

## **SECONDARY EDUCATION REGULATIONS, 1974**

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## **SECONDARY EDUCATION REGULATIONS, 1974**

In exercise of the powers conferred by section 54 of the Gujarat Secondary Education Act, 1972 (Guj. 18 of 1973) and of all other powers enabling it in this behalf, the Government of Gujarat hereby makes the following first regulations, namely :

### **1. Short title and commencement :-**

- (1) These regulations may be called the Secondary Education Regulations, 1974.
- (2) They shall come into force with effect on and from 16th March, 1974.

### **2. Definitions :-**

In these regulations, unless the context otherwise requires

- (i) "Act" means the Gujarat Secondary Education Act 1972;
- (ii) "Appendix" means an appendix to these regulations;
- (iii) "conductor" means a person appointed to conduct an examination on behalf of the Board;
- (iv) "Department" means the Education Department of Government of Gujarat;
- (v) "Director" means the Director of Education, Gujarat State;
- (vi) "Form" means a form appended to these regulations;
- (vii) "Officer" means a District Education Officer appointed by the State Government under section 21 to be an officer of the Board and in absence of such an officer, any person so appointed as an officer of the Board ;
- (viii) "moderator" means an Examiner who has been appointed to moderate papers marked by other Examiners;
- (ix) "New Expenditure" means expenditure involved in adoption of a new policy, provision of a new facility or substantial alteration in the Character of an existing facility;

(x) "Secretary" means the Secretary of the Board;

(xi) "Section" means a section of the act;

(xii) "Supervisor" in relation to a Secondary School means a person appointed to Supervise the work of teachers in a registered secondary school;

(xiii) "Supervisor" in relation to Examination conducted by the Board means a person appointed by the Board to invigilate candidates at the Examination.

### **3. Powers and duties of Chairman :-**

In addition to the powers and duties of Chairman laid down in the Act the following shall be the powers and duties of the Chairman, namely :

(1) It shall be the duty of the Chairman (i) to give effect to the decisions of the Executive Committee; (ii) to convene all meetings of committee of which he is the Chairman; (iii) to preside at all meetings of a committee of which he is the Chairman.

(2) The Chairman shall have power

(i) subject to the provisions of the budget to sanction the purchase or hire of stores, stationery, furniture or other equipment required for the office of the Board, if the purchase price or hire charge exceeds Rs. 250/- but does not exceed Rs. 1000/ ;

(ii) to write off irrecoverable sums due in respect of stores, priced publications and unserviceable articles of dead stock provided that the amount of dues or the value of dead stock in each such case does not exceed Rs. 250/-;

(iii) to reappropriate amount from one detailed Budget Head to another in consultation with the finance committee, if any, of the Board without exceeding the amount sanctioned by budget.

### **4. Powers and duties of Secretary :-**

(1) The Secretary shall

(a) issue notices convening meetings of the Board and any committee as directed by the Chairman and to keep accurate and clear minutes and reports of all such meeting of the Board and Committees;

(b) act as a Secretary of all the Committees; and to attend and participate in the discussions at the meetings of such committees and supply such information and answer such questions as he may be called upon to answer or put at such meetings;

(c) be the custodian of the common seal, buildings, records, library and such other properties movable and immovable, vesting in held by or under the control of the Board and to arrange for the maintenance of a proper inventory and ensure proper care and upkeep of the same;

(d) conduct all correspondence of the Board under the authority of the Chairman;

(e) taken action on the minutes and reports of the Board and its committees, whenever necessary subject to any directions given by the Chairman;

(f) function as Treasurer of the Board and receive all fees and other dues payable to the Board and credit all such moneys, without delay, to the Board's appropriate account in the Bank and keep proper accounts of all sums received by him in his capacity as Secretary and of expenditure of all moneys of the Board for which such moneys have been granted or allotted;

(g) arrange for the preparation and submission of the annual; revised or supplementary budget estimates of income and expenditure of the Board and the annual accounts of receipts and expenditure of the Board, in accordance with the provisions of the Act and the Regulations ;

(h) to supervise the Board's library and forward to the Conveners of the Committees of Courses if any, books received from the Department or from authors or publishers and at the request of the conveners, circulate the same among the members of the Committees of courses, if any ;

(i) to issue prospectus, circulars notices, etc. relating to curriculum and text books prescribed or sanctioned for the Examinations held under the authority of the Board ;

(j) to report to the Chairman of the Board each case in which irrecoverable sums due to the Board in respect of stores, priced publication statements of marks and unserviceable articles of dead stock etc. which are to be written off and to carry out such

directions as may be issued in this behalf;

(k) to make all necessary arrangement for the conduct of the Examinations to be held by the Board, in accordance with the directions of the Executive Committee ;

(l) to arrange for the tabulation of the marks in various subjects and the preparation of the result sheet ;

(m) to issue to the successful candidates certificates in the form prescribed by the Board of having passed the Board's Examination ;

(n) to furnish to the Department annually, with a list of schools registered by the Board ;

(o) to call for reports and other information from registered schools ;

(p) to issue notices in respect of text books prescribed and books recommended for the Examination :

(q) to perform such other duties as may be necessary for the carrying out of the Board's decisions ;

(2) The Secretary shall have power

(a) to sign pay bills of the employees of the Board working in his office and to pass for payment all travelling allowance bills, other than those of the members of the Board and its Committees and then officers of the Board working in the Board's Office ;

(b) to grant leave other than special disability leave to the Class IV servants of the Board, in accordance with rules for the time being in force ;

(c) subject to the budget provisions sanctioned under section 29, to sanction the purchases or hire of stores, forms, stationery, furniture, and other equipment required for the Board's office if the cost of each such purchase or hire does not exceed Rs. 250/-;

(d) to supply, on request, free of charge, priced publications of the Board for official use, to Government and semi-Government bodies and to Universities or educational or public institutions, and visitors to the Board's office ;

(e) to supervise, control and co-ordinate the work of his subordinate officers and staff in the Board's office;

- (f) to determine and assign the duties to be performed and powers to be exercised by the Joint Secretary and Assistant Secretaries in the Board's office under general or special orders of the Chairman;
- (g) to decide cases of admission of candidates to the Examinations conducted by the Board ;
- (h) to ensure or reduce any class IV servant of the Board, after following proper procedure ;
- (i) to approve the panels of supervisors submitted by Chief Conductors appointed as the various Centres of the Examination.

#### **5. Procedure for election of members of the Board :-**

- (1) The election of class B Elected Members referred to in sub-section (2) of section 3 other than the members falling in clauses (i) and (x) of that class shall be held in accordance with the procedure specified in the Appendix.
- (2) The Chairman of the Board or his nominee shall be the Returning Officer and shall be responsible for the conduct of the elections.
- (3) In the event of a casual vacancy of a member of the Board, the Returning Officer shall, as soon as may be, take immediate steps to hold a fresh election in accordance with the provisions contained in the Appendix.

#### **6. Committees of the Board and their term :-**

- (1) Appointment of the members of a committee shall be made at a meeting of the Board.
- (2) Any casual vacancy in a Committee shall be filled in by the Board at its meeting held immediately after the occurrence of the vacancy.
- (3) The term of office of members of all the Committees of the Board, except the Committee of the courses, if any shall be two years and that of the members of Committee of courses shall be four years, from the date on which the members are appointed.
- (4) The Secretary shall be the Secretary of all Committees appointed by the Board and shall attend and participate in the discussions at all such meetings and answer such questions and supply such information as may be put or called for in such

meetings but shall not be entitled to vote.

(5) No person shall be a member of more than four Committees of Courses.

(6) The meetings of any of the Committees appointed by the Board shall ordinarily be held at the head quarters of the Board.

## **7. Constitution and functions of Executive Committee :-**

(1) The executive Committee shall consist of ten members elected by the Board as under:

(i) Two members to be appointed by the Board from amongst the Ex-Officio members referred to in section 3 (2) Class-A Ex-Officio members;

(ii) Six members to be appointed by the Board from amongst the elected members referred to in section 3(2) class-B Elected member;

(iii) One member to be appointed by the Board from amongst the nominated members referred to in section 3 (2) Class-C Nominated members;

(iv) One member to be appointed by the Board from amongst all the members of the Board irrespective of their class.

(2) The Board may name the Chairman or Deputy Chairman to be a member of the Committee under proviso to sub-section (1) of section 18.

(3) Subject to the provisions of the Act and these Regulations, the Executive Committee shall perform the following functions, namely:

(i) to determine the form, provide for the custody and regulate the use of the common seal of the Board;

(ii) to transfer and accept transfer, hold, control, administer and deal with any property, movable and immovable and funds of the Board, and to enter into contract on behalf of the Board:

Provided that no transfer of immovable property shall be made without the previous sanction of the Board;

(iii) to manage and regulate the finances, accounts and investment of the Board;

(iv) to invest moneys of the Fund in accordance with the provisions

contained in sub-section (2) of section 23;

(v) to accept, bequests, donations, endowments or other contributions;

(vi) to consider the annual, revised or supplementary budget estimates and the annual accounts of income and expenditure of the Board and the recommendations of a finance Committee, if any, thereon and to submit them to the Board;

(vii) to write off irrecoverable sums due in respect of store, period publications, statements of marks and also unserviceable articles of dead stock, if the amount of the dues in each case or the value of dead stock exceeds Rs. 250/- but does not exceed Rs. 1000/-;

(viii) to report to the Board upon any matter on which its views are invited by the Board or in respect of which it considers that it should tender advice to the Board;

(ix) generally to advise the Chairman on any matter connected with the work of the Board which it deems fit or which the Chairman may refer to it;

(x) to make recommendations to the Board concerning the framing or amendment of regulations and bye-laws of the Board after considering the recommendations, if any, of the other Committee of the Board;

(xi) to institute and award scholarships, medals, prizes and other rewards and to prescribe conditions therefore;

(xii) to accept, reject or refer back any proposal, recommendation, or report from any other Committee of the Board;

(xiii) to recommend to the Board for approval, rates of travelling allowances and remuneration to papersetters, Examiners, Moderators, Supervisors and other personnel conducting the examination after taking into consideration the recommendations in that behalf of the other Committees of the Board, if, any;

(xiv) to authorise grant of such amount of permanent advance to the Secretary, to meet with petty expenditure as it think necessary;

(xv) with a view to ensuring maintenance of academic standards, laid down by the Board to call for any information from any secondary school registered under the Act and to call for reports



and information in relation to maintenance of academic standards by a registered school from officers and to recommend to the Board withdrawal of registration of the school in the case, where academic standards of the school is found to be below the standards laid down by the Board;

(xvi) to advise the Chairman about the provision of building, premises, and other requirement for carrying out the work of the Examination and the office of the Board;

(xvii) to advise the Chairman on the appointments of Chief conductors at the various centres of the Examinations;

(xviii) to arrange for the publication of the results of the Examination; and

(xix) to prepare a set of instructions to be sent to Papersetters, Moderators and Examiners from time to time.

## **8. Examination Committee :-**

(1) The Examination Committee shall consist of

(i) the Chairman;

(ii) the Deputy Chairman;

(iii) one member appointed by the Board from amongst Class-A Ex-Officio members;

(iv) four members to be appointed by the Board from amongst the members of the Board other than those referred to in clause (iii);

(v) two members to be appointed by the Board from amongst its members.

(2) Subject to the provisions of the Act and the Regulations, the Examination Committee shall perform following functions namely :

(i) to consider and forward its observations to the Executive Committee and the Academic Committee if any, on proposals, to amend the scheme of the Final Examination as set out under these Regulations;

(ii) to recommend to the Executive Committee, the rate of the remuneration or honoraria for various items of work connected with the final examination;

(iii) to recommend to the Executive Committee Qualifications and

disqualifications of, and rate of remuneration payable to paper-setters, moderators, translators, examiners, valuers and such other persons;

(iv) to recommend to the Executive Committee general principles to be followed in regard to the preparation of panels and appointment of papersetters, moderators, translators, examiners, valuers and such other persons;

(v) to generally review the results of the final Examination conducted by the Board and submit its observations to the Executive Committee and Academic Committee, if any;

(vi) to recommend to the Executive Committee suitable forms of certificates and provisional certificates to be issued to successful candidates and Statement or memorandum of marks to all candidates in respect of the final examination;

(vii) to order the conduct of the final Examination in conformity with the Regulations and to fix dates for holding the same;

(viii) to consider the recommendations of the Committee of courses if any, with respect to the appointments of paper-setters, translators, moderators, and examiners and to prepare their panels for the approval of the Executive Committee;

(ix) to appoint Chief conductors, conductors and such other staff necessary for the purposes of Examination work;

(x) to prescribe the form of application to be filled in by candidates seeking permission to appear at the final Examinations and other forms required for the efficient conduct of the final Examination held by the Board;

(xi) to fix the Centres and sub-centres for each final Examination conducted by the Board;

(xii) to lay down the mode of conducting written, oral and practical tests and to lay down instructions to be issued to candidates and others entrusted with various items of work connected with the final Examination conducted by the Board;

(xiii) to declare the results of the final Examinations conducted by the Board and to award such prizes, medals and Scholarships as may be sanctioned by the Board, from time to time;

(xiv) to forward to the Board for information, immediately after the

declaration of the results a list of successful candidates in the order of merit and of those to whom Scholarships, medals, prizes and other- rewards are to be awarded by the Board in respect of each final Examination conducted by it;

(xv) to consider and decide all other matters arising out of the conduct of the final Examination held by the Board;

(xvi) to report upon any matter in respect of which its view are invited by the Executive Committee of the Board or in respect of which the Examination Committee considers it necessary to tender advise to the Executive Committee;

(xvii) to generally evaluate the performances of students in registered schools including the final Examination and make necessary recommendations to the Board in that behalf.

## **9. Procedure for registration of secondary schools by the Board :-**

(1) A person who desires to impart secondary education by establishing a school from an academic year, shall apply on or before the 1st December in the previous academic year to the Board in Form I as provided in clause (2).

(2) Every application under clause(1) of regulation shall be sent to the Secretary of the Board by registered post with acknowledgement due alongwith a fee of Rs. 100.

(3) No application for registration shall be considered by the Board unless it is duly made in Form I and the fees of Rs. 100 is paid.

(4) On receipt of the application, the Secretary shall forthwith forward one copy thereof to the officer for report indicating the date on or before with the report and recommendations of the Officer shall reach the Board's office. The report and the recommendations of the Officer along with the application shall be placed before the Executive Committee by the Secretary after due scrutiny, for approval.

(5) While forwarding his report under clause (4) the Officer concerned shall state whether and on what conditions the school be registered.

(6) The Executive Committee may call for from the applicant any information related to consideration of the application and the

applicant shall promptly supply the necessary information through the officer.

(7) No secondary school shall be registered by the Board or continued to be registered unless it fulfills the following requirements, namely:

(i) the management is in the opinion of the Board competent and reliable and is in hands of a properly constituted authority or managing body and its financial stability is assured;

(ii) the school is open for inspection by the inspecting officers of the Department or to a person authorised by the Board;

(iii) the school has in the opinion of the Board, furniture, laboratory, library, equipment, stationery and other articles for conducting the school of standard requirements laid down in regulation, has non-teaching and teaching staff of qualifications prescribed under regulation and has recreation and sanitary facilities for the students

(iv) the education imparted in the school is, in the opinion of the Board, satisfactory in all respects, and the school employees members whose names appeared in the register prepared and maintained under the Act by the Board;

(v) the school follows the curriculum and the detailed syllabi approved by the Government and uses text books sanctioned or prescribed by the Government from time to time;

(vi) admissions given in the various standards are according to the conditions laid down by the Board under clause (19) of section 17;

(vii) promotions from one standard to next higher standard are given in accordance with the standards laid down by the Board under clause (10) of section 17;

(viii) the rates of education fees, the pay scales and allowances of the headmaster and teaching and non-teaching staff and amenities provided are in accordance with these regulations;

(ix) the school maintains satisfactorily the registers and records prescribed by the Board;

(x) the records, statistical returns and certificates given by the school or the management are trustworthy;

(xi) the school undertakes to make provision to the satisfaction of

the Board that the general rules of discipline as laid down by the Board from time to time are duly observed by the school employees as well as by the students

(xii) the management ensures that no unregistered schools or class is conducted in the premises of the school managed by it or in other premises;

(xiii) the school shall not prepare and send up the same candidates for any other examination of the nature similar to or higher than the Secondary School Certificate Examination conducted by the Board;

(xiv) the School shall not refuse admission to a pupil on ground only of religion, race, caste, language or any of them if the school receives grant from the State Government.

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(8)

(i) Where the Executive Committee is satisfied that the school deserves to be registered, the Executive Committee shall direct the Secretary to enter its name in the list of the registered secondary schools to be maintained by him and the Secretary shall inform the applicant that the school has been registered and where the Executive Committee decides that the school shall not be registered the decision shall be communicated by the Secretary to the applicant:

(ii) Where recommendation of the officer to register or not to register a school, is not accepted by the Executive Committee, the reasons therefore shall be recorded in writing;

(9) the register shall be maintained by the Secretary of the Board in Form II.

(10) On a request made by a person in charge of management of a registered school the Secretary may make a change in the entries in relation to the school entered in the register after following, as far as may be, the procedure similar to the procedure for registration of the school, and obtaining the previous approval of the Executive Committee of the Board to such change.

(11) On a secondary school being registered a certificate of registration, shall be given in Form III.

(12) If management of a registered school desires to provide instruction in additional subjects or in additional medium or media of instruction as far as may be the same procedure as that prescribed for registration shall be followed.

(13) The following shall be the standard requirements in respect of buildings, laboratory, library, furniture, equipment, stationery and other articles for conducting registered schools and equipment of a secondary school:

Provided that where the requirements cannot be complied with by any applicant for registration of a school the applicant may specify in full details special circumstances, reasons or local conditions on account of which such deficiency in or deviation from the standard requirements may be condoned.

(i) the premises should be sufficiently healthy well lighted and ventilated, with due provision for the safety of the pupils and with separate, satisfactory and adequate sanitary arrangements for girls in the case of a school providing for co-education;

(ii) the rooms in which classes are held should provide requisite accommodation for all the students actually admitted in each class, at the rate of not less than 8 sq. ft. per student exclusive of the space required for a table and a chair for a teacher, a teaching platform, black-board and any other equipment required for teaching;

(iii) admissions to division of a standard should be limited to the number of students for which there is accommodation in the class room, subject to a maximum of 50;

Provided that, in the case of standard XI not more than 10 students who rejoin the registered school after failure at a final examination held by the Board may be admitted with the permission from the Officer;

Provided further that the Officer concerned may allow at his discretion admission to not more than 5 students in excess of 50 students in a class room where there is adequate accommodation and equipment for the student so allowed:

Provided also that the Executive Committee may in special circumstances allow the registered school to admit students in excess of the limit laid down in this clause.

(iv) every registered school shall as far as practicable, provide a playground within a reasonable distance from the school at the rate of one acre of land for every 250 students;

Provided that the Executive Committee may in special circumstances of a case relax the requirement under this paragraph.

(v) adequate and suitable laboratory, library, furniture, equipment, stationery and other articles for conducting the school shall be provided;

(vi) in a registered school where technical science and vocational subjects are taught, well equipped workshop, laboratory and equipment for practical work shall be provided and the number of students assigned to a single teacher for practical work at any one time shall not exceed the sanctioned strength of one division.

(14) The teaching staff of the school shall be adequate and well qualified having regard to the size of the school, the alternative courses provided and the optional subjects taught therein, trained teachers possessing a degree or any other equivalent qualification in the respective subjects which they teach shall be provided:

Provided that the Executive Committee may relax any of the requirements specified in this regulation in special circumstances of a registered school on the merits of its case.

#### **10. Opening of higher standards, or additional divisions :-**

(1) No management of a registered school shall open any higher standard or additional divisions of an existing standard in such school except with the previous permission of the Board.

(2) An application for permission to open a higher standard or higher standards or additional divisions of an existing standard shall be submitted to the Secretary not less than six months before the academic year from which it is proposed to open the higher standard or higher standards or additional divisions of an existing standard.

(3) No permission to open a higher standard or higher standards or additional divisions of an existing standard shall be given by the Executive Committee and unless the Committee is satisfied that the management has or is ready willing to make adequate provision in relation to additional class rooms, laboratory, library, furniture,

equipment, stationery and other articles required for conducting the higher standard or additional divisions.

(4) The provisions of this regulation shall apply to division of a class for better internal organisation except in a case where such divisions does not result in increase in the number of division already sanctioned for the relevant standard.

(5) The management if permitted to open an higher standard or higher standards or additional divisions of an existing standard, shall take necessary action to effect alteration in the relevant entries in the register.

### **11. Channel of Correspondence :-**

(1) The Head of each registered Secondary School shall act as correspondent with the Board so far as academic and administrative matters are concerned, and it shall be the duty of the Head to keep the managing body of the registered secondary school informed about the correspondence.

(2) The name and address of the Head of the School shall be registered within fifteen days from the date of his appointment, in the office of the Board.

(3) Where the management desires to appoint a person other than the Head of the registered school who is a member of the managing body of the school as the correspondent for attending to financial matters of the school, it shall inform the Secretary of the Board. The name and address of such correspondent shall be registered with the office of the Board within 15 days from the date of such appointment. In the case of any change of the correspondent for financial matters, the name and address of the correspondent shall be registered with the office of the Board.

### **12. Conditions for admissions of students :-**

(1) No student shall be denied admission into registered school, which is maintained either wholly or partly by grants given by the State Government, on grounds only of religion, race, caste, or any of them.

(2) An application for admission of a student shall be made to the head of the school in writing

(a) by the student himself where he is major;



(b) by the parent or guardian where he is minor.

(3) The head of the school shall arrange to furnish copies of the rules governing the school, to the student or as the case may be parent or guardian who shall undertake in writing addressed to the Head, to abide by them.

(4) Where a student seeks his admission after having left a school or where a parent or guardian seeks admission of student, who has left a school, such student or parent or guardian shall furnish to the Head of the School along with an application for admission a school leaving certificate of the last school:

Provided that where a student has not attended any school previously a declaration to that effect shall be obtained either from the student or as the case may be his parent or guardian:

Provided further that where a student has attended a school previously and a school leaving certificate is not granted by the head of the previous school, the head of the school may in consultation with the head of the previous school admit the student provisionally and refer the matter to the Officer and act in accordance with direction of such officer.

(5) No student suffering from a contagious disease shall be permitted to attend a registered school until a medical certificate stating that the child is cured of the disease, is produced either by the student or as the case may be, parent or guardian of the student.

(6) Students may ordinarily be admitted in a registered school during a period of twenty days commencing from its academic year:

Provided that the head of such school may in special circumstance such as sickness of the student, bereavement in the family, transfer of parent or guardian from one place to another, or change of residence, admit students after the expiry of the aforesaid period and where any student is so admitted, a report thereof shall be made to the Officer.

(7)

(a) A school following an academic year from June to May may admit a student in the month of January or later from a school following an academic year from January to December:

Provided that the student so admitted shall not be eligible to appear for the next annual examination of the school to which he has been admitted unless he has attended the classes in the standard in which he is admitted for at least 75 percent of the total number of working days of the academic year of the school he left and the school in which he is admitted.

(b) A school following an academic year from January to December may admit a student in the month of June or later from a school following the academic year from June to May:

Provided that the student so admitted shall not, be eligible to appear for the next annual examination of the school to which he has been admitted unless he has attended the classes in the standard in which he is admitted for at least 75 per cent of the total number of working days of the academic year of the school he left or school in which he is so admitted.

(c) In the case of late admission of a student to a registered school the fee from the beginning of the first term shall be paid by such student unless the fee, for the period before admission to the new school, has been paid to the previous school.

(8) Where a registered school exclusively for boys, admits girls such school shall

(a) provide for separate sanitary arrangements and retiring rooms for girls;

(b) employ woman teachers on the staff in the ratio of one woman teacher for forty girls in the school.

(9)

(a) A student from a school situate in any other State or Union Territory may be admitted in registered school only if the school leaving Certificate of the student is countersigned by an Education Officer in that State or Union Territory:

Provided that where the school leaving Certificate is not so countersigned, the Head of the school may admit the student provisionally pending such countersignature, and report full particulars of the case to the Officer.

(b) For the purpose of admission of students from school situate in other States and Union Territories in registered schools in this

State, the following formula of equivalence of school classes shall be followed, namely:

(i) A student migrating from an eleven year high school to another eleven year high school, shall be admitted to the same class as he was studying;

(ii) In the case of a student, migrating from a school where the duration of the school course is different from that in the school to which he is migrating the top class leading to the high school examination in the school from which he has migrated and the top class leading to the high school examination in the school to which he intends to migrate shall be considered equal and the equivalence in lower classes shall be worked out on the basis of number of years required to reach the top classes;

(iii) a student migrating from an eleven year higher secondary school to an eleven year high school shall be admitted to one class higher. A student migrating from an eleven year high school to an eleven year higher secondary school should be admitted to one class lower;

(c) The head of a registered school admitting a student on the basis of the equivalence formula shall furnish the information, to the Officer concerned, within eight days of granting such admission and the officer shall verify as early as possible whether the admission given is proper and in accordance with the said formula and inform the head of the school concerned accordingly;

(d) A student from other countries shall be admitted by the head of the registered school only when he satisfies himself by referring to the Officer that the student possesses the appropriate kind of visa covering the period he wants to study in the State. Such a student shall also be subjected to test before he is admitted and shall produce the leaving certificate or other similar document showing the stage of his or her study there, duly countersigned by the Educational authorities of that country.

(10) Except with the special sanction of the officer, no student shall be placed in a standard higher than for which his school leaving certificate show him to be qualified. If a student has not previously attended any approved primary school or a registered school or he has previously attended such a school and left it for some time and seeks admission to a secondary school, the head of the registered school shall examine him in the subjects of studies of the standard

he would have normally completed on the basis of:

(i) one year one standard from leaving the last registered school in the case of students who had attended some recognised school primary or secondary previously; or

(ii) one year one standard, taking the age of 5 plus for admission to a primary school in respect of other students. He should then be placed in the standard for which he is found fit, with the approval of the Officer concerned.

(11)

(a) No admission shall be given on the strength of a school leaving certificate from an unrecognised school. Admission of a student from such school shall be regulated according to clause (2).

(b) An applicant for admission from an unrecognised school, who has attended any recognised school or an approved primary school shall on an affidavit being made by the parent or guardian before a stipendiary Magistrate be subjected to a regular written test in all the subjects and admitted provisionally by the head of the registered school to the standard for which he is found fit, subject to confirmation by the Officer. The affidavit should clearly state:

(i) the reasons why the student did not join any recognised school, or an approved primary school;

(ii) the name of the unrecognised or unregistered school;

(iii) the standards attended and subjects studied by him, and

(iv) the examinations passed, if any;

(c) where the applicant from an unrecognised or, as the case may be, unregistered school has previously attended a recognised or a registered school, whether secondary or primary, and seeks admission to a recognised registered school,

(i) he shall produce a school leaving certificate, or a duplicate thereof, if necessary, from the recognised or registered school attended by him previously;

(ii) his parent or guardian shall be required to furnish an affidavit made before a stipendiary Magistrate, and

(iii) the student shall be required to give a written test in all the subjects of the standard which he would have normally completed

on the basis of one year one standard from the time of leaving the last recognised or registered school; and therefore admitted provisionally to the standard for which he is found fit, subject to confirmation by the Officer. The affidavit shall clearly state

- (i) the reasons for joining the unrecognised or unregistered school;
- (ii) the name of the unrecognised or unregistered school joined;
- (iii) the standard attended and subjects studied by him; and
- (iv) the Examination passed, if any.

(12) A pupil desiring to migrate from an ordinary school to a vocational school or vice versa may be admitted upto Standard IX by the head of the school concerned, In special cases, migration from an ordinary school or vocational school or vice versa upto standard X may be allowed with the permission of the Officer, provided the head is satisfied that the necessary additional coaching in the subjects and including practicals of the course concerned so far not studied by the student, is received by the student, to bring him to the level of the class.

### **13. Admission on to be ineffective if secured by fraud :-**

Where after a student is admitted in a registered school, it is found that the admission was secured by the student or his parent or guardian by presenting a false or forged school leaving certificate or by making false representation, the head of the registered school may after giving a reasonable opportunity of being heard and with the previous sanction of the Board declare the admission so secured as ineffective and accordingly dismiss the student from the school.

### **14. Studentss Tests :-**

Every registered school shall make proper and satisfactory provision for testing the attainments of students from time to time in the various subjects in respect of which education is imparted to the students in the school. It shall keep a proper record of the results of all students in respect of the tests. The record and answer-books of the annual examination as also of other examinations or tests held in the course of the academic year shall be made available by the head of the school for inspection by the Inspecting officers.

### **15. Subjects of annual examination of standards, VIII, IX and X :-**

(1) The subjects of annual examinations of standards VIII, IX and X in registered schools shall be the same as were prescribed for the corresponding standards by the Government immediately before the appointed day.

(2) The subjects for standard XI (i.e. the secondary school certificate examination class) in registered schools shall be as specified in Appendix "A" of the Gujarat Secondary School Certificate Examination Regulations, 1960 as in force immediately before the commencement of these regulations.

#### **16. Health and Physical well being of students :-**

(1) A registered school shall pay proper attention to the health of students and endeavour to make them health conscious. The school shall in particular attend to the following:

(a) Hygiene of students;

(b) Suitability of class-room furniture for proper sitting posture of students;

(c) provision of necessary intervals of rest in the time table of the school;

(d) physical education including outdoor games;

(e) education in safety-first measures in respect of walking and crossing roads and plying of vehicles thereon;

(f) provision for pure drinking water; and

(g) prohibiting of the sale of unhygienic or harmful food, drink or eatables in or near the school premises.

(2) Medical examination of every student in a registered school shall be undertaken once in two academic years :

Provided that a student who found to be medically unfit in any such medical examination, shall be examined every year, therefore so as to make him medically fit:

Provided further that a student who is found by a teacher to be physically weak or defective shall be got examined by a doctor appointed by the school for that purpose.

(3) Physical measurements of all students in the registered school (height, weight etc.) shall be taken every year, preferably by the

physical education teachers.

(4) The record of medical examination and physical measurements of every student shall be maintained in Form IV.

(5) Record of physical measurements and the report of the medical examination shall be intimated to the parent or guardian of the student through the progress book of the student and the parent or guardian shall place his signature thereon and return it to the school. The parent or guardian shall wherever necessary be advised to give the student proper medical treatment.

(6) Whenever a student leaves the school, the record of height and weight measurements as well as report of medical examination pertaining to him shall be attached to his school leaving certificate.

### **17. School terms, holidays and vacations :-**

(1) The academic year shall be divided into two terms. First term shall be from June to October and second term shall be from November to April. There shall be a short vacation generally in the month of October or November to fit in with the Diwali Festival. The summer vacation shall ordinarily be from May to June. In order to secure uniformity in the date of opening of registered schools, the officer concerned shall fix uniform date for all schools in a District and make an order in that behalf in good time before an academic year begins :

Provided that a head of the school may vary the date of opening of the school with the previous permission of the officer concerned.

(2) The maximum number of holidays including days of vacations in a registered school shall in no case, exceed 80 days excluding Sundays and half holidays :

Provided that a registered school shall impart education for not less than 250 days in an academic year out of which not less than 196 days shall be whole days.

(3) Every registered school shall send to the Officer, at the beginning of the academic year, a list of holidays and vacations to be observed in the school, for his approval :

Provided that a registered school shall include in the public holidays declared by the State Government.

(4) A registered school shall ordinarily meet for six hours and

impart education for about five hours every day for five days in week with the due provision for a long and short recess and on one day in a week such school shall meet for two to three hours with due provision for recess so however that education shall be imparted for the total of twenty seven hours in a week.

**18. Discipline of students :-**

The head of a registered school shall ensure that

- (a) the principles of discipline are properly observed;
- (b) regularity and implicit obedience are maintained and;
- (c) politeness, curtesy of speech and conduct as well as cleanliness of dress and person are inculcated.

**19. Recruitment of head master, teachers and non-teaching staff :-**

- (1) In every registered school there shall be recruited such number of teachers as would bear to the number of classes in the school a proportion of not less than one to five and not more than one to three, having regard to the requirements of the types of teachers in relation to the nature of
- (2) The strength of clerical staff to be recruited in a registered school shall be as follows, namely:

	Number of students in school	Number of Clerks
1.	School having students upto 500	One Junior Clerk.
2.	School having students over 500 and up to 1000.	One Junior Clerk and one Senior Clerk.
3.	School having students over 1000 and upto 1500	Two Junior Clerks and One Senior Clerk.
4.	School having students over 1500	One Head Clerk, one Senior Clerk and One Junior Clerk.





(3) The strength of fulltime peons and such servants to be recruited in a registered school, shall be as follows, namely:

(i) Schools having students upto 200 \Maximum 2

(ii) School having students over 200 and upto 500 \Not more than 3

(iii) School having students over 500 and upto 750. \Not more than 4

(iv) School having students over 750 and upto 1000. \Not more than 5

(v) School having students more than 1500 \Not more than 7

(4) The management of a registered school having more than fifteen classes may appoint a school Head to assist the Head-master in his administrative and supervisory duties.

(5) The management of a registered school having more than ten classes may with the approval of the officer appoint supervisors, subordinate to the Head, as follows, namely:

(i) A school having 10 or less than 10 classes. \No supervisor

(ii) A school having more than 10 classes. \One supervisor for 10 classes or part thereof (excluding the first 10 classes) but not exceeding 4 supervisors:

Provided that the number of supervisors to be appointed under this

clause shall be reduced by one if there is appointed a second Head in the school.

(6) No registered school shall recruit head-master and teachers on a temporary basis unless previous approval of the Officer is obtained.

Explanation The expression "temporary basis" means for a fixed period not exceeding an academic year in a temporary vacancy caused by leave or resignation or any such other cause :

Provided that

(1) where immediately before the commencement of these regulations, there is a registered school an untrained teacher, the management of such school shall depute such teacher for training in such courses as would enable him to teach subjects taught in the school and for that purpose grant such leave to him as is available to him, if such teacher undertakes to work as a teacher for a period not less than five years, in any registered school in the State.

(2) where leave without pay is granted to such teacher under clause (1) such leave shall be treated as extraordinary leave and shall not be counted for qualifying service.

Explanation. In this proviso "untrained teacher" means a teacher who does not possess the requisite qualifications mentioned in clause (1) (2),(3),(4),(5),(6), (7) or as the case may be (8) of regulation 20.

## **20. Qualifications of head-masters, teachers and members of non- teaching staff in a registered school :-**

(1) No person shall be appointed as a head-master unless he is a trained graduate (B.T. or B.Ed. or its equivalent as declared by the State Government) with teaching experience of not less than two years in a secondary school, and with post training experience of not less than three years:

Provided that in a school having exclusively girl students, no person other than a woman having the aforesaid qualifications shall be appointed;

(2) The qualifications for being appointed as a Supervisor shall be the same as those prescribed for the head-master, in clause (1).

(3) No person shall be appointed as a teacher unless he

(a) has attained the age of eighteen years, and

(b) possesses

(i) in a degree in any faculty of any university in India established by law, and

(ii) a degree of Bachelor in Teacher or Bachelor in Education or any degree recognised by the Board as equivalent thereto, or

(iii) a diploma in Education given by the Graduates Basic Training Centre, or

(iv) any other degree, diploma or certificate which the State Government or the Inter University Board has sanctioned as equivalent to any of the qualifications mentioned in paragraphs (ii) to (iv).

(4) No person shall be appointed as a Drawing Teacher unless he

(a) has attained the age of eighteen years and

(b) possesses

(i) a degree in Fine Arts of any University in India established by law, or

(ii) Drawing Teacher or Drawing master's Diploma or certificate, or

(iii) an Art Master's Certificate.

(5) No person shall be appointed as a Craft teacher unless he

(a) has attained the age of eighteen years, and

(b) possesses

(i) a secondary school certificate, and

(ii) a Diploma in Mechanical, Electrical, Automobile or as the case may be Civil Engineering, or

(iii) a diploma in Tailoring or, as the case may be embroidery or both or in courses of various crafts.

(6) No person shall be appointed as Language Teacher (Arabic, Hindi, Persian, Sanskrit etc.) unless he

(a) has attained the age of eighteen years, and

(b) possesses qualifications prescribed in clause (3) for being

appointed as a teacher or such qualifications which are recognised by the State Government or Inter University Board as equivalent to the aforesaid qualifications.

(7) No person shall be appointed as a Music Teacher unless he

(a) has attained the age of eighteen years; and

(b) is a Sangeet Vishard.

(8) No person shall be appointed as a Physical Instructor unless he

(a) has attained the age of eighteen years and

(b) possesses

(i) matriculate or S.S.C. with one year's certificate course in physical education, or

(ii) a degree in any faculty of any university in India established by law and a diploma in physical education or any diploma equivalent thereto recognised by the Board.

(9) No person shall be appointed as a member of the Clerical staff unless he

(a) has attained the age of eighteen years; and

(b) possesses Matriculate or S.S.C. Certificate with Mathematic as one of the subjects.

### **21. Medical Examination :-**

Appointment of every person as a head-master, a teacher, or a member of non-teaching staff shall be continued only if he undergoes medical examination and obtains within a period of three months from such appointment a certificate by medical practitioners specified by the Board in this behalf, stating that the person is physically fit and is free from any communicable disease.

### **22. Probation :-**

Where a person is appointed as head-master, a teacher or a member of non-teaching staff otherwise than on a temporary basis he shall be on probation for such period not exceeding two years as the management decides and on satisfactory completion of service in the said period the person shall be a permanent employee.

### **23. Service Book :-**

(1) There shall be opened service book in Form V by the

management of a registered school for every employee in the school within three months from his appointment and the same shall be maintained by the management.

(2) Entries in the service book shall be verified by the management of the registered school by reference to original records or as the case may be certificate and token of verification the management shall enter a remarks in the book that the entries are in accordance with original records and certificates.

**24. Pay scales :-**

The pay-scales of teaching and non-teaching staff shall be such as may be laid down by the State Government from time to time.

**25. Vacation pay :-**

(1) Subject to clauses (2) and (3) every employee in a registered school other than a members of non-teaching staff shall be entitled to vacation and vacation pay;

(2) A temporary employee not being in a purely temporary vacancy, such as leave, deputation or in a temporary post created for a specified period who has served in a registered school for three months in the first term and four months in the second term of an academic year and whose services have been terminated by the management shall be entitled to the salary for the month of October or as the case may be also December and also summer vacation

.

(3)

(a) A permanent employee who is given compensation or who retires after the attaining the age of superannuation or after the expiry of the period of re-employment granted to him shall not be entitled to salary for the period of vacation.

(b) A permanent employee, whose services are terminated on account of reduction of establishment shall be entitled to salary for the period of vacation.

**26. Pension and Provident Fund :-**

(1) Every employee of a registered school which receives Government (hereinafter in this regulation referred to as "the aided school") who was appointed before 1st April 1969 and who had

exercised in writing his option for a pension scheme and every employee of such school who is appointed on or after 1st April 1969 shall be eligible to get pension as per rules prescribed by the State Government.

(2) Employees of an aided school appointed before 1st April 1969 and who have opted for Contributory Provident Fund shall subscribe to that fund, as per rules prescribed by the State Government in this behalf.

(3) The management of registered school other than an aided school may have such Contributory Provident Fund scheme of its own as sanctioned by the Board.

(4) Nothing in this regulation shall apply to part-time employees of a registered school.

**27. Conduct and discipline of Head-masters, teachers and members of non-teaching staff of registered private school :-**

(1) A Head master and teachers of a registered school may be required by the management of the school to participate in and work for extra curricular and corporate activities of the school including social education;

(2) A Head master may wherever necessary, require any member of teaching and non-teaching staff to do any work in connection with the school during holidays or beyond school hours on week days.

(3) An employee of a registered school may attend political meetings, and become members of, or take an active part in activities of any political party other than a party which is declared by the State Government to be unlawful,

(4) An employee of a registered school shall not engage in any political activity while or on school premises.

(5)

(a) No member of the teaching or non-teaching staff shall join, or continue to be a member of an association the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality;

(b) no member a teaching and non-teaching staff shall (i)

propagate through his teaching lessons or otherwise, communal or sectarian out-look, or incite or allow any student to indulge

in communal or sectarian activity;

(ii) discriminate against any student on the ground of caste, creed language, place of origin, Social and cultural background on any of them;

(iii) practice, or incite any student to practice, casteism communalism or untouchability.

(6) No headmaster, and member of a teaching and non-teaching staff shall resort to any form of strike in connection with any matter pertaining to his conditions of service.

(7)

(a) No headmaster and member of teaching and non-teaching staff shall engage himself directly or indirectly in any trade or business or under take any other employment except the honorary work of Social or charitable nature or occasional work of a literary, artistic or scientific character subject to the conditions that his duties do not thereby suffer.

Explanation. Canvassing by a headmaster or any member of teaching and non-teaching staff, in support of the business of an insurance agency or commission agency etc. owned or managed by his wife or other member of his family shall be deemed to be breach of this rule.

(b) A head master as also the member of the teaching or non-teaching staff shall report to the Board through officer, in any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency,

(c) No head master, as also the member of teaching and non-teaching staff shall without the previous sanction of the officer, take part in the registration, promotion or management of any back or other company which is required to be registered under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force, or any co-operative societies for commercial purpose provided that the staff member may take part in the registration, promotion or management of a co-operative society substantially for the benefit of staff members registered under the Cooperative Societies Act, 1912 (2 of 1912) or any other law for the time being

in force or of a literary, scientific or charitable society registered under the Societies Registration Act, 1860 (21 of 1860) or any corresponding law in force.

(d) No full-time employee shall accept part-time gainful employment in any other educational, cultural or literary institution without first obtaining written permission from the officer and where an employee is so permitted he shall not work for more than two hours per day.

(e) No full-time employee shall accept full-time gainful employment in any educational literary or cultural institution,

(f) No headmaster, as also the member of teaching or non-teaching staff shall bring or attempt to bring any political or other outside influence to further his interest in respect of matters pertaining to his service.

(g) A headmaster or a member of teaching and non-teaching staff shall be liable to be dismissed:

(i) if he has been convicted of offence involving moral turpitude;

(ii) if he behaves towards the students, parents of students, his superiors and inspecting officers in any manner grossly unbecoming of such headmaster or the member;

(iii) if he refuses to obey an order communicated by the Department or violates any of these regulations;

(iv) if he refuses without sufficient grounds to undergo a course of study within a reasonable time after being required to do so;

(h) A headmaster or member of teaching or non-teaching staff shall be liable to any punishment not amounting to dismissal, removal or reduction in rank, if the management after giving him reasonable opportunity of being heard is of opinion that he is guilty of breach of any of the provisions of these regulations:

Provided that where the management is of opinion that any penalty other than dismissal would meet with the ends of justice, it may take action under sub-clause (h).

## **28. Hours of work and attendance for teaching staff :-**

(1) A full-time teacher shall be present on the school premises during the working hours of the school for 30 hours a week



exclusive of daily recesses according to the requirements of the school.

(2) A full-time teacher shall do actual teaching work for at least 21 hours per week, exclusive of the recesses, and shall utilise, the remaining time for extra-curricular activities, correction and similar other work of the school.

(3)

(a) all work provided in the school-time-table shall be included in the periods of 21 hours of work;

(b) a teacher shall be given full load of 21 hours of teaching work in the time-table of the school.

(4) The head of the registered secondary School may in his discretion reduce the teaching work of teachers, by not more than three periods per week, So however that the average of 21 hours per week per teacher is not affected.

(5) The head shall ensure fair and equal distribution of work to all teachers taking into consideration the correction work is assigned to them.

(6) In a registered school having more than 20 classes the head, the second head and the supervisor shall undertake teaching work for not less than 6, 8 and 10 hours per week, respectively; In a registered school having 20 classes or less than 20 classes, the head, the second head and the supervisor, shall undertake teaching work for not less than 6, 7 and 12 hours per week, respectively.

### **29. Absence :-**

(1) No employee of a registered school shall ordinarily remain absent from his duties without first having obtained the permission of the head of the School;

(2) In case of an emergency; when he is unable to obtain necessary permission, he shall intimate to the head, the reasons of his absence at the earliest opportunity:

Provided that in no case shall such absence be continued beyond three days.

### **30. Leave :-**

(1) Leave shall not be claimed as a matter of right, Discretion to

refuse or revoke leave is reserved to the Head of the School or the Managing Committee as the case may be.

(2)

(a) Casual leave may be given by the head upto a maximum period of 15 days in an academic year subject to the condition that ordinarily not more than three days' casual leave may be enjoyed at a time to be extended to ten days only in exceptional circumstances:

(b) Not more than two holidays may be enjoyed in conjunction with any spell of casual leave whether by prefixing or by suffixing or by both and the total period of casual leave and holidays enjoyed continuously at one time shall not exceed seven days save only in exceptional circumstances when it may be extended upto 10 days.

(c) Not more than two holidays may be prefixed or suffixed to the casual leave and any holidays so prefixed or suffixed exceeding two shall be treated as casual leave. Sundays and holidays interposed two periods of casual leave shall be treated as a part of casual leave.

(d) Casual leave cannot ordinarily be prefixed or suffixed to vacations except with the previous permission of the Head of the School.

(e) It is permissible to enjoy half day's casual if the period of absence is half or less than half of a working day;

(f) Absence on a Saturday, if it is a half working day or any other day if observed by the school as a half working day is not to be treated as a half day's casual leave but casual leave for a full day;

(3)

(a) Half pay leave to the extent of 15 days may be granted for each completed year of service to permanent employees of a school, on a medical certificate or otherwise. Every application for leave on medical certificate made by an employee shall be accompanied by a medical certificate given by a Registered Medical Practitioner, stating as clearly as possible the nature and probable duration of the illness;

(b) The authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Civil

Surgeon or District Medical Officer to have the applicant Medically examined. Where it is decided to secure second medical opinion it shall arrange at its own cost for the second examination to be made, on the earliest possible date after the date on which the first medical opinion was given and forward the original medical certificate produced by the applicant to the Medical Officer by whom he is to be re-examined;

(c) The maximum period of half pay leave shall be limited to 120 days at a time.

(4) Commuted leave not exceeding half the amount of half pay leave due may be granted or;

(a) on medical certificate from the Civil Surgeon or a Registered Medical Practitioner named by the authority competent to sanction leave or;

(b) for any valid reasons approved by the said authority; by school Committee or management subject to the following conditions; namely:

(i) commuted leave during the entire service shall be limited to a maximum of 240 days:

(ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due; and

(iii) the total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days;

Provided that no commuted leave may be granted under this rule unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.

(5) Extra-ordinary leave not exceeding thirty six months in the aggregate may be granted to an employee in special circumstances when no other leave is, by regulation admissible or when other leave is admissible but the employee applies in writing for the grant of extra ordinary leave. Except in the case of a permanent employee, the duration of extra ordinary leave shall not exceed on any one occasion twelve months in the case where such employee is undergoing treatment for tuberculosis or leprosy and four months in any other case. The authority competent to sanction leave may commute retrospectively periods of absence without leave into extra-ordinary leave.

(6)

(a) Maternity leave may be granted to a female employee who has put in more than one year's service and who does not have three or more children. It may be granted for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever is earlier.

(b) Maternity leave under sub-clause (a) shall be granted on half pay to an employee who has put in less than two year's service before the commencement of such leave;

(c) Maternity leave under sub-clause (a), shall be granted on full pay to an employee who has put in two years or more than two years' service in the day of commencement of such leave;

(d) Maternity leave shall not be debited to the leave account. Leave of any kind may be granted in continuation of maternity leave; if the request for granting it is supported by a medical certificate;

(e) Maternity leave with full pay shall be granted twice during the entire service. Note. Leave under this regulation is admissible in case of miscarriage or abortion.

(7)

(a) Earned leave admissible to a permanent member of teaching staff, in respect of any academic year shall be such number of days in a vacation is such year for which he is required to work:

Provided that such earned leave shall not be more than thirty days in an academic year:

Provided further that such member shall cease to earn leave as soon as earned leave due to him amounts to 180 days.

(b) A member of non-teaching staff shall not be entitled to any vacation but shall earn earned leave per year of duty at the rate of 30 days for a completed years of service:

Provided that such member shall cease to earn leave as soon as earned leave due to him amounts to 180 days;

(8) Any kind of leave except casual leave may be granted in combination with or in continuation of any other kind of leave.

(9) (a) A temporary member of teaching and non-teaching staff

shall not be entitled to any leave with pay other than casual and Maternity leave:

Provided that where such member is appointed substantively to a permanent post he shall be credited with the leave which would have been admissible to him as if previous continuous duty by him was put in as a permanent member:

Provided further that half pay leave at the rate of 15 days for each completed academic year may be granted to the temporary member if the authority competent to sanction leave has reason to believe that the member concerned shall return to duty on the expiry of such leave.

### **31. Calculation of leave Salary :-**

(1)

(a) An employee on earned leave, shall be entitled to have salary equal to the average monthly pay earned by him during the ten completed months immediately preceding the month in which the leave commences or the substantive pay to which he is entitled whichever is greater:

Provided that when maximum pay of the post does not exceed Rs. 110/ per month the employee shall be entitled to have salary equal to the pay drawn by him immediately before proceeding on leave.

(b) An employee on half pay shall be entitled to leave salary equal to half the substantive pay or half the amount specified in such clause (a) (ii).

(c) An employee on commuted leave shall be entitled to leave salary equal to twice the amount admissible under sub-clause (b);

(d) An employee on extraordinary leave shall not be entitled to any leave salary.

(2) Leave to the credit of an employee lapse on the date of his superannuation:

Provided that where in sufficient time before that date he has formally applied for leave and leave has been refused in the interest of the school, the refused leave upto a maximum of four months may be granted after the date of superannuation or period of reemployment expires.

(3) An employee retained in service beyond the age of superannuation shall earn leave for the period of his extension at the rate mentioned in clause (7) of regulation 30 which he may enjoy before the period of extension of reemployment expires.

(4) A leave account of every employee shall be maintained in Form VI.

(5) An employee on leave, with full or half pay, shall not accept any service with pay or remuneration during the period of leave.

(6)

(a) An application for leave or extension of leave or to proceed on leave after vacation, shall ordinarily be made in good time before the date from which the leave or its extension is sought.

(b) Where an employee remains absent for a period exceeding seven days without applying for leave or for further leave, he shall be liable to be dismissed from service.

(7) An employee on leave may not be allowed to return to duty before the expiry of the leave except with the permission of the sanctioning authority.

(8) Under exceptional circumstances of administrative necessity, the authority competent to sanction leave may call back to duty an employee who is on leave, explaining the nature of the emergency and it shall be incumbent on the employee to return to duty. Where, the employee does not return to duty as directed, he shall satisfy the said authority that he could not return to duty on account of bonafide circumstances.

### **32. Private Tutions by Full-time teaching staff :-**

(1) No head or second head of a registered school shall give any private tuition whether with or without any remuneration:

Provided that such head may occasionally give guidance to students of the school outside the school hours without any remuneration: Provided further that such head may if permitted in writing by the management of the school, undertake the following, namely;

(a) With the previous approval of the University to work as a guide for post-graduate research;

(b) To work as a part-time lecture in a college or in a postgraduate

department of a university in the State established by law;

(i) if the work involved is small and does not interfere with his regular work in the school or with his presence in the school for the requisite period; and

(ii) if his legitimate work does not suffer in any manner.

(2) No teacher shall give private tuition for more than two hours in a day nor shall he teach more than five students during the said two hours unless;

(a) he obtains the previous permission of the head of the school before he undertakes such tuition; and

(b) he agrees to submit to the Head of the school at the end of every month a statement signed by him showing the names of students to whom he has been giving tuition, the period per day for which he is giving such tuition, the standards in which the students are studying and the amount of remuneration received.

Explanation. The expression "five students" mean the same five students and not batches of students.

(3) No teacher shall associate himself directly or indirectly with any coaching class to prepare students for internal or external examination of any secondary school or any other examination.

(4) No management of a registered school shall permit its school building or any part thereof or the premises thereof to be utilised for coaching classes, except classes conducted by a teacher for an examination in a language held by an association, recognised by the Department:

Provided that the time which a teacher spends in giving tuition in such a class shall be set off against the limit of two hours of private tuition imposed by these regulations.

Explanation. For the purposes of this regulation a coaching class means a place where the number of students taking from a teacher private tuition for preparing for an internal or external examination exceeds five.

(5)

(a) A part-time teacher shall obtain the previous permission of the Head of the school before undertaking any tuition and if so

permitted shall furnish to the Head the monthly statements as provided in clause (2) (b).

(b) The total number of hours spent by a part-time teacher in teaching in one or more schools, and those spent by him in private tuition shall not exceed the aggregate of the number of hours spent in teaching in school and the number of hours permitted for undertaking private tuition by a full time teacher:

Provided that the total number of hours spent by a part-time teacher in private tuition shall not exceed four hours in a day.

### **33. Termination of employment :-**

(1) Where services of a permanent employee is terminated by the management in accordance with the provisions of section 36 such employee shall be entitled to compensation

(a) equal to 6 months' salary including allowance if the employee has put in the school for a period not exceeding five years and;

(b) equal to 6 months' salary including allowances for the first five years and a month's salary for every year of the period exceeding five years, if the employee has put in service in the school for a period exceeding five years.

(2) The service of a temporary employee may be terminated by the management at any time without assigning any reason after giving one calendar month's (Pay and allowances, if any) in lieu of such notice:

Provided that no notice shall be given during vacation or so as to cover any part of the vacation or within the first fortnight after the vacation.

### **34. Application for another post :-**

(1)

(a) Where an employee serving in a registered school desires to apply elsewhere for a post other than the teachers post, he shall forward his application for the said post through the Head of the school under intimation to the management.

(b) Where the Head of a registered school desires to apply elsewhere for a post other than the Headmaster post such application shall be forwarded through the management.



(c) An application shall be forwarded by the Head or the management as the case may be, promptly with due regard to the urgency of each case and any case within a week from the date of receipt of the application:

Provided that an advance copy of such application may be sent directly by the application and the fact of having sent an application directly may be stated in the application submitted through the head or as the case may be management.

(2) Where a teacher of a registered private school is willing to be selected for appointment as a teacher in another registered private secondary school he shall get his name registered in the relevant register prepared and maintained under these regulations.

### **35. Discharge certificate :-**

(1) Where teacher who either leaves service after due notice or whose services are terminated by the management, requests for a discharge certificate in Form VII within a week from such request,

(2) Where the management refuses to give such certificate, it shall give reasons in writing for such refusal.

### **36. Superannuation of teaching staff :-**

(1)

(a) A teacher or a headmaster of a registered private school shall be compulsorily retired on the date on which he attains the age of 58 years;

(b) Where a management of the school is of opinion that in the interest of the school it is necessary to retain in service a teacher or a headmaster beyond the age of 58 years, it may re-employ such teacher or headmaster if the teacher or the headmaster concerned is physically and mentally fit;

(c)

(i) No management of the school shall extend the period of re-employment of a teacher or headmaster after he had attained the age of 60 years, except with the previous permission of the Board;

(ii) The Board may grant permission for such further re-employment for a period not exceeding one year at a time. If it is satisfied that in the interest of the school it is necessary to re-

employ the teacher or the headmaster and the teacher or the headmaster is physically and mentally fit:

Provided that a teacher or a headmaster, who has attained the age of 65 years shall not be continued in service under any circumstances.

(d) On re-employment of a person in the manner specified in sub-clauses (b) or (c) his pay should not exceed the last pay (including special pay or additional pay, if any, drawn by him at the time of his retirement minus pension (including pension equivalent to death-cum-retirement gratuity or gratuity in lieu of pension). Such pay should not, however exceed the maximum of the time scale of the post in which he is re-employed. Where the pay is fixed according to this regulation the incumbent shall be entitled to receive the benefits of annual increments even though the pension (including pension equivalent to death-cum-retirement gratuity or gratuity in lieu of pension) plus pay so fixed exceeds the last pay drawn by him at the time of retirement, but the total shall not exceed the maximum of the time scale of the post in which he is re-employed;

(e) Pension may be allowed to be drawn as a separate entity and may be held in abeyance if the pensioner so applies;

(f) A member of the teaching staff shall not be entitled to any notice for his relief after he attains the age of 58 years or after, the expiry of the period for which re-employment has been granted:

Provided that where the period of re-employment is not specifically mentioned in the order granting such re-employment the person concerned shall be entitled to one month's notice or salary (Pay and allowances, if any) in lieu of such notice.

### **37. Superannuation of non-teaching staff :-**

(1) A member of the non-teaching staff of a registered private secondary school, shall be required to retire on his attaining the age of 58 years:

Provided that re-employment upto the age of 60 years may be given to him by the management at its discretion.

(2)

(i) No management of the school shall extend the period of re-

employment to a member of non-teaching staff after he has attained the age of 60 years, except with the previous permission of the Board;

(ii) The Board may grant permission for further re-employment for a period not exceeding one year at a time if it is satisfied that in the interest of the school it is necessary to re-employ the member and the member is physically and mentally fit:

Provided that a member of the non-teaching staff, who has attained the age of 65 years, shall not be continued in service under any circumstances.

(3) A member of the non-teaching staff shall not be entitled to any notice for his relief after he has attained the age of 58 years or after the expiry of the period for which re-employment has been granted.

### **38. Records and registers :-**

(1) Every registered school shall maintain and produce for inspection the following records and registers.

(A) Pertaining to students.

(1) General register;

(2) Attendance register;

(3) Leaving certificates received from other Schools;

(4) Counterfoils of leaving certificates issued to students;

(5) Records of students attainments and examination results;

(6) Records of health and medical examination of students;

(7) Answer-books of the Annual Examination of the proceeding year;

(8) Record of the students admitted after test prior to the Inspection.

(B) Pertaining to staff.

(1) Service books of school employees:

(2) Register of attendance and leave to employees;

(3) Discharge certificates received from teachers employed in the

school;

(4) Head-Masters' log books (observations, supervision notes, suggestions to teachers etc.)

(5) Confidential reports of teachers in Form VIII;

(6) Register of private tuition of teachers;

(C) Pertaining to school.

(1) Daily cash book;

(2) Ledger showing receipts and expenditure including separate account of term fee;

(3) Pay bill file of the employees;

(4) Fees account book;

(5) Provident Fund Account register;

(6) Vouchers of all financial transactions;

(7) Register of dead stock articles of various categories;

(8) Laboratory and library registers;

(9) Inward and outward registers.

### **39. Schools and Hostels open to inspection :-**

(1) A registered school shall be open to inspection by the Officers of the Department and by the Board while the school functioning. It will be inspected periodically with or without notice to the management of the school. The inspecting officer shall satisfy himself that the condition of the school is satisfactory and that it fulfils the requirements as laid down from time to time as per these regulations.

(2) Officers of the Department and the Board may also inspect the hostel attached to a registered school and satisfy themselves that it is properly managed. They may make necessary observations and offer remarks and suggestion on the working of a hostel.

(3) Management of a registered school shall supply to the officers of the Department and the Board such statements and information as may be required.

### **40. Preparation of a register containing the names of**

## **candidates for appointment as teachers in registered secondary schools :-**

(1) The Board shall prepare and maintain a register containing names of candidates qualified to be appointed as teachers in registered private secondary school in the State.

(2) No person shall be appointed as a teacher by the Managing Committee unless his name appears in the Register and any appointment of a person whose name does not appear in the register as a teacher made by the Managing Committee shall be ineffective.

(3) Any person who is qualified to be appointed as a teacher in a registered private secondary school, and who desires to be so appointed may apply before the 10th April, of an year to the Secretary of the Board to register his name in the register and such application shall contain information as to the following matters, namely :

(a) full name of the candidate father's/husband's name and surname;

(b) whether a Scheduled Caste or Scheduled Tribe;

(c) birth place and birth date;

(d) qualifications with the year of passing, class obtained names of Universities and special subjects offered;

(e) teaching experience, if any, with details of pay-drawn:

(f) subjects taught standardwise;

(g) names of district where candidate desires to have service;

(h) relevant certificates attached;

(i) interest in sports, literature and other educational activities;

(j) any other relevant information pertaining to the candidate, such as scholarships and championships obtained, publication of books done, medals won, etc.

(k) remarks.

(4) On receipt of such application the Secretary shall verify the contents of the application and if satisfied that the person is qualified to be appointed as a teacher the Secretary shall cause the

person's name registered with the relevant entries recorded against his name.

(5) On appointment of a person as a teacher, the management of the school shall communicate the name of such person to the Secretary and whereupon necessary entries shall be caused to be made in the Register by the Secretary.

(6) Any discrepancy in the Register may be brought to the notice of the Secretary for necessary correction.

(7) The Register shall be kept corrected upto date and revised twice a year.

**41. Register containing the names of teachers for appointment as teachers in other registered private secondary schools :-**

(1) The Board shall prepare and maintain register containing names of teachers who are willing to be selected for appointment as teachers in other registered private secondary schools in the State.

(2) On receipt of such application the Secretary shall verify the contents of the application and cause the teacher's name registered with the relevant entries against his name.

(3) Where a teacher who is working as an Assistant Master in a registered secondary school desires to change the school may apply before 10th April of an year through the Head Master of the School and through the Officer of the District concerned, to the Secretary to register his name in the Register and such application shall contain information as to the following matters, namely:

(a) teacher's full name, father's/husband's name surname;

(b) whether a Scheduled Caste or Scheduled Tribe;

(c) birth date and birth place;

(d) qualifications with the year of passing, class obtained, names of Universities and special subjects.

(e) details of teaching experience with details of pay scales and pay drawn;

(f) subjects taught standard-wise;

(g) names of districts where teacher desires to have service;

(h) relevant certificate attached:

(i) interest in Extra-curricular activities with details;

(j) reasons for having the present service and having a change;

(k) any other relevant information pertaining to the teacher, such as scholarships and championships obtained, publication of books done, medals won etc.

(l) remarks.

(4) Whenever any vacancy in a registered secondary school is to be filled in, the school staff selection committee or, as the case may be a special school committee shall consider those persons for appointment who have got their names registered.

(5) On appointment of a person as a teacher the management of a registered secondary school shall communicate the name of such person to the Secretary whereupon necessary entries shall be caused to be made in the Register by the Secretary.

(6) No teacher shall be appointed as a teacher by the Managing Committee unless the name of the teacher appears in the Register and any appointment of a teacher whose name does not appear in the register as a teacher made by the Managing Committee, shall be ineffective.

(7) Any discrepancy in the Register shall be brought to the notice of the Secretary for necessary correction.

(8) The Register shall be maintained upto-date and revised twice a year.

#### **42. Regulations to prevail over Grant-in-aid Code :-**

The provisions of these regulations shall prevail over those provisions contained in the Grant-in-aid Code published under Government Notification, Education and Labour Department No. GAC-1064-C dated the 22nd April, 1964, in so far as they relate to any matters provided in these regulations.

#### **43. . :-**

Nothing contained in Regulations 19, 20 21, 22, 24. 25, 26, 27, 28, 30, 31, 32, 33, 36, 37, 40, and sub-clauses (4), (5) and (6) of Regulation No. 41 shall apply to any educational institution established and administered by a minority, whether based on religion or language.

