grant unless the prior approval of the Government is obtained for its establishment. In cases of new courses or groups to be opened

in the existing colleges, the prior permission of the Director shall be obtained. In order to ensure compact and effective governing bodies for aided Colleges, the management shall re-constitute them with small number including the representatives of the Education Department and the University.

31. Fixing the amount of grants :-

Teaching grants to aided Colleges shall be paid adopting the following formula:

(a) Hundred percent of expenditure on salaries of teaching and non-teaching staff minus fees at standard rates to be limited to actual deficit subject to the condition that the existing rates of fees (1963-64) must not be reduced. Any balance in actual fees collected shall be utilised by the managements towards other recurring expenses like contingencies etc. All items of expenditure permitted in the case of Government Colleges will be permitted in the case of aided colleges according to the ceilings prescribed by the department.

(b) During the year 1963-64, all the new colleges established after the introduction of the Three-Year Degree Courses which have not received financial assistance under the central scheme for implementing the P.U.C. and Three-Year Degree Courses shall be paid a special laboratory grant limited to Rs.15/- per science student (both P.U.C. and B.Sc.) studying in the college during the year. From the year 1964-65 all colleges shall be paid a special grant at the rate of Rs.5/- for each science student (both P.U.C. and B.Sc.) on the rolls during the year.

(c) The managements shall be paid a grant equal to

(a) half the expenditure incurred by the managements on scholarships and fees remission, if any, sanctioned by them upto a limit of 10% of the free income reckoned at standard rates provided that the scheme for sanction of such scholarships and fee remissions has received the prior approval of the Director and the rate of sanction of each concession is not less than half the actual rate of fees obtaining the institution; and

(b) the lesson in fee income on account of the award of all the fee concessions granted under the provisions of the Andhra Pradesh Education Rules.

32. Reservation of control by Government :-

As a condition of the continuance of the grant or any portion thereof the Government reserve to themselves the to prescribe any particular line of action to be taken by the management in regard to any matter affecting the college.

33. Financial Statement :-

For purposes of claiming grants the management shall submit to the Director not later than 1st May of each year, financial statement in the form prescribed in Appendix - E-1.

34. Drawal of grant :-

Grants for a year may be drawn on a bill prepared in the form prescribed in Appendix -F. Countersigned by the District Educational Officer concerned.

CHAPTER 5

Teaching Grants on behalf of Institutions for Special Education

35. Scope and extent of Application :-

The Rules in this Chapter shall apply to teaching grants paid to training schools, institutions for oriental learning (for the study of Sanskrit, Telugu, Tamil, Persian or Arabic) Pre Primary Schools and departments (Excluding pre-basic schools) for defectives, Hindi Vidyalayas, schools for Physical Education, Rural Colleges for adults and all other Special types of institutions.

36. Fixing the amount of grant :-

Except as otherwise provided in Rule 37 the amount of grant payable in any case shall be as fixed by the Regional Dy. Director after consideration of all the circumstances of the cases.

37. Basis of assessment in specified cases :-

(a) In the case of the following types of institutions, an amount not exceeding two thirds of the net approved expenditure without taking into account the expenditure of payment of Dearness allowance and one half of the expenditure on the payment of Dearness Allowance or the actual deficit calculated in the manner prescribed in the Rules whichever is less shall be disbursed as teaching grant provided that for purposes for this rule, the Regional Deputy Director shall determine in each case as to what items shall constitute "Receipts" and as to what items of expenditure shall be admitted under "Approved Expenditure."

i) Training Schools (Basic and Non-Basic);

- ii) Training Schools for Physical Education Teachers;
- iii) Reorganised Oriental Secondary Schools;
- iv) Schools for defectives;
- v) Rural Colleges for Adults.

(b) Subject to the same condition as in sub-rule (a), an amount not exceeding one-half of the net approved expenditure without taking into account the expenditure on payment of Dearness Allowance and one-half of the expenditure on payment of Dearness Allowance or the actual deficit calculated in the manner prescribed in the rules whichever is less shall be disbursed as Teaching Grant to the following types of institutions.

- i) Advanced Oriental Schools and such advanced sections attached to Oriental Colleges and Oriental Elementary Schools.
- ii) Hindi Vidyalayas.

38. Qualifications and Scales of pay :-

As a condition for purposes of eligibility for grant, the qualifications and scales of pay adopted for the staff employed in the several types of institutions shall be as prescribed by the Department.

39. Application for aid :-

Application for admission to aid on behalf of training schools shall be made in the form prescribed in Appendix -C on behalf of Oriental Colleges in the form prescribed in Appendix B and on behalf of other institution in the form prescribed in Appendix D so as to reach the Regional Dy. Director through the District Educational Officer concerned, not later than 1st July. For purpose of claiming grant, the management of every institution shall submit to the Regional Dy. Director through the District Education Officer not later than 1st May of each year, a financial statement in the form prescribed in Appendix-E.

40. Special regulations for Rural Colleges for Adults :-

(a) A grant shall not be given to rural college which has not for the previous years an average daily attendance of fifteen students.

(b) A rural college shall not ordinarily be eligible for the full grant which can be sanctioned for it unless, in the previous academic year, it has worked for 180 days or such number of days as may be prescribed by the Director with the approval of Government. A full

working day shall consist of not less than 1 hour and 45 minutes of instruction.

41. Special regulations for Hindi Vidyalayas :-

(a) The number of institutions to be aided will be fixed by Government every year having regard to the number of Hindustani Teachers required for employment in Educational Institutions.

(b) An institution shall work for at least 180 days in the academic year and shall maintain an average daily attendance of not less than 25. A full working day shall consist of not less than 4 hours of instruction.

(c) For purpose of earning grant for year the percentage of passes obtained by an institution during that year shall be not less than 50.

42. Drawal of grant :-

Grant sanctioned under the rules in this Chapter shall be drawn on a bill prepared in the form prescribed in Appendix-F, countersigned by the District Educational Officer concerned. The bill in respect of the institutions for Physical Education shall be countersigned by the Chief Inspector of Physical Education .

CHAPTER 6

Grant Towards Medical Inspection of Pupils in Secondary Schools

43. Conditions and amount of grants :-

Grants -in-aid of Medical inspection of pupils conducted in Secondary Schools shall be paid subject to the following conditions:

(1) Managers shall select with the approval of the Regional Dy. Director one or more medical officers from among local registered medical practioners. The work of inspection should as far as possible be entrusted to Civil Assistant Surgeons or to Registered Medical Practitioners with similar qualifications.

(2) The fee payable to the medical officer shall not exceed twelve annas for the inspection of a pupil and six annas for each for the subsequent annual inspections.

(3) The grant payable shall be limited to one-third of the expenditure incurred by the management subject, however, to an upper limit of four annas for the inspection of each pupil and two annas for each of the subsequent inspections.

(4) The award of grants shall be contingent on the levy of special fees pupils so as to cover at least one-third of the cost of medical inspection.

(5) The management of the school shall undertake to maintain the records and submit the returns prescribed for the purpose of medical inspection and to comply with all other conditions that may be laid down in this regard by Government or their authorised officers.

43A. Reduction of grants :-

The grant will be liable to reduction at the discretion of the Regional Dy. Director

(i) if, on an examination of the report of the medical officer, it is found that the inspection has not been conducted satisfactorily; Or

(ii) If after due warning, the management concerned fails to take action to remedy defects of sanction and hygiene brought to the notice of the Regional Dy. Director in the Medical Officer's report.

CHAPTER 7

Grants towards the payment of stipends in Training Institutions

44. Fixing the amount of grant :-

Grants may be given to a training institution to enable the payment of stipends to students under training at the rates laid down in the Andhra Pradesh Educational Rules. The amount of grant given to a Training School shall be determined by the District Educational Officer concerned after taking into consideration the restrictions on the number of students in each grade etc., imposed by the Andhra Educational Rules or by the Director, the relevant circumstances of the case and funds allotted for each district or circle. The grant for colleges shall be sanctioned by the Director.

45. Duration of grant :-

Grant will be allowed on behalf of a student for a period not ordinarily exceeding the authorised duration of the course of particular grade.

46. Application for Aid :-

Applications for grants under this Chapter shall be submitted to the Director or the Dist. Educational Officer concerned as the case may be, in the form prescribed in Appendix -G.

47. Payments of Grants :-

Stipendiary grants shall be drawn monthly on a bill prepared in the form prescribed in appendix-H.

CHAPTER 8

Grants towards the Rent of Hostels

48. Fixing the amount of grant :-

Grants may be sanctioned by the Director towards the rent of buildings to be used as hostels, provided satisfactory arrangements are made by the management for the supervision of the students residing therein. Grants, in such, cases, shall not exceed one-half of the expenditure incurred by the management from its own funds on the rent of the hostel buildings or the actual deficit whichever is less after deducting the rent due from the inmates in the hostel. The rent due for the purpose of grant will be fixed by the Government on the recommendation of the Director.

49. Application for Aid :-

Application for grants under this chapter should be submitted in the form prescribed in Appendix-I, and be accompanied by outline plans and a recommendation, supported by reasons, as to what may properly be considered to be the rent due from the inmates.

50. Drawal of grants :-

The grant shall be drawn on a bill in the form prescribed in Appendix -F duly countersigned by the District Educational Officer concerned.

CHAPTER 9

Grants for Buildings, Sites and Play Grounds

51. Objects of aid :-

Grants may be sanctioned for any of the following purposes:

(1) Purchasing, erecting, enlarging or improving houses or buildings of Educational Institutions or students' hostels including residential quarters for the Warden or other staff attached to the hostel and for sinking wells.

(2) Execution of extensive alterations and major repairs to buildings.

(3) Acquiring land for instructional hostel or playground purposes.

52. Conditions of grant :-

(i) In the case of new buildings extensions or alterations, the Director or the Regl. Dy. Director of Public Instruction as the case

may be must have been convinced of their necessity and have approved their character. Works commenced before obtaining the special permission of Government will not be eligible for grant. In the case of purchases of land or buildings, the Director or the Regl. Dy. Director of Public Instruction as the case may be must either have been consulted before the purchase was made or be convinced that land previously purchased is to be newly devoted to an educational purpose;

(ii) Grants will not generally be given for a school building which fails to meet the requirements specified in Appendix-J.

(iii) Rooms in hostel building for the construction of which grant will be sought at any time must be of not less than the following dimensions. Dormitories must be large enough to allow, if for a single pupil, 80 superficial feet and 900 cubic feet, if more than one pupil, a proportionately diminishing space down to 30 superficial feet and 400 cubic feet per head. For ten or more pupils, a space of at least 8 superficial feet and 80 cubic feet per head should be provided in every room used as a dining room or for any other dwelling purposes, other than sleeping;

(iv) Building grant will not be given to Harijan Hostels which have not been in existence for more than five years.

53. Application for Aid :-

A management contemplating building operations for which it desires a grant from Government shall apply to the District Educational Officer for (i) a form of application for grant, and (ii) instructions for the preparation of plans and estimates. Application in the form prescribed in Appendix-K, shall except in the case of college, be submitted to the Regional Dy. Director through the District Educational officer concerned accompanied by such outline plans as will enable the Regional Dy. Director to judge the suitability of the proposal from an educational point of view. Application in respect of Colleges shall be submitted to the District direct. An application received by the Director or the Regional Deputy Director as the case may be, shall be scrutinised by him in the instance with reference to the requirements of the institution and the suitability of the scheme and the building grants given to the institution concerned during the previous three years. If after such preliminary scrutiny, the Director or the Regional Deputy Director as the case may be is satisfied that scheme is essential and urgent, he may, in respect of the proposed scheme, call for detailed plan and

estimates from the management.

54. Preparation of plans and estimates :-

The detailed plans specification and estimates (which may include Architect's and Engineer's fees) shall be prepared by Professional Engineers or Architects having a recognized qualification such as M.A.I.C.E., A.M.I.E. (Ind) or an Engineering Degree from a recognized University or by a Gazetted Officer of the Public Works or the Highways Department, present or retired, or by other persons whom the Chief Engineer (General and Building) considers to be competent for the purpose. In preparing these plans and estimates the instructions contained in Public Works Department circular memo No.916-G/50-1, dated 29th June, 1950 (See Appendix- G) shall be followed. The plans and estimates shall be submitted to the Director or the Regional Dy. D.P.I. in duplicate.

55. Technical approval and commencement of work :-

The detailed plans, specifications and estimates received from the managements shall then be forwarded, for technical approval to the Superintending Engineer if the cost of the work exceeds Rs.25,000 or the Executive Engineer if the cost of the work is Rs.25,000 or less. After obtaining such technical approval, the Director shall submit proposals to Government, not later than 1st October of each year, for making provision in connection with the Part II of the Budget of the succeeding year in respect of all the schemes for which approved plans and estimates exist. Permission should be given to the managements concerned to proceed with the schemes relating to them, only after final orders are issued on the Part II Schemes and necessary provision has been included in the Budget of the year concerned and until then the Department shall not be considered to have committed itself for the payment of grant on any scheme. The Regional Deputy Director shall submit proposals to Government through the Director. In exceptional cases, however, the Director or the Regional Deputy Director, through the Director shall submit proposals to Government for the sanction of Government, individual applications for Building Grants, the Plans and estimates for which have been technically approved. In such cases the Government will consider the question of according permission to a management to proceed with its scheme, treating it as special case without any commitment as regards the question of admitting it to aid which will be considered, in the usual course, only as Part II Scheme for the succeeding year.

56. Tenders and supervision of work :-

Open tenders shall be called for in each case in which the total estimate exceeds Rs.10,000. The tenders shall be received only in closed and sealed covers of packets and they shall be opened in the presence of the District Educational Officer concerned. Every scheme during the course of its being executed shall be under the supervision of a professional Engineer or Architect such as is referred to in Rule 54. Where it is provided that private qualified professional advice is not available, the management shall, prior to the commencement of the work thereon give 15 days notice in writing to the Executive Engineer in charge of the Division wherein the construction of the building is proposed. During the progress of the work, access thereto and every reasonable opportunity to inspect and examine materials and take measurements shall be afforded by the management to the officers of the Public Works Department. A fee of one percent of the total estimate shall be levied where actual supervision of construction by the Public Works Department is required.

57. Time limit for completion of the Works :-

A scheme which has been admitted for aid and the work relating to which, or the purchase or acquisition of land or building is not completed within a period of three years from the date of such admission shall not be eligible for any grant unless in any case the prior approval of the Director or the R.D.O. as the case may be has been obtained for special and valid reasons, for an extension of the time limit.

58. Certificate to be produced :-

After completion of the Scheme (Building or Playground) the correspondent shall be required to furnish a certificate in the Form prescribed in Appendix-I, signed by the Architect or Engineer in charge of the works to the effect that the scheme has been completed generally in accordance with the approved plans and specifications and another certificate signed by the correspondent himself specifying the total amount actually spent on the scheme. If the work has been executed under the supervision of the officers of the Public Works Department, the Director or the RDO as the case may be will call for a valuation of the work done from the Local engineer of the Public Works Department. The Director or the RDO as the case may be may also call for, at any time, from the management the vouchers etc., in support of the expenditure stated to have been incurred and also require the management to

furnish a certificate specifying the total amount of private benefactions received by the management in respect of the work.

59. Amount of grants :-

In the case of buildings erected (improved, altered or repaired) the grant payable shall not exceed the percentage specified below of the total cost of the work shown in the management's estimates as approved by the Director and modified by the Public Works Department subject to the maximum monetary limit specified. In the case of buildings, or lands, acquired, the grant payable will be based on the Collectors' estimate of the value of the same or of the actual cost of the acquisition or purchase whichever is less, shall not exceed the percentage and maximum monetary limits prescribed for buildings erected. In the case of lands or buildings purchased, the expenditure actually borne by the management of the institutions in connection with the transfer of property viz. stamp duty, registration charges etc., will be added to the purchase value of land or building acquired for an educational institution for the purpose of payment of grant from the State funds. However, where a management receives a private benefaction for the construction or purchase of a building or acquisition of land for an educational institution, it shall be entitled to take full credit for such benefaction in arriving at its share of the cost of the construction or purchase of the buildings or acquisition of the land and where, the private benefaction is excess of the management's share of the cost such excess shall be taken as deduction of the State Government's share of the cost. The grants payable for sinking wells will be limited to three-fourths of the actual cost in the case of Basic Training Schools and one-half of the actual cost in other cases.

60. Payment of grant :-

No grant or advance (Referred to in Rule 62) shall be paid to a management unless it proves to the entire satisfaction of the Government Pleader its title to the property in respect of which grant is claimed, by providing all the connected title deeds, and the Government Pleader declares the title of the management to the property to be in order. Grants sanctioned for any of the purposes mentioned in Rule 51 (1) and (2) except the purchase of buildings, shall be drawn on bills prepared in the form printed as Appendix - M, countersigned by the District Educational Officer concerned except in the case of bills relating to colleges. Grants sanctioned for the purchase of buildings or for the purposes mentioned in Rule 51 (3) shall be drawn on bills prepared in the form printed as

Appendix -N. countersigned by the District Educational Officer concerned except in case of bills relating to colleges.

61. Legal Charges :-

The Government pleader will be permitted to charge for the examination of titles in connection with building and play ground schemes for educational institutions, fees not exceeding 1 per cent of the grant sanctioned for the scheme subject to a minimum of Rs.20 and a maximum of Rs.250 in each case. The fees charged shall be paid by the management of the institution concerned whether a grant is paid by Government or not. One-half of the Government Pleader's fees will be reimbursed to the management in the shape of supplemental grant from the State funds. If a building grant is not sanctioned by Government the question of reimbursing the management for one half of the expenditure on Government Pleader's fee will be considered on the merits of each case.

62. Payment of Advances :-

The grant sanctioned for the construction of buildings under this chapter may be paid in part, as the work progresses, on the production of the following.

(a) A certificate from a qualified Engineer or Architect incharge of the work that the construction is proceeding on sound lines in accordance with the approved plans specifying the state of the work and his estimated value of the work done.

(b) A certificate signed by the correspondent himself specifying the actual amount spent on the construction and declaring that the grant claimed is not more than one-half of the actual expenditure incurred towards the construction.

63. Prohibition of transfer of lands and buildings acquired with the aid of Government Grant :-

Managements of Educational Institutions are prohibited from transferring lands or buildings acquired with the aid of Government grant for purposes other than that of the institutions concerned except, in accordance with the provisions of the Madras Aided Institution (Prohibition of Transfers of Property) Act, 1948 (Madras Act No. XIV of 1948 as amended by Act No.XXXIII of 1950) reproduced in Appendix-T.

CHAPTER 10

Grants for Furniture, Books and Appliances

64. Objects of aid :-

Grants may be sanctioned under this Chapter for furniture including hostel furniture; for apparatus, chemicals, maps, diagrams and models, for library books, for plant, materials and tools needed in educational institutions.

65. Conditions of aid :-

(1) The grant sanctioned in each case shall not exceed one half of the total cost of the equipment subject to a maximum of Rs. 10,000 in respect of colleges and Rs. 5,000 in respect of other institutions provided that where a management receives a private benefaction amounting to more than one-half of the cost of equipment, such excess shall be taken in deduction of the Government's share of the cost.

Exceptions :- (1) In the case of Secondary Schools in which bifurcated course or courses of studies have been introduced under a scheme of special aid from Government, a non-recurring grant equal to three fourths of the cost of the equipment purchased within the first two years of the introduction of the course or courses may be sanctioned by the Regional Deputy Director for each school subject to a maximum of Rs.7,350 for the Engineering Course and of Rs.5,700 for each of other courses except the Teaching practice course provided the grant disbursed in any year is not more than half of the maximum limit prescribed and it may be paid in the same year in which the articles of equipment are purchased.

(2) An institution which has not worked satisfactorily for at least one year after its opening shall not, ordinarily be considered for payment of equipment grant. An interval of at least one year between two applications for aid under this chapter may also ordinarily be required to elapse.

(3) No grant shall be given for articles purchased or manufactured, without previously obtaining the orders of the Director or the Regional Dy. DPI and for each aid has not already been promised.

(4) Excepting in the case of industrial and technical schools, aid shall not as a rule, be given for the purchase of articles to be used by the pupil, as distinguished from those required by the teacher in giving instruction. But in special cases grants may be given for books and slates for the use of pupils, on condition that the property of the institution is used by the pupils during working

hours only, and are not removed from the premises.

(5) Grants shall not be given to meet the cost of seats or desks of a pattern which has not been approved by the Department.

66. Application for aid :-

Applications for grant under this chapter shall be made in the form prescribed in Appendix-O, and shall be submitted, except in case of colleges through the District Educational Officer concerned so as to reach the Regional Dy. Director and to the Director direct in case of colleges, not later than 1st July, shall be accompanied by the details showing the number, description and price of each article which it is proposed to provide.

67. Sanctioning authority :-

(a) Schemes eligible for grant exceeding Rs.2,500 are sanctioned by Government, schemes eligible for a grant of Rs.2,500 and less are sanctioned by the Director, but in the case of secondary schools for boys and training schools for masters schemes for which the grant payable does not exceed Rs.500 are sanctioned by the Regional Dy. Directors concerned. Schemes in respect of Secondary Schools and special schools (training schools, oriental secondary schools etc.) are sanctioned by the Regional Deputy DPI, schemes in respect of Colleges, Oriental Colleges and those authorised to be sanctioned by the Regional Deputy DPI are sanctioned by the DPI.

(b) Payment of grant on all schemes except those sanctioned by the Regional Dy.DPI is authorised by the Director. The amount required for disbursement of grants for the schemes sanctioned by Regional Deputy DPI is placed at their disposal by the Director and payment is authorised by them.

68. Payment of grant :-

The grant shall be paid only on submission before the date specified in the order sanctioning the grant, of vouchers duly received. It shall be drawn on a bill prepared in the form prescribed in Appendix-P, countersigned by the District Educational Officer concerned except in the case of bills relating to the colleges. In the case of a management which received a private benefaction referred to in sub-rule (1) of rule 65, the management should furnish a certificate specifying the total amount of private benefactions received.

69. Claims of the Government :-

If an institution which has received under this chapter has within five years from the date on which a grant under this chapter is drawn, been closed or diverted to other than educational purposes approved by the Government, the Government shall be at liberty to purchase the articles towards the supply of which the grant was given, at a valuation to be made by an officer to be deputed by the Government for the purpose. When the Government purchase the articles at the valuation so fixed the amount to be paid to the management shall be only the excess of the valuation over the amount already given as grant towards their original purchase. Alternatively, the Government may direct that the articles shall be sold in auction, in which case the proceeds shall be paid into the Government treasury; provided that if the proceeds exceed the amount of grant already paid towards the purchase of the articles the differences shall be payable to the management of the institution.

CHAPTER 11

Boarding Grants to Indian Orphanages and Boarding Homes for Destitute Children