

GOVERNMENT OF GOA, DAMAN & DIU

Education Department

Notification  
7/4/85/EDN (Rules)

Whereas the draft of certain rules which the Government of Goa, Daman and Diu proposes to make in exercise of the powers conferred by section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985) was published as required by sub-section (1) of that section at pages 117 to 162 of the Official Gazette, Series I, No. 7, dated 19-5-1986 under Notification No. DE/Acad. I/CEZ/T/104 Education Bill/84/11/792 dated 3-4-1986 of the Education Department, Directorate of Education Government of Goa, Daman and Diu inviting objections and suggestions from all persons likely to be affected thereby till thirty days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 19-5-1986 ;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 29 of the Goa, Daman and Diu Education Act, 1984 (Act 15 of 1985) the Administrator of Goa, Daman and Diu makes the following rules namely:-

CHAPTER I  
Preliminary

1. Short title and commencement. - (1) These rules may be called the Goa, Daman and Diu School Education Rules, 1986.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - (1) In these rules, unless the context otherwise requires.

(a) "Act" means the Goa, Daman and Diu School Education Act, 1985 (15 of 1985);

(b) "The Asstt. Dist. Educational Inspector (A.D.E.I.)" means an officer of the Education Department working at the Taluka level in charge of the Taluka or part thereof;

(c) "Affiliated Board" means the concerned Board referred to in clause (1) of Section 8 of the Act;

(d) "Form" means a form annexed, to these rules;

(e) "Higher Secondary Stage" means a stage of school education, above class X;

(f) "Middle Stage" means a stage of school education from classes V -VII (both inclusive);

(g) "Primary Stage" means a stage of school Education from classes I-IV (both, inclusive);

(h) "Section" means a Section of the Act;

(i) "Secondary Stage" means stage of school education having VIII-X classes or V - X classes as the case may be (both inclusive);

(j) "School" includes, a pre-primary, primary, middle, secondary, higher secondary, night secondary schools and primary teachers training institutions, depending upon the context;

(k) "Trained Teacher" means a teacher who has secured a professional diploma or a degree in teaching as prescribed by the Government and recognised by the Department which qualifies him for a teaching post in a school;

(l) "Zonal Education Officer" means Dy. Education Officer or any other education officer, in charge of a Zone or a District;

(m) "Zone" means the Educational region or an Educational District comprising the areas in Goa, Daman and Diu, specified by the Director of Education in this behalf, for the purposes of organisation, supervision, inspection and control of schools located therein;

(2) Words and Expressions used but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

## CHAPTER II

### Regulation of Education

3. Zones/Districts. - (1) The Territory of Goa, Daman and Diu shall be divided by the Director of Education into Educational Divisions to be called "Zones" for the purpose of regulation of education therein.

(2) In case of Goa, the Zones shall be further sub-divided into Educational Talukas.

(3) The Zones and the Educational Talukas existing in the Union Territory of Goa, Daman and Diu at the commencement of these rules shall be deemed to have been formed under Sub-rule (1) and (2) above.

(4) The ["Government"] may, if he is of the opinion that for the better regulation of education in the Union Territory of Goa, Daman and Diu, it is necessary so to do, alter the limits, or the number of Zones and Educational Talukas, whether in existence at the commencement of these rules or formed thereafter.

4. Classification of schools. - (1) The Schools in the Union Territory of Goa, Daman and Diu shall be classified by the Director of Education into any of the following categories, namely;

- (a) (i) Pre-Primary schools, i.e. schools imparting education below the primary stage;
- (ii) Primary schools, i.e. schools imparting primary stage of education, whether or not in addition to any education below the primary stage;
- (iii) Middle schools, i.e. schools imparting middle stage of education, whether or not in addition to any education below the middle stage;
- (iv) Secondary schools, i.e. schools imparting secondary stage of education, whether or not in addition to any stage of education below the secondary stage;
- (v) Higher Secondary Schools, i.e. to say, schools imparting higher secondary stage of education, whether or not in addition to any stage of education below the Higher Secondary stage; and including Technical High Schools;

<sup>1</sup> This word is substituted and shall be deemed to be substituted, wherever it occurs for the word "Administrator", by Amendment Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

- (vi) Teachers' Training College/Institute, i.e. to say, training institutions imparting training in education to the teacher trainees of Pre-primary, primary and middle stage.

Whether any such school is run by:

- (A) A Society registered under the Societies Registration Act, 1860 with aid or without aid from the Education Department or any local authority, or
- (B) Any individual, group of individuals or a trust without aid from the Education Department or any local authority, or
- (C) Any local authority or the Administrator.

(b) Government Teachers' Training Institute/ Colleges (for Primary or middle School teachers);

(c) Government Industrial Schools/Technical Schools;

(d) Government Social Education and Community Centre in rural areas;

(e) Institutions which prepare candidates for such examinations in Sanskrit, Hindi, Konkani, Marathi, Portuguese, Arabic, Persian, as are recognised by the Central Government or which prepare candidates for examinations in such other languages as may be recognised by the Central Government;

(f) Government schools or Aided private schools for fine art, music, crafts or physical culture.

(2) Where the Administrator is of the opinion that as a result of -

(a) The change in the policy of Government with regard to school education, or;

(b) A school, falling in one category, ceasing to fall in that category or the acquisition by a school of a status justifying its re-classification to a higher or lower category, it is necessary so to do, he may re-classify such school into such category as he may think fit.

5. Free Education. -- (1) The Administrator shall make suitable arrangement for imparting free school education for all children upto the age of 14 years;

(2) Save as otherwise provided in rule 144 no school maintained or aided by Government or any local authority shall levy any fee or other charges in relation to the education of the children studying upto <sup>2</sup>["XII"] class.

6. Medium of instructions at the primary stage. - Teaching in a school at the primary stage shall as far as practicable, be in the mother tongue of the child, unless the parents or guardian of the child request otherwise in writing:

Provided that where the medium of instruction in a school is different from the mother tongue of the child, arrangements shall be made as far as practicable by the Director of Education for the education of that child through his mother tongue, if the parent/guardian so desires:

Provided further that in the case of existing primary school in which education is imparted through the medium of any language, other than the mother tongue of the

child, education may continue to be imparted in that school through the medium of such other language.

(2) The Director of Education may direct any existing recognised primary school to make as far as practicable arrangements for imparting education in the mother tongue of the children in the same school.

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<sup>2</sup>These figures have been substituted for the figure and letters "Xth" by (Amendment) Rules, 1994 (O. G. Series No. 28 dated 14-10-1994).

(3) The mother tongue of the child shall be the language declared as such, in writing by the parent or the guardian at the time of admission of the child in the school.

(4) Konkani/Marathi shall be introduced as a subject of study in an English medium primary school not later than class III of the primary stage, in case of Goa district and Gujarati shall likewise be introduced in the English medium schools in Daman and Diu districts.

(5) Director of Education and the managements of the recognised primary schools shall as far as practicable, provide adequate facilities for teaching through the mother tongue at the primary stage of education of children belonging to any linguistic minority.

7. Medium of instruction for children studying in the middle stage. - For children studying in the middle stage the Director shall, as far as practicable, make suitable arrangements for imparting education through the mother tongue of such children, and for this purpose, may open or cause to be opened new sections or classes in any school in which education may be imparted to such children in their mother tongue, or where opening of new sections or classes in any school is not feasible, open or cause to be opened one or more new schools, so that arrangements may be made for teaching through the mother tongue of such children:

Provided that in the case of an existing middle school in which education is imparted through the, medium of any language other than the mother tongue of the children, the education may continue to be imparted in that school through the medium of such other language.

8. Medium of instruction at the secondary stage.(1) Mother tongue of the students/English shall be the medium of instruction at the secondary stage:

Provided that in the case of a secondary school in which education is imparted through the medium of any language other than the mother tongue, education may continue to be imparted in such class through the medium of such other language:

Provided further that in the case of a secondary class in a school run by linguistic minority, education may be imparted in such class through the medium of the language of that linguistic minority.

(2) Where for any special reason the Director of Education is satisfied that education cannot be imparted in any secondary class of any school through the medium of mother tongue in one or more subjects or any of the subjects he may permit that school to impart education in the said subject or subjects or the medium of any language other

than the mother tongue for such period as he may think fit.

(3) Where the Director of Education is satisfied that by reason of the number of students having mother tongue other than Konkani or Marathi or Gujarati, it is necessary so to do, he may open or cause to be opened one or more sections or classes in an existing aided school for imparting education to such children through the medium of their mother tongue and where the opening of such new sections or classes is not feasible he may open or cause to be opened one or more new schools for imparting education to such children through the medium of their mother tongue.

9. Medium of instruction at Higher Secondary Stage. - The mother tongue of the students or English shall be the medium of instruction at the Higher Secondary stage. However, medium of instruction other than English at Higher Secondary stage shall be decided by the institution in consultation with and with prior approval of the Director of Education and the Secondary and Higher Secondary Board.

10. Three Language formula to be followed. - In the teaching of languages in classes from V -X the three language formula as adopted by the Central Government shall be followed.

11. Right of linguistic minorities to set up schools. - Any linguistic minority which intends to set up schools with the object of imparting education in the mother tongue of such linguistic minority shall be entitled to do so and shall be entitled to receive grant-in-aid if the other conditions with regard to the grant-in-aid are fulfilled by such school:

Provided that if the Director of Education is satisfied that there already exists sufficient number of schools in an area providing for teaching to the concerned minority language, he may not permit the opening of more schools as aided institutions in that area:

Provided further that it shall be open to the management of a school run by linguistic minority to decide that education shall be imparted at the school in their language other than the language of such linguistic minority and in such case, the Director of Education shall not be under any obligation to give grant-in-aid to such schools.

12. Provisions for other facilities. - The Director of Education shall also provide for the following facilities, namely:

- a) Adult Education centres;
- b) Balkendras;
- c) Education of children who have discontinued studies; and
- d) Literacy centres-cum-Village libraries.

13. Provision for multiple entry in schools. - Save as otherwise provided elsewhere in these rules the Director of Education may make arrangements at any time of the year, for the admission of those students who have discontinued studies, in any class of a recognised school to which he is, on a test, by such school, found to be suitable for admission for whole time studies.

14. Provision for Remedial teaching. - The Director of Education may make or cause to make special provisions for remedial teaching, in respect of the students of aided schools, suffering from remedial deficiencies in studies. This remedial teaching shall be for the benefit of the weaker students and the provision for extra time shall be made for the benefit of these students by the aided schools, without any

additional financial burden on the Government and the directives issued in this behalf, by the Director of Education shall be binding on the aided schools and they shall be final.

15. Courses of studies. - (1) The *courses* of studies for the primary and middle stages and Primary Teachers training Institute shall be such as may be specified by the Director of Education, in consultation with the expert committee to be appointed by him and the text books for such courses of study shall be such as may be prescribed by the Director of Education in consultation with the committee:

Provided these courses of studies and the text books other than those prepared by the State Text Book Bureau shall be placed before the Advisory Board for approval.

(2) The course of study and text books for the secondary (VIII-X) and Higher Secondary (XI and XII) stage shall be such as may be specified or recommended by the Board of Secondary and Higher Secondary Education.

(3) The Administrator may, if he is of the opinion, on scrutiny of any text book specified or recommended by the Director of Education or the Affiliating Board that such text book is prejudicial to the interest of education, prohibit the use of such book as a text book in any school, primary, middle, secondary, Higher Secondary or Primary Teachers Training Institute.

16. Matters to be provided for in the syllabi and courses of study. -The Director of Education or, as the case may be, the Affiliating Board shall, while specifying the syllabi and courses of study for the primary and middle stage or secondary and Higher Secondary stage, or Primary Teachers' Training Institute, pay special attention to the inculcation of national and moral values, including the sovereignty and integrity of India, secularism, humanism, faith in the dignity and equality of every human being, dignity of labour, avoidance of discrimination on grounds of religion, race, caste, sex, or place of birth/region or any of them and in particular, avoidance of the practice of untouchability, and shall also include therein health education, including personal and environmental hygiene, population education, social forestry, and awareness of the effect of drugs and intoxicant on human life.

17. Powers of Director of Education to specify co-curricular and extra-curricular activities.- The Director of Education may in consultation with an expert committee appointed by him, provide for co-curricular and extra-curricular activities in recognised schools.

18. Power of Director of Education to specify courses of study for informal education. - The Director may, in consultation with an expert committee appointed by him, specify the courses of study for imparting informal education to persons who are unable to attend any recognised school for obtaining formal education.

19. Physical Education etc. - (1) In every school, a suitable provision shall be made for social services, physical, cultural and recreational activities.

(2) The head of school shall organise a general system of school games, so as to provide opportunities for participation by all students and shall provide the students with the equipment needed for such games.

20. School Hours. - (1) The Director of Education may, by order, specify the time at which all schools, other than unaided recognised private Schools shall commence and conclude the daily school hours and different timings may be specified for different seasons of the year or for schools running in one shift or multiple shifts:

Provided that a teacher shall not ordinarily get more than 21 hours of workload, including non-academic subjects (18 hours excluding non-academic subjects) per week, and the teacher may be required to devote not more than 200 hours in a year for remedial teaching, supervised studies etc in addition to the actual weekly teaching work load of 21 hours, as per the programme given by the Head of the school.

(2) The unaided recognised schools may specify their own timings, but in any case the total number of school hours per day and total number of working days in a year shall not be less than prescribed at (1) above;

Provided that in addition to the prescribed working hours a teacher may be required to devote not more than 200 hours in a year for remedial teaching, supervised studies, etc.

21.<sup>3</sup>["School terms, vacation and Holidays]. - (1) The total number of working days including examination days for the schools including Higher Secondary schools shall not be less than 220 days in a year<sup>4</sup>[to be arranged in two school terms the duration of which shall be as specified by the Director of Education".]

(2) Subject to the provision of sub-rule (1), the following shall be the authorised holidays for the recognised schools namely:

(i) All holidays notified by the s["Government"]

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<sup>3</sup>These words have been substituted for the words "Vacation and Holidays" by (Amendment) Rules, 1994 (0. G. Series I No. 28 dated 14-10-1994).

' This expression inserted *Ibid.*

'The word "Administrator "substituted by the word "Government", *Ibid.*

(ii) Discretionary holidays not exceeding 10 days in a year with the previous approval of the Director of Education or an Officer so authorised by him.

(iii) The first term shall ordinarily be from 5th June to 11th October, and a three week's break generally from about 16th October to 6th November, but to be shifted when necessary, to fit in with the Diwali festival;

Provided that the Director of Education may declare a mid-term break of not more than one week for the Ganesh festival but however the loss of actual workings days, on account of this mid-term break shall be made good by cutting the discretionary holidays proportionately.

<sup>6</sup>"(iv) A mid-term break from 24th December to 2nd January."

"(v) Summer vacation at the end of the second term for such a period of six weeks as may be specified by the Director of Education."

8[...]

<sup>6</sup> Clause (iv) has been substituted by (Amendment) Rules 1994 (0. G. Series I No. 28 dated 14-10-1994. The original clause (iv) reads thus:

(iv) The second term shall ordinarily commence from 3rd November to 22nd April with a second mid-term break from 24th December to 2nd January.

7Clause (v) substituted, *Ibid*. The original clause (v) is as follows:

(v) Summer vacation shall ordinarily start from 28th April to 4th June and the annual examination shall begin about 4th April and the results shall be declared in the schools before the close of the schools for the summer vacation:"

"Proviso to clause (v) deleted, *Ibid*. The same reads as follows:

Provided that the dates given above are tentative only, and in practice the school shall re-open for the new academic year, around 6th June, the actual date in any year being fixed, so as to coincide with the Monday nearest to the 5th June and the last working day of the preceding academic year shall be so fixed, that a vacation of six weeks is available up to the re-opening date in the following year.

(3) In addition to the holidays referred to in sub-rule (2) leave may be granted to the student only, preparing for the public examinations of the Affiliating Board for such period as may be specified by that Board

Provided that preparatory leave shall be given to the students only, when the head of school is satisfied that the courses of study have been completed at the school.

22. School hours and number of working days not to apply to informal Education. - School hours specified in rule 20 and 21 and the number of working days specified in rule 21 shall not apply in the case of informal, or out of school or adult education.

23. Discipline, punishment etc. - (1) The observance of rules of discipline and good behaviour shall be a condition essential to a student's continuance in a school.

(2) In case of breach of discipline by a student below the age of 14 years, if the Director is satisfied that continuance of such a student in the school in which he is studying, is likely to be detrimental to the general tenor or discipline of the school, he may send such a student to such special school as he may think fit.

24. Striking off the name from the rolls. - (1) The name of a student may be struck off the rolls by the head of the school on account of

(a) Non-payment of fees and other dues wherever applicable, for 90 days, after the last day for payment:

Provided that nothing in this rule shall apply, in case of students of class <sup>9</sup>["XII"] and below studying in Government or aided schools, or in schools run or aided by the appropriate authority. <sup>10</sup>[...]

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<sup>9</sup>These figures have been substituted for the figure "X" by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

<sup>10</sup>The words "except where such students have attained the age of 10 years" have been omitted, *Ibid*.

(b) Continued absence without leave for 30 consecutive days by a student who has attained the age of 14 years on the re-opening day of the scholastic year.

(2) In the case of absence of any student who has not attained the age of 14 years, from a school without leave for 15 consecutive days, the head of school shall intimate such absence to the parent or guardian of such student.

(3) Notwithstanding anything contained in sub-rule (1) no student's name shall be struck off the rolls, except after giving the parent or guardian of such student a reasonable opportunity of showing cause against the proposed action.

25. Forbidden practices. - (1) No student shall indulge in any of the following practices namely:

- (a) spitting in or near the school building, except where the spitting is made in any spittoon provided by the school,
- (b) disfiguring or otherwise damaging any school property,
- (c) smoking,
- (d) any form of gambling,
- (e) use of drugs, liquor or intoxicant, except on prescription by a registered medical practitioner,
- (f) rowdyism and rude behaviour,
- (g) use of violence in any form,
- (h) casteism, communalism or practice of untouchability.
- (i) ragging.
- (j) pupils who are found to have secured, admission or attempted to secure admissions by means of false or forged leaving certificates or by false representations of any kind;
- (k) pupils in whose case it has been found that the entries in the leaving certificates have been tampered with;
- (l) pupils who have been found to be guilty of fraud or malpractices in connection with any public/school examination; and
- (m) pupils who are found guilty of gross misconduct;

(2) The Administrator may, on the advice of the Advisory Board, amend or add to the form of practices forbidden under sub-rule (1).

(3) If any student who has not attained the age of 14 years, indulges in any of the practices referred to in sub-rule (1) the Director may shift him to such a special school as he may think fit.

26. Forms of disciplinary measures. - (1) The following shall be the disciplinary measures which may be adopted by a school in dealing with -

(a) in case of defaulting students, detention during the break, for neglect of class work, but no detention shall be made after the school hours but however there shall not be any corporal punishment.

(b) in case of students who have attained the age of 14 years -

- (i) expulsion,
- (ii) rustication.

(2) For the avoidance of doubts, it is hereby declared that the disciplinary measures specified in clause (b) of sub-rule (1) shall not be imposed on any student who has not attained the age of 14 years; and without holding an enquiry and giving an opportunity to the pupil/his guardian to defend against the charges;

(3) Expulsion shall debar a student from being re-admitted to the school from where he is expelled, but shall not preclude his admission with the previous sanction of the Director to any other school.

(4) Where a student is rusticated, he shall not be admitted to any school till expiry of the period of rustication.

(5) No student shall be expelled or rusticated from a school except after giving the parent or guardian of the student a reasonable opportunity of showing cause against the proposed action, and without prior approval of the Director.

6) Expulsion or rustication shall be resorted to only in cases of gross offences where the retention of the student in the school is likely-to endanger its moral tone of discipline.

(7) Except in case of any expulsion or rustication from an unaided minority school, the punishments of expulsion and rustication shall not be imposed, without prior approval of the Director.

27. Registers and records. - (1) Every school shall maintain and produce at the time of inspection or visit the following records and registers, and such other records and registers prescribed by Director of Education from time to time.

(A) Pertaining to Pupils -

- (1) General Register in the, form prescribed;
- (2) Attendance Register for all students in the form prescribed;
- (3) Leaving Certificates received from other schools;
- (4) Counterfoils of Leaving Certificates issued to Pupils;
- (5) Records of pupils attainments and/or examination results;
- (6) Records of health and medical examination of pupils;
- (7) Answer-books of the annual examination of the preceding year;

(B) Pertaining to Staff;

- (1) Service Books of school employees as prescribed by the Government to Government servants;
- (2) Register of attendance and leave to employees;
- (3) Discharge certificates received from teachers employed in the school;
- (4) Headmaster's log books (observations, supervision notes, suggestions to teachers, etc.). The remarks made in the log book about the employees should be shown to the employees concerned and their signatures obtained in token of their having seen the same;
- (5) Annual confidential report files on teachers including Headmaster;
- (6) Annual confidential report files, on non-teaching staff.

(C) Pertaining to School:

- (1) Daily cash book;
- (2) Ledger showing receipts and expenditure, including separate account for term-fees;
- (3) Fees account book;
- (4) Provident Fund account register;
- (5) Vouchers and T. A. bills;
- (6) Register of dead stock articles;
- (7) Laboratory and library registers;
- (8) Inward and outward registers;
- (9) Pay bills of staff.

(2) The Director of Education shall specify what returns and records shall be submitted by a school to the Directorate of Education or to its subordinate office.

(3) Standard forms and registers as applicable to Government Schools shall be used for the recognised schools as well.

28. Examinations assessment, evaluation, promotion etc.-, (1) The Director of Education shall issue detail instructions regarding assessment, evaluation . and promotion of students from one class to another. In cases of classes VIII to XII such instructions shall be issued in consultation with the examination board, wherever necessary. School examination work viz. paper setting, supervision, assessment, evaluation, tabulation, preparation and filling up of cumulative progress cards, etc., shall be carried out by the teachers as assigned by the Headmaster. Assistance of the office staff wherever necessary shall also be taken by the Headmaster for. the school examination work.

(2) He may also issue instructions for programme learning and informal system of education.

29. School Libraries. - The Director of Education may issue detailed instructions regarding the maintenance and use of school libraries and provide necessary staff to the school, as per norms to be decided by the Director of Education, in consultation with the Advisory Board and with approval of Government from time to time.

30. Power to issue instructions. - The Administrator may, if he is of the opinion that in the interest of school education in the Union territory of Goa, Daman and Diu, it is necessary so to do, issue , such instructions in relation to any matter not covered by these rules as he may think fit,.

### CHAPTER III

#### Opening of new schools or classes or closure of existing schools or classes

31. Notice of intention to open a new school. - (1) With a view to enabling the Director of Education to arrange for the planned. development of the school education in the Union territory of Goa, Daman and Diu, every “[...] society or trust, desiring to establish a new school, shall, before establishing such new school give an intimation in writing to the Directorate of Education of <sup>12</sup> [...] their intention to establish such school, at least six clear months before the commencement of the academic year.

(2) The intimation, referred to in sub-rule (1) shall contain the following particulars, namely:

(a) zone/district, the taluka and the village with actual locality in which the new school is proposed to be established and the approximate number of students likely to be admitted in such class of the school.

(b) the stage of education intended to be imparted and the medium of instruction to be adopted in the new school;

"The words "individual, association of individuals" have been omitted by (Amendment) Rules,1994 (0. G. Series I No. 28 dated 14-10-1994).

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<sup>12</sup> The words "his or" have been deleted by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

(c) the number of schools of the intended stage and medium of instructions in existence in the locality or in its neighborhood with actual distance from the existing schools of the type where the new school is proposed to be established and the population of such locality /village/ /town, as the case may be;

(d) The particulars including measurements of the building or other structure in which the school is proposed to be conducted;

(e) The financial resource from which the expenses for the establishment and running of the school are proposed to be met and whether any application is proposed to be made for any aid; after one year of its existence;

(f) the reserve funds the <sup>13</sup>[...] the trust possesses in order to meet the recurring expenses including the salaries of the staff;

(g) the composition of the Managing Committee of the proposed new school; <sup>14</sup>[...] in accordance with the scheme of Management made under the Act and the rules framed thereunder;

(h) the <sup>15</sup>[...] procedure, <sup>16</sup>[...] for the selection of the head of the school and other teachers and non-teaching staff • <sup>17</sup>[...] and the minimum qualifications prescribed for their recruitment <sup>11</sup> ["as per the Act and the Rules made thereunder"];

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<sup>13</sup> The words "association of individuals" have been omitted, by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

<sup>14</sup> The words "until the new school is recognised and the new Managing Committee is constituted" have been omitted, *Ibid.*

<sup>15,16,17.</sup> words "proposed", "until its recognition under the Act" and "wherever permissible", omitted, *Ibid.*

<sup>18</sup> These words have been inserted, *Ibid.*

(i) the <sup>19</sup>[...] scale or pay for the head of the school and other teaching and non-teaching staff, <sup>20</sup>] "shall be such as laid down by the Government";

(j) Any other facility which is proposed to be provided for the students of the proposed new school <sup>21</sup>["in addition of those provided in the rules"].

22["(k) The party proposing to open a new school give an undertaking under section 5(1) (g) of the Act."]

(3) The Director of Education may, after considering the particulars specified in the intimation given to him, under subrule (2) and after making such inquiries, as he may think fit, inform the <sup>21</sup> ["party concerned"] by whom the intimation was given to him, whether or not opening of the proposed new school would be, in his opinion, in the public interests. A mere intimation of starting a school/class does not automatically entitle the Management to open a school/class without prior written permission of the Director of Education:

Provided that no new school shall be permitted more than one class at each stage viz., primary, middle, secondary or higher secondary and after recognition no school shall be permitted to add more than one higher class each year at each stage:

Provided further that the Director of Education shall if he is of the opinion that the number of schools existing in the

<sup>19</sup>The word "proposed" has been omitted by (Amendment) Rules, 1994 (o. G. Series I No. 28 dated 14-10-1994).

<sup>20</sup>These words have been substituted for the "words" until the school is recognised under the Act;" , *Ibid.*

<sup>21</sup> These words inserted, *Ibis.*

<sup>22</sup> Clause (k) inserted, *Ibis.*

<sup>23</sup>These words have been substituted for the words "person or persons," *Ibid.*

locality or in its neighbourhood, where the new school is proposed to be opened is sufficient to meet the needs of that, locality, inform the person or persons by whom the intimation was given to him that the opening of the new school in such locality would be against the public interest:

Provided also that while permitting new schools the Director of Education shall adopt the norms, viz.,

- (i) no primary school of that category shall be permitted within a radius of 1 Km.,
- (ii) no middle school of that category, within a radius of 3 Kms., and
- (iii) no secondary school of that category within a radius of 5 Kms. from the existing schools, unless the Director of Education is satisfied that the existing school is overcrowded and there is no scope for further expansion, or there is no easy excess to the existing school due to natural barriers like forest area, rivers with running water, or the proposed school is entirely for the benefit of backward class community, scheduled caste or Tribal pupils.

Nothing contained in this <sup>24</sup>("proviso"] ' shall apply to unaided minority Schools.

32. Opening of new classes in schools. - No recognised schools, not being an unaided minority school, without giving' full justification, shall open any new class or division other than the ones which have received approval from the appropriate authority, without obtaining prior sanction of the Director of Education or any subordinate authority authorised by him.

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<sup>24</sup>This word substituted for the word "provision" by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

(2) in the case of unaided minority schools, opening of new classes/divisions shall be subject to such norms as may be specified by the Director of Education.

(3) the norms for granting additional divisions in Middle and Secondary Schools shall

be as follows subject to any change on the recommendations of the Advisory Board.

I. The norms for granting additional divisions iii Std. V to VII.

- (i) For 40+20 students 2 divisions.
- (ii) For 50+40+20 students 3 divisions.
- (iii) For 50+50+40+20 students 4 divisions.
- (iv) For 50+50+50+40+20 students 5 divisions and so on.

II. The norms for granting additional divisions in Std. VIII to X :

- (i) For 44+20 students 2 divisions.
- (ii) For 54+44+20 students 3 divisions.
- (iii) For 54+54+44+20 students 4 divisions.
- (iv) For 54+54+54+44+20 students 5 divisions and so on.

Provided that permission to open additional divisions shall be granted by the Directorate of Education after satisfying himself about the physical facilities available with the school and mere enrolment of students by a school shall not automatically make the school eligible for the additional divisions and if the additional division is opened by the School Management, without prior permission the additional liability shall not be borne by the Department.

25 ["Provided further that in case any post of teacher/ /employee in aided Secondary School is rendered surplus after formation of division(s) as per norms specified above, the Director of Education may grant relaxation and allow the continuance of the division(s) with students as specified below so as to avoid retrenchment of such surplus teacher/ employee.

- (a) 15 students.                      ... 1 division
- (b) 30+15 students                      ...2 divisions
- (c) 30+30+15 students                      ... 3 divisions"]

(4) The norms for granting additional divisions in Higher Secondary- Schools and Primary Teachers Training Institutes shall be as decided by the Director of Education and notified by a circular separately.

33. Closing down of a school or any class or division in the school. -- No school management shall close down a recognised school, 26[...] or an existing class or a division in such school, without giving full justification, and without the prior approval. of the Director.

27[Provided that no Management shall close' down -a recognised school without giving a notice in writing, at least six months in advance to that effect, to the Director of Education and to all to employees of school,"]

34. *Absorption of surplus, employees etc.* - (1) Where as a result of -
- (a) the closure of an aided school or any class/ classes

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<sup>25</sup> Proviso inserted by (Amendment) Rules, 1997 (0. G. Series I No. 33 dated 13-11-1997).

<sup>26</sup>The words "not being an un-aided minority school" have been omitted by

(Amendment) Rules have been deleted by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

<sup>27</sup>Proviso added, *Ibid.*

or divisions <sup>28</sup>["or discontinuance of any subject"] in any aided school;  
(b) withdrawal of aid, from an aided school;  
(c) withdrawal of recognition from an aided school, any student or employee becomes surplus, such student or employee, as the case may be, shall be absorbed, <sup>29</sup>[...] in such aided schools, as the Director of Education may specify:

Provided that the absorption in the aided school of any employee who has become surplus shall be subject to availability of a vacancy and shall be subject further to the condition that the concerned employee possesses the requisite qualification for the post 30[...]

Provided further that where any such surplus employee is absorbed in an aided school, he shall be treated as junior to all the persons of the same category, employed in the aided school on the day immediately preceding date on which he is so absorbed.

(2) While terminating the services of teachers under the preceding rule, the following principles shall be observed namely: -

(a) In the case of reduction in the number of classes/ /divisions at the Higher Secondary Stage, i.e. Standards XI and XII, the services of the junior-most teachers in the subject/faculty concerned shall be terminated.

(b) In the case of reduction at the High School stage in

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<sup>28</sup> In clause (a) these words have been inserted, by (Amendment) Rules 1994 (O. G. Series I No. 28 dated 14-10-1994):

<sup>29</sup>The words "as far as practicable" have been omitted, *Ibid.*

<sup>30</sup> In the first proviso to rule 34 the following words have been omitted, *Ibid.* :and the employee has not been retrenched by the management of the aided school, on any grounds other than the grounds of the closure, of school or any schools, or classes of the school of withdrawal of recognition or aid from the school".

Standards VIII - X, the services of the junior most teacher in the category of graduate teachers shall be terminated.

(c) In the case of reduction at the middle Stage i.e. V-VII the services of the junior most teachers in the category of under graduate/S.S.C., trained teachers shall be terminated.

(d) In the case of reduction at primary Stage i.e. Std. I-IV, the principle of seniority shall be observed.

(e) If there are some teachers who entered the service as undergraduate/S. S. C. trained teachers and placed in the graduate category on improving qualifications, and if the situation demands that their services are required to be terminated, they shall be given option to go, back to their original category of under-graduate teachers, and on their doing so, the services of the junior most undergraduate teacher shall be

terminated.

(f) In case the Management runs more than one school having services of the employees transferable and having common seniority the retrenchment/termination shall be done by following the principle of common seniority in the category of all the schools together, in case surplus employees cannot be absorbed in any of the schools/ institutions under the same management.

(3) Where any surplus employee is absorbed under sub-rule (1),

(a) the salary and other allowances last drawn by him at the school from which he is become surplus shall be protected;

(b) the Provident Fund Account shall be transferred to the school in which he is so absorbed and thereupon such Provident Fund shall be governed in accordance with the rules and regulations, in force in that school, in relation to Provident Funds; and

(c) the period of his qualifying service in the school in which he had worked before, such absorption and any previous period of qualifying service, if any, in any recognised aided school in the territory of Goa, Daman and Diu shall be taken into account for the purpose of computing his pension and other retirement benefits.

<sup>31</sup>"(4) Without prejudice to the provisions of sub-rules (1), (2) and (3), where an employee becomes surplus for any reason, such employee shall be absorbed in the first instance, as far as practicable, in such aided school as the Director of Education may specify and if the post so rendered surplus is subsequently revived or additional post is created or otherwise any vacancy arises anytime thereafter, within a period of three years, such as employee shall be absorbed in the former school, but if such re-absorbed in the former school , but if such re-absorption does not take place within the period of three years from the date of absorption of such employee in the original school, the services of such employee shall continue in the absorbed school:

<sup>31</sup>Sub-rule (4) has been substituted by (Amendment) Rules, 1994 (0. G. Series I No. 28 dated 14-10-1994). The original sub-rule (4) read as follows:

"(4) Without prejudice to the provisions of sub-rules (1), (2) and (3) where an employee becomes surplus by reason of the closure of any class or the section thereof or the discontinuance of the teaching of any subject, such employee shall be absorbed in the first instance, as far as practicable, in such aided school as the Director of Education may specify, and if the class or section which was closed, is reopened by the former school or if any new class or section thereof is opened, by such school or if the subject, teaching of which was discontinued, is reintroduced by such school or strength of the teaching staff of the former school is increased any time, thereafter such an employee shall be re-absorbed in the former school, but if such re-absorption does not take place within a period of 3 years from the date of absorption of such employee in the aided school, such employee shall be regularly absorbed in such aided school, as the case may be."

Provided that no teacher working on temporary or probationary basis shall qualify for absorption."]

(5) Re-absorption of an employee in the former school shall not affect his continued service or his seniority in relation to that school or his employments, Provident Fund, gratuity and other retirement benefits.

Explanation: (i) For the purpose of sub-rule (4) and (5), "former school" means the school from which an employee had become surplus.

(ii) This rule shall not apply to unaided minority schools.

35. Transfer of-Provident Fund and other moneys in certain cases: - Where an employee leaves an aided school, and joins any other aided school in the Union territory of Goa, Daman and Diu it shall be lawful for the managing committee of the school left by such employee, to transfer to the aided school joined by such employees, and the moneys standing in the Provident Fund to the credit of such employee on the date when he had left the school and any other amount due to him by way of contribution towards pension and other retirement benefits, and it shall be lawful for the managing committee of the aided school so joined by the employee to credit the said amount to the Provident Fund and other account of the teachers and to take into account the period of approved service rendered by the employee in the first mentioned school for the purpose of computation of his pension and other retirement benefits:

Provided that there is no break in the service of the employee while moving from one aided school to the other aided school within the Union territory of Goa, Daman and Diu:

32 ["Provided further that if there is break in service, such break may be condoned by the Government as per provisions as are applicable to corresponding categories of employees under the Government"].

#### CHAPTERIV

#### Recognition of Schools

36. Form and manner of application for recognition. - Every private school seeking recognition shall make an application, in form I to the Directorate of Education, or the authority subordinate to him as authorised by him and every such application shall either be delivered to the appropriate authority through an individual or sent to that authority by Registered post acknowledgement due. However, all existing recognised schools, subject to the provisions of these rules, shall be deemed to have been recognised under these rules.

37. Conditions for recognition. -No private school shall be recognised or continue to be recognised, by the Director unless the school fulfils the following conditions namely: -

(i). The school is run by a Society registered under the Societies Registration Act, 1860, or public trust constituted under any law for the time being in force and is managed in accordance with the scheme of management made under these Rules:

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<sup>32</sup>The second proviso to rule 35 has been substituted by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994.) The original proviso reads as follows:

"Provided further that if there is break of not more than one month for the reasons beyond control of the employee, such break can be condoned by the Administrator, if the employee was a permanent employee in the former school and if he applies to the

Administrator through proper channel within 3 months of his migration to the new school, by giving full justification for the break. The decision of the Administrator shall be final and shall not be subject for review thereafter by any authority including the Administrator himself."

Provided that the managements who are desirous of getting grant-in-aid from the Government shall necessarily register as societies under the Societies Registration Act, 1860, and failing to do so, they shall not be entitled to claim any grant-in-aid:

<sup>33</sup>["Provided further that the schools established by the Trust/s after enforcement of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985) shall not be eligible for any grant-in-aid"].

(ii) subject to the provisions of clause (1) of article 30 of Constitution of India, the school serves a real need of the locality and is not likely to affect adversely the enrolment of the nearby school which has already been recognised by the Department;

(iii) the School follows approved Courses of Instruction as prescribed by Government, and accepts the pay scales for its employees as prescribed by Government, even when the Government aid is not sought for; <sup>34</sup>[...]

(iv) the School is not run for profit to any individual, group or association of individuals or any other persons;

(v) admission to the School is opened to all without any discrimination based on religion, caste, race, sex, place of birth, region or any of them ;

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<sup>33</sup>This second proviso to rule 37 has been substituted by (Amendment) Rules, 1989. (0. G. Series I No. 52 dated 30-3-1989). The original proviso reads as follows:

"Provided further that the schools managed by the Public Trust and receiving Grant-in-aid before the commencement of these rules, shall register as Societies within a period of 2 years from the commencement of these rules, failing which, such schools shall not be eligible for any grant-in-aid."

<sup>34</sup>The words "subject to section 14 of the Act" have been omitted by (Amendment) Rules, 1994 (0. G. Series I No. 28 dated 14-10-1994).

(vi) the Managing Committee observes the provision of the Act and the Rules made thereunder and the instructions issued by the Director of Education or his authorised subordinate officer from time to time;

(vii) the building or other structure in which the school is carried on, its surroundings, furniture and equipment are adequate and suitable for an educational institution, where there is any business premises in any part of the building, in which such school is run, the portion in which the school is run is adequately separated from such business premises;

(viii) the arrangements in the building or other structure and the furnishings thereof meet adequately the requirements of health and hygiene;

(ix) the School buildings or other structures or the grounds are not used during the day or night for commercial or residential purposes (except for the purpose of

resident of any employee of the schools). or for communal, political or non-educational activity of any kind whatsoever;

(x) the accommodation is sufficient for the classes under instruction in the school, for primary and secondary separately; and if the accommodation is shared by primary and secondary the rent on this account shall be shared proportionately;

(xi) there is no thoroughfare for public passage through any part of the school premises;

(xii) sanitary arrangement at the school are adequate and are kept in good order and the certificate from the Health Officer of the local authority having jurisdiction over an area in which the school is located as to the health and sanitary conditions of the school and its surroundings has been furnished and will also be furnished as and when required by the appropriate authority;

(xiii) arrangements are made for the supply of good drinking water to the students and the staff members and suitable facilities are provided to enable them to take refreshments, lunch or the like;

(xiv) the school is so conducted as to promote discipline and orderly behaviour and to maintain high moral tone;

(xv) no teacher or student of the school is compelled to attend the classes in which religious instructions is given or to take part in any religious activity; no teacher or student absenting himself from a religious instruction, or religious activity is made to suffer any disability on that account and no student is refused admission to the school because exemption from attending religious exercises or religious instructions has been claimed by him or his parent or guardian;

(xvi) facilities are provided for teaching of languages in accordance with the 3 language formula as adopted by the Central Government;

(xvii) the school is open to inspection by any of the following officers namely -

(a) any officer authorised by the appropriate authority or the Directorate of Education.

(b) the officers of the Public Health Department and Public Works Department.

(xviii) the school furnishes such reports and information as may be required by the Directorate of Education, or the officers of the Department, from time to time and complies with such instructions of the Directorate of Education; from the departmental officers as may be issued to secure the continued fulfilment of the conditions of recognition or the removal of deficiencies in the working of the school;

(xix) all records of the school are open to inspection by any officer authorised by the Directorate of Education, at any time, and the school furnishes such information as may be necessary to enable the Central Government, or the Administrator to discharge its or his obligations to Parliament or the Legislative Assembly of Goa, Daman and Diu as the case may be;

(xx) the school does not involve any unhealthy competition with any existing school of the same category in the neighbourhood;

(xxi) the education imparted in the school is satisfactory in all respects and the teaching staff of the school is qualified suitably and adequate in number;

(xxii) the management undertakes to make provision to the satisfaction of the Department; that the general Rules of discipline as laid down by Government from

time to time are duly observed by the management, the teachers as well as by the pupils;

(xxiii) the management undertakes to abide by such orders relating to any of the above conditions or to the working of the school or its Hostel as may be issued by the competent authority or the Director of Education, either generally or any specific cases, from time to time;

The conditions of the institution shall, under each of the above heads, be tested by thorough inspection by the officers of the Education Department.

38. Facilities to be provided by a school seeking recognition of the Department. - (1) Every private school seeking recognition shall provide for the following facilities namely: -

(i) Physical Education

(a) suitable playground as specified by the Department, for the purposes of games and sports, and materials for such games and sports;

(b) where no such playground is available, due to the location of the school in an area where no suitable open space is available, the school shall arrange for a playground in a nearby area where the students could be provided the facilities for games and sports;

(c) where no such arrangement as referred to in clause (b) is possible, the school shall make arrangement for gymnastics or any other physical exercises.

(ii) Library service

(a) (i) adequate library facilities in the case of the primary school, and (ii) in the case of other categories of schools, a separate room for the Library, to be used exclusively for the purpose and on no account such room shall be considered as available for class teaching;

(b) a reading room attached or adjacent to the Library, wherever possible;

(c) the Library has a stock of books specified by the director as also the books specified by the affiliating Board and such other books as may meet the needs of the students and of the teachers;

(d) the Library has also books suitable for the use of teachers in their professional work and reference work.

(iii) Laboratory work

(a) in the case of a school up to the middle level a laboratory for teaching science, equipped according to such specifications as may be laid down from time to time, by the Directorate of Education;

(b) in the case of a school above the middle level introducing to run either science course or courses in subject which involve practical work, accommodation, equipment and apparatus according to such specifications as may be laid down from time to time, by the affiliating Board or the Directorate of Education, for the laboratory for each subject.

(iv) Workshop Practice.

(a) a room for conducting Workshop practicals or such other vocational activities as may be specified by the Director of Education, for different classes;

(b) the Workshop is equipped, according to such specifications as may be laid down, from time to time, by the Director of Education for each subject;

(v) Co-curricular Activities.

As many co-curricular activities, as may be possible, so as to give to every student an opportunity of participating in, one or more of the following activities, namely

- (a) Debates;
- (b) Recitation or Elocution;
- (c) Dramatics;
- (d) Music (including folk songs) dancing (including folk dances);
- (e) Hobbies of different types;
- (f) Model Parliament;
- (g) House system;
- (h) Pre-factorial system;
- (i) Class Competition;
- (j) Any other co-curricular activity.

Note: Wherever there is additional financial liability for appointment of staff on account of the introduction of above activities, prior approval of the competent authority shall be taken by the school management before introducing the activities. However where there is no additional financial liability on account of additional staff the school shall introduce the activities at its own discretion, and intimate the action

taken to the Department and the Examination Board wherever necessary.

39. Power to grant exemption. - The Director of Education, may, for good and sufficient reason, exempt provisionally any private school seeking recognition from one or more of the provisions of rule 37 or 38 or both for such period as it may consider necessary, provided that the Director of Education is satisfied that the school will be in a position to fulfil in the near future, the requirements from which it is provisionally exempted.

40. Date of Recognition.- The Recognition given to a school shall be effective from the date decided upon by the Director of Education and ordinarily recognition shall be given from the date of commencement of the school year.

41. Recognition to, lapse if not availed of within a year. - (1) The recognition granted to a school shall lapse unless it is availed of within a year from the date on which it is to be effective.

(2) Where a recognition has been granted to a private school for a limited period, such recognition shall lapse on the expiry of that period unless such recognition is renewed before the expiry of that period:

Provided that no recognition shall be renewed unless an application for such renewal has been made in Form I - not less than 6 months before the date on which the recognition is to expire and unless the school continues to fulfil the conditions specified in sub-section (1) of Section (5) and rule 37:

Provided further that the Director of Education may, on sufficient cause being shown by the managing committee of the school relax the time limit for making an application for the renewal or recognition.,

42. Lapse of recognition in other case.- (1) If the recognised school ceases to function or is shifted to a different locality or is transferred to a different trust, society individual or a group of individuals without the approval of the Director of Education,

its recognition shall lapse on such ceaser, shifting on transfer, as the case may be, and it shall, for the purpose of future recognition, be treated as a new School.

(2) Where one or more of the conditions of recognition, specified in sub-section (1) of Section (5) or in rule 37 are not complied with, by any recognised school, the Director of Education may by written notice, draw the attention of the school to such non-compliance, and, if within 30 days from the date of service of such notice, any such condition for the recognition is not complied with, the recognition granted to such school shall, on the expiry of the said period of 30 days stands lapsed.

43. Suspension or withdrawal of recognition.- (1) If a school ceases to fulfil any requirement of the Act, or any of the conditions specified in rules 37, or fails to provide any facilities specified in rule 38, the Director of Education may, after giving to the school a reasonable opportunity of showing cause against the proposed action, withdraw for reasons to be recorded in writing recognition from the school:

Provided that, where the Director of Education is satisfied that the deficiencies or defects are capable of immediate or early removal, it may, instead of withdrawing the recognition, suspend the recognition for such period as it may think fit to enable the management of the school to remedy the deficiencies or defects to the satisfaction of the Director of Education:

Provided further that, where the recognition of a school has been withdrawn or suspended, the Director of Education shall not grant recognition of such school whether run by the name by which it was known at the time of such withdrawal or suspension or by any other name, unless the school has removed the deficiencies or defects for which the recognition has been withdrawn or suspended.

(2) Where recognition of any school is withdrawn, the reasons for withdrawal of such recognition shall be communicated to the management within 7 days from the date on which the recognition is withdrawn.

(3) Any management aggrieved by the withdrawal, of recognition of the school managed by it may, within 30 days from the date of communication to it of the withdrawal of recognition, prefer an appeal against such withdrawal to the authority specified in rule 45.

44. Restoration of Recognition.- The Recognition once withdrawn for lapse shall not be restored until the Director of Education is satisfied that the reasons which led to the withdrawal or lapse of recognition have been removed and that in all other respects the school complies with the provisions of the Act and the rules made thereunder.

45. Authorities to\* which the review applications may be preferred. - (i) Every appeal against refusal by the Director of Education, to accord recognition to a school or withdrawing recognition from an existing school shall be preferred to the Administrator.

(ii) Every such review application shall be made in writing within 30 days of the receipt of the communication of refusal or withdrawal and shall be accompanied by a copy of the reasons for the refusal to accord recognition or withdrawal of recognition, as the case may be, communicated to the appellant.

## CHAPTER V

46. Scheme of Management of recognised schools. - (1) The scheme of management in relation to a recognised school shall provide that:

(a) the Managing Committee of a recognised aided school shall consist of not more than 10 members; and the Managing Committee of a recognised unaided school shall consist of not more than 15 members;

(b) Subject to the total number of members specified in clause (a) every Managing Committee shall include the following, namely:

(i) The head of the school;

(ii) One parent, who is a member of the Parent Teachers Association of the school, constituted in accordance with such instructions as may be issued by the Director of Education, and is elected by that Association;

(iii) One teacher of that school to be elected by the teachers of that school from amongst themselves;

(iv) One person (a woman if possible), who is, or has been a teacher of any other school or of any college to be nominated by the society by which the school is run;

(v) One member to be nominated by the Director of Education who shall be an Educationist or an Officer of the Directorate of Education not below the rank of the A.D.E.I. <sup>36</sup>("in Schools other than minority Schools");

(vi) The remaining members to be *nominated* or elected, as the case may be, in accordance with the rules and regulations of the society, by which the school is run.

(2) The scheme of management shall also provide for the following, namely:-

(a) the term of office of the members of the managing committee and the manner of its reconstitution or filling of my vacancy occurring therein;

(b) the manner of elections to the managing committee;

(c) that for the purpose of elections to the managing committee, the head of the school shall be the returning Officer and shall conduct and be in-charge *of*the elections;

(d) that any change in the composition of the managing committee of the members referred to in sub-clause (ii) and (iii) of clause (b) of sub-rule (1) shall be communicated to the Director within 7 days from the date when such change takes place;

(e) the duties, powers and responsibilities of the managing committee, which shall include the control over appointment, disciplinary action, and control on staff, and shall also provide that no financial irregularities is committed or any irregular procedure is followed;

(f) that the managing committee shall ensure that the

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<sup>35</sup> These words inserted by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).  
school gets full complement of the teaching staff;

(g) that the managing committee shall ensure, that the school gets furniture, science equipments, library books and other teaching aids, and requisite sports materials;

(h) the duties, powers and responsibilities of the head of the school, which shall provide that he shall:

(i) function as the head of office of the school under his charge and carry out all administrative duties required of a head of office as assigned to him by the Managing Committee;

(ii) be responsible for drawing and disbursing the salaries of the employees of the school if so authorised by the Managing Committee as per the scheme of direct payment of the Education Department through the Banks except that, in the case of an unaided school, he may perform only such function as drawing and disbursing Officer as may be specified in the instructions issued by the Director;

(iii) be responsible for the proper maintenance of accounts of the school, subject to such authorisation by the Managing Committee, and maintain school records, service books of teaching and non teaching staff and such other registers; returns and statistics as may be specified by the Director from time to time;

(iv) handle official correspondence relating to the school excepting the establishment matters and financial matters and furnish, within the specified dates, the returns and informations required by the Director; and in case of correspondence relating to establishment and financial matters, he shall cause to furnish the information by the Management. All representations of the staff including the heads of schools shall be routed through the Management;

(v) make, in the case of unaided schools all payments (including salaries and allowances of teachers and other non-teaching staff) in time and according to the instructions governing such payment. Provided that where he is so authorised by the Administrator, make, in the case of an aided school, all such payments according to the instructions governing such payments;

(vi) cause to purchase stores and other materials required for the school in accordance with the rules governing such purchases and enter all such stores in the stock register and shall scrutinise the bills and cause to make payments;

(vii) ensure that the tuition fees, where levied, are realised and appropriately accounted for and duly appropriated for the purpose for which they were levied;

(viii) conduct physical verification of school property and stocks at least once a year and ensure the maintenance of stock registers neatly and, accurately;

(ix) be responsible for proper utilisation of the Pupils Fund;

(x) make satisfactory arrangements for the supply of good drinking water and provide other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment lavatories, play grounds, school garden and other properties are properly and carefully maintained;

(xi) supervise, guide and control the work of the teaching and non-teaching staff

of the school;

(xii) be in 'charge of admission in the school, preparation of school time-table, allocation of duties and teaching load to the teacher and shall provide necessary facilities to the teachers in the discharge of their duties and conduct of school examinations in accordance with the instructions issued by the Director from time to time and he shall discharge these duties in consultation with and assistance of his colleagues;

(xiii) plan the years' academic work in advance in consultation with his colleagues and hold staff meeting at least once a month, review work done during the month and assess the progress of the pupils;

(xiv) help and guide the teachers and promote their professional growth and towards the end, actively encourage their participation in courses designed for in-service education;

(xv) promote the initiative of the teachers for self-improvement and encourage them to undertake experiments which are educationally sound;

(xvi) Supervise class room teaching and secure cooperation and co-ordination amongst teachers of the same subject area as well as inter-subject co-ordination; so as to eliminate the isolation both vertical and horizontal;

(xvii) arrange for special remedial teaching of the children belonging to the weaker sections of the community as also of other children who need such remedial teaching by drawing a regular annual programme in consultation with the teachers and review the progress periodically;

(xviii) arrange for informal and non-class- room teaching;

(xix) plan and specify a regular time-table for the scrutiny of pupils, written work and home assignment and ensure that the assessment and corrections are carried out timely and effectively;

(xx) make necessary arrangements for organising special instructions for the pupils according to their needs with the co-operation and assistance of teachers;

(xxi) organise and co-ordinate various co-curricular activities through the house system or In such other effective ways as he may think fit;

(xxii) cause to develop and organise the library resources and reading facilities in the school and ensure that the pupils and teachers have access to and use of books, and journals of established value and usefulness;

(xxiii) cause to send regularly the progress reports of the students to their parents or guardians through the class teachers;

(xxiv) promote the physical well-being of the pupils secure high standards of cleanliness and health habits, and arrange periodical medical examinations of students and cause to send medical reports to parents or guardians through the class teachers;

(xxv) be present in the school premises during school hours and shall be available to

the public and Departmental Officers in the school premises for consultation during school hours and devote at least twelve periods in a week to teaching of the pupils;

1. The Heads of Secondary and Higher Secondary shall engage 12 periods or 7 hours per week.

2. The Heads of Middle Schools and Asst. Head Masters in High Schools shall engage 24 periods or 14 hours per week.

3. If the Officers of the Department had occasion to observe, dereliction of duties with reference to the above listed responsibilities or frequent absences of the Head Master from the school during school hours the Management is obliged to take suitable action against such a Head Master on receipt of such a report from the Officer.

4. In case of schools working in two shifts, the Head Master shall work for not more than 6 1/2 hours per day and his working hours shall be so adjustable that he will be able to guide and supervise the school work in both the shifts, and the Management shall fix his school timings in consultation with the Department.

(i) the educational and other qualifications of the manager and his duties and responsibilities, the position of the manager vis-a-vis the managing committee;

(j) no employee of an aided school (other than head of school) shall be appointed as the Manager, the head of school may be appointed as the manager of the school; whether aided or unaided;

(k) appointment of the manager; the terms and conditions of his appointment, removal of the manager; filling up of casual vacancy in the office of the manager; duties and responsibilities of the manager;

(l) bills (including bills relating to the salaries and allowances of the teachers and non-teaching staff), shall be jointly signed by the manager and the head of the school; but where the head of the school is also the manager, such bills shall be signed jointly by the head of the school and another member of the managing committee specially authorised by that committee in this behalf;

(m) that the administration and academic work of the school shall be attended to by the head, of the school, and, except where the head of school is the manager, the manager shall not interfere with the day-to-day administration and academic work of the school;

(n) members of the managing committee of an aided school shall not be entitled to any remuneration, honorarium or allowance but may be permitted to draw allowances for attending meeting of the managing committees at a rate not exceeding the rate of daily allowance or travelling allowance admissible to the nonofficial member of the committees, boards and the like in accordance with the orders issued by the Government of India from time to time:

Provided that if the head of school or a teacher happens to be a member of the managing committee, he shall draw his remuneration in his capacity as the head of the school or teacher, as the case may be;

Provided further that the allowances paid to the members of the managing committee for attending meetings thereof shall not be a charge on the school fund;

(o) no member of the managing committee shall be entitled to participate in any meeting at which his personal conduct is under discussion;

(p) in the case of an unaided minority school, the form of the contract referred to in sub-section (1) of section 17 and the manner in which, every contract of service shall be preserved;

(q) the managing committee shall be subject to the control and supervision of the trust or society by which such school is run;

(r) manager shall not be at the same time the manager of any other school and a person shall not be at the same time the Chairman of managing committee and the manager;

(3) The managing committee of an existing school shall make the draft of scheme of management after the commencement of these rules and shall within 90 days from such commencement submit such draft to the Director of Education for its approval;

Provided that the Director of Education after giving to the managing committee a reasonable opportunity of being heard, make such alteration or modifications in the draft scheme of management as the circumstances of the case may require.

(4) The managing committee of an existing school shall bring, within ninety days from the date of approval of the scheme of management by the Director of Education, the composition thereof in conformity with the scheme of management as approved by the Director of Education.

36[...]

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36Sub-rule.(5) has been omitted by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994). The same reads as follows:

"(5) Save as otherwise provided elsewhere in these rules nothing contained in this rule shall apply to aided and unaided minority schools, however Director of Education may issue suitable guide-lines to these schools."

## CHAPTER VI Grant-in-Aid

47. Aid to existing Schools to continue. - Every aided school shall, so long as it fulfils the conditions for receiving aid, continue, subject to the provisions of these rules, to receive such aid:

Provided that, if the School Management does not fulfil some of the provisions of these rules, it shall fulfil the same within 6 months of the commencement of these rules.

48. Power of Director of Education to determine the number of aided schools. - The Director of Education or any other officer authorised by him in this behalf shall determine every year the total number of recognised schools to which Grant-in-aid may be given.

49. Application for Grant-in-aid. - Every application for Grant-in-aid by a School .

Management having a Society registered under Societies Registration Act, 1860 shall be made in Form II and shall be addressed to the Director of Education or any officer authorised by him in this behalf and every application for the yearly assessment of grants shall be made in Form prescribed by the Director of Education:

Provided that no pre-primary or primary school shall be held eligible for receiving grant-in-aid.

50. Power of Director of Education to cause the School to be inspected. -- Where the application is made for any Grant-in-aid in relation to a school, the Director of Education shall cause such school to be inspected by an Officer authorised by him in this behalf as regards the suitability or otherwise of the school to receive such aid.

51. No aid be given unless suitable undertakings are given by the Managing Committee. -- No school shall be granted aid unless its Managing Committee, gives an undertaking in writing that it shall comply with the provisions of the Act, these rules and such instructions as may be issued, from time to time, by the Director, with regard to the Grant-in-aid, and that the breach of any provision of the Act, these Rules or any instructions issued by the Director in this behalf shall render such school liable to be removed from the Grant-in-aid list, and the grant-in-aid shall be withdrawn forthwith:

Provided that the Director of Education shall give a showcause notice or cause to give a show-cause notice to the Managing Committee before withdrawing the Grant-in-aid from the school.

52. Conditions for Grant-in-aid. - The school seeking Grant-in-aid shall have -

(a) a permanent income, whether from endowments or other sources (excluding fees and the Pupils Funds) which, when supplemented by Grant-in-aid shall be adequate to discharge its obligations under the Act and to enable it to carry on its work efficiently;

(b) (i) a reserve fund of an amount which shall not be less than the amount indicated in the Table below or the amount specified by Rules and Regulations of the Affiliating. Board, whichever is higher.

(ii) in case of schools already established, the reserve fund may be built up in the manner prescribed below:

A surplus of ten percent of the total expenditure of the school for the year will be considered as approved and authorised, which the Management may lay by a reserve fund and utilise for recurring as well as nonrecurring expenditure from time to time. Any surplus over and above the ten percent -will be treated as unapproved, and an equivalent amount from the maintenance grant will be deducted.

Management of schools which give satisfactory reasons may be allowed by the Director to have a surplus at a higher percentage in excess of 10 percent without any reduction in the grant of the school concerned.

The total expenditure in this context will include all reasonable and bonafide expenditure, , whether admissible for a Government grant or not, but it must not include any expenditure which is directly or indirectly not related to the school:

Provided that the amount. specified in the Table below shall be subject to review every five years in consultation with the Advisory Board;

(c) the reserve fund shall be the property of the school, shall be maintained in its name and shall be kept deposited in a scheduled bank or a nationalised bank or the post office and such account shall ordinarily be operated jointly by the Director of Education or any officer authorised by him in this behalf and the' manager of the school;

Provided that where it is urgently necessary to draw any money from the reserve fund to meet any ' emergent expenditure or to meet the salary and allowance of the employees of the school in the event of the omission or failure of the managing committee to discharge the obligations imposed upon it by sub-section (2) of Section 7 of the Act, the account may be operated by the Director alone.

TABLE

**Scale of Minimum obligatory Reserve Fund**

(a) Higher Secondary Schools having upto 500 students in higher secondary classes	Rs. 15,000/
(b) Higher Secondary Schools having more than 500 students in the Higher Secondary Classes	Rs. 20,000/
(c) Secondary Schools having upto 200 students	Rs. 5,000/
(d) Secondary School having 200 to 400 students	Rs. 7,000/
(e) Secondary Schools having more than 400 students	Rs. 10,000/
(f) Middle Schools, irrespective of the number of , students.	Rs. 3,000/

*Explanation:*

i) Middle schools upgraded to Secondary Schools and functioning as one unit shall deposit only the difference of amount to be deposited as a Secondary School and the amount already deposited as a middle school i. e. c-f, or d-f, or e-f as the case may be.

ii) The reserve fund shall be school wise, irrespective of the fact that the Management is common.

53. No Grant-in-aid for unqualified staff. - (1) In order to be eligible to receive Grant-in-aid, the school shall employ adequate number of qualified teaching and other staff as approved by the Director under the norms of post fixation or as has been specified by him from time to time.

(2) Save as otherwise provided in sub-rule (5) of rule 76, the pay of unqualified teachers shall not be an admissible charge for the assessment of Grant-in-aid in the school unless exemption/relaxation has been made by the Director in this behalf.

54. Enrolment and attendance. - The number of students on the rolls of an aided school shall not fall below 20 in each class where there are no divisions or below the number on the basis of which aid was initially granted 'to such school subject to the proviso that in exceptional cases, the Director of Education may relax this number upto 10 for a particular year and the number of working days of such school shall not fall below 220 in a year; and where the number of students falls below 75% of the first mentioned number or the number of working days falls below 220, a proportionate reduction may be made in the Grant-in-aid payable to the school, at the discretion of the Director of Education.

55. Grant-in-aid for a stage, of education. - Where a school receiving Grant-in-Aid for classes' comprising one stage wishes to secure Grant-in-Aid for another stage, the managing committee or the manager of such school shall submit a fresh application in respect of the stage for which such grant is desired.

Note: Permission for upgradation, or additional class or divisions shall not automatically make the school eligible for grant-in-aid for such classes or divisions.

56. Stoppage, reduction for suspension of grant-in-aid. - Subject to the provisions of Rule 52, any Grant-in-aid to a school may be stopped, reduced or suspended at any time by the Director of Education;

(a) if the managing committee of the school fails, without any reasonable excuse, to comply with any provision of the Act, or these rules or any instructions given by the Director of Education; or

(b) if one or more of the conditions for the recognition, discipline, organisation or instruction in the school is unsatisfactory; or

(c) if, as a result of lack of discipline, the academic standards are likely to be adversely affected; or

(d) if one or more of the conditions for the recognition of a school or the grant of any aid to a school have been violated:

Provided that, no aid shall be stopped, reduced or suspended except after giving to the Managing Committee of the School the reasonable opportunity of showing cause against the proposed action.

57. Managing Committee to pay its share towards salary and allowances of employees, etc. - The Managing Committee of a School, in relation to which aid has been reduced or suspended, shall, if it runs the school after such reduction or suspension of aid discharge the obligations referred to in sub-section (2) of Section 7.

58. Power of Director of Education, to Withdrawal from the Reserve Fund and make payment of salaries and allowances. - (1) Where the <sup>37</sup>["Management"] omits or fails to pay the salaries and other allowances of the employees of the school, the Director of Education may authorise a subordinate officer of the Department, to draw such amount from the Reserve Fund as would be sufficient to meet the amount of the salaries and allowances of the employees.

(2) The Director of Education may also authorise a subordinate officer of the Department, to draw any sum from the Reserve Fund where such withdrawal from the Reserve Fund becomes necessary to meet any emergent repairs in the buildings of the School or for any other emergent purpose.

59. Payment of salaries and allowances to the employees of the school from the Reserve Fund where aid has been stopped, reduced or suspended. -- Where aid to any school has been stopped, reduced, or suspended, and the <sup>37</sup>["Management"] Committee of the school has by reason of

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<sup>37</sup> The word "Management" has been substituted for the word "Managing Committee" by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994)..

such stoppage, reduction, or suspension, omitted or failed to pay the salaries and allowances of the employees of the School, the Director of Education shall pay or cause to be paid the salaries and allowances of the employees and authorise the subordinate officer of the Directorate of Education, to draw in part or in full the amount from the Reserve Fund of the School.

60. Power of the Director of Education, to draw and disburse the salaries of the employees of the ' school if payments are not made by the Managing Committee. - (1) The payment of salaries including allowances of the employees of a school shall be the first charge on the maintenance grants paid to the school. The school shall disburse the salaries and allowances of the employees of the school and credit the Provident Fund Contribution in respect of such employees as are governed by the Provident Fund ' Rules. Any default in' this respect shall be viewed as serious irregularity and the school shall be liable to suitable penal action therefor.

(2) In case a school fails to pay fully and punctually the salaries of the employees of the school, the Director of Education after intimating the management of the full particulars of the complaints received regarding such failure of the school, may order an Officer of the Department, to hold such enquiries as he may deem fit. If the Enquiry Officer is satisfied that:

- (a) though the past instalments of maintenance grants/ /salary portion of the maintenance grants, due to the recognised Government Aided Secondary School, had been paid, <sup>38</sup>["management"] of that school had failed to pay the salaries and allowances to its <sup>39</sup>["employee"] <sup>40</sup>[...] for a period of not less than 2 months, even when such employees were discharging their duties in the school, or deemed to be discharging duties in the opinion of the Director of Education; or

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<sup>38-39</sup> The words "managing committee" and "all employees" have- been substituted for the words "management" and "employee", respectively, by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

<sup>40</sup> The words "or a few of them", omitted, Ibid.

- (b) owing to some internal dispute within the management of a recognised non-Government aided School, it is not possible to disburse the maintenance grants/salary portion of the maintenance grants due to that school, <sup>41</sup>["or owing to otherwise reduction or suspension of grants due to that school by the Government"] with the result that salaries and allowances of the employee have remained to be paid for a period of not less than 2 months;

he may submit a report accordingly to the Director of Education:

(i) The Director of Education, on going through the report of the Enquiry Officer and being satisfied that the complaints are justified, may issue an order authorising an officer of the Department, to draw the unpaid amount of salary portion of maintenance grants which has become due and payable to such School,

and have that amount utilised for paying pro-rata the members of the staff of the school against their salaries and allowance if any. <sup>42</sup>[...] Detailed accounts with particulars regarding the disbursement of such amount should however, be maintained separately and care shall be taken to see that amount so drawn is not utilised for any other purpose. If the amount so, drawn or any part thereof remains undisbursed after the lapse of a month of the date on which it was drawn, the same shall be credited back to the Government Treasury by the said Officer.

(ii) Before paying to the members of the school staff as stated in (i) above, the officer may require each of them to execute an indemnity bond to the effect that

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<sup>41</sup> These words inserted by (Amendment) Rules, 1994 (O. G. Series I No. 28 Dated 14-10-1994).

<sup>42</sup> The words "which have remained in arrears", omitted, Ibid.

if it is subsequently found that the amount paid to any of them or any portion thereof was not really due to him/her, such amount or portion thereof shall be liable to be recovered from his/her.

(iii) The amount of maintenance grant drawn and utilised as stated in <sup>43</sup>["(i) and"] (ii) above by the Officer, <sup>44</sup> [...] would stand set off against the grant due to the school.

61. Categories of Aid. - The school Managements having Societies are eligible for the following kinds of Grant-in-aid which may be paid at the discretion of the Sanctioning Authority, subject to fulfilment of conditions of recognition, Grant-in-aid and other rules:

- (i) Maintenance grant;
- (ii) Equipment grant;
- (iii) Building grant; and
- (iv) Such other grants as may be sanctioned by Government from time to time.

The moneys annually granted from public funds for aiding secular education in the territory of Goa, Daman and Diu are administered under the control of the Director of Education, in accordance with the conditions set forth in these rules:

Provided that the payment of grants to schools shall be subject to the condition that the requisite budget grants are sanctioned by the Government. Notice of the probable reduction in any year shall be given as soon as possible after the budget grants are passed and such reduction shall continue in force until the notice is modified or cancelled.

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<sup>43</sup> This figure and word has been inserted by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

<sup>44</sup> The words "for payment to the school staff against their outstanding salaries and all allowances" have been omitted, Ibid.

62. Maintenance Grants. - Subject to Funds being available all the Secondary Schools including Middle Schools and Higher Secondary Schools, Primary Training Institutions and Night Secondary Schools recognised in the previous official year are eligible for maintenance grants on the basis of their total, admitted expenditure of previous year, as per the pattern of assistance approved by Government. The pattern of assistance approved is subject to review once in 10 years on the recommendations of the

Advisory Board, in case, there is such a demand from the managements of the aided schools. The maintenance grants include the salary portion of the employees of the schools and the advance grants are released in convenient instalments to facilitate the managements to pay the salaries of the employees regularly. The salaries of the employees shall be paid through the nationalised banks, as per the scheme prepared by the Department and in force on the day previous to the commencement of these rules. The mode of payment and other modalities are subject to change at the discretion of the Government. In case there is delay in releasing the salary portion of the grants to the School Managements by the Directorate of Education for justified reasons, the management shall be duty bound to pay the salaries of the employees from its own funds, till the grants on this account are released by the Director.

63. Grants for equipment furniture, etc. - (1) Grant for the purpose of equipment, furniture, appliances or games and sports materials or the like shall be paid annually and shall be not less than two-thirds of the total expenditure actually incurred in the purchase of approved articles of such specifications as may be laid down by the Director

(2) No grant shall be admissible on the expenditure for the conveyance or cartage of such equipment, furniture or appliances.

(3), No grant shall also be admissible under this head for ordinary repairs of furniture and equipment and purchase of consumable articles for science, drawing domestic science or agriculture; and the expenditure on these items shall be incurred from the contingent grant or from the special fee, if any, levied for the teaching of such subject.

64. Conditions relating to the payment of grant for equipment etc. - The grant for the purchase of furniture, equipment or appliances, games and sports materials or the like, shall be paid subject to the following conditions, namely.

(a) that the Director is satisfied that the purchase for which the grant is made has actually been made and that the articles are of the approved kind and specification;

(b) the managing committee of the school gives an undertaking, in writing, that

(i) no article purchased with the grant shall be struck off from the school property register or the stock register and no book shall be removed from the catalogue of library books unless it has been previously declared as unserviceable by a properly constituted Condemnation Board constituted by the Directorate of Education, Panaji;

(ii) all such unserviceable articles shall be written off and disposed of by the managing committee in accordance with the instructions of the Director:

Provided that where the value of any unserviceable article exceeds rupees five hundred, it shall not be written off without the previous sanction of the Director;

(iii) the sale proceeds, if any, shall be refunded to the Government in the same proportion in which the grant was drawn for the purchase of the article;

(iv) if the school ceases to be a school of the status approved by the Director or an aided school or it has been maintained in a state of inefficiency, or the articles are used for purposes other than those for which they have been purchased, then the Director shall have a lien on the articles for the recovery of a sum which bears such proportion to the present market value of the articles as the grant bears to the market value of such articles at the time when the grant was made;

(v) non-recurring grant may be sanctioned by the Director at the rate of not less than two-thirds of the approved expenditure subject to a maximum of five thousand rupees in each individual case.

65. Application for grant of furniture etc.- (1) Applications for grant for the purchase of furniture, equipments, appliances and games and sports materials shall be submitted in the Form to be prescribed by the Director of Education, to the Director of Education by the 1st day of September of the financial year, preceding that in which the grant, if approved, is to be paid, and a detailed list, with the cost of each item shall be invariably furnished with each application.

(2) The decision of the Director shall be communicated to the managing committee of the school by the 31st day of December of the year in which the application is made.

66. Procedure for purchase of furniture.- The purchase of equipment, furniture, appliances and games and sports materials and the submission of grant papers shall be made in, accordance with such procedures; and shall be governed by such conditions, as may be specified by the Director from time to time.

67. Building grants.- (1) Building grants may be given for the following purposes only to those Schools Managements which are qualified to receive maintenance grant for

- (a) purchase, construction, extension or rebuilding school buildings;
- (b) payment of debts incurred in the purchase, construction or extension of school buildings.

(2) No grants shall be admissible to under sub-rule (1) for the ordinary and extraordinary repairs and for the upkeep of a school building, and any grants made under clause (b) of sub-rule (1) shall be made only in special cases at the discretion of the Government.

<sup>45</sup>(<sup>68</sup>. *Quantum of building grant*.- (1) No building grant shall ordinarily exceed two-third of the total expenditure annually incurred subject to maximum of Rs. 10.00 lakhs, whichever is less, after the commencement of these rules.

(2) The managements who are receiving maintenance grants are also eligible for the grant of building loans upto Rs. 10.00 lakhs to be-regulated under the same terms and conditions as laid down in sub-rule (1) of rule 68 and rule 67 and 70. This building loan can be sanctioned as per the scheme prepared and approved by Government from time to time and in addition to the building grant at the discretion of the Government." ]

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<sup>46</sup> Rules 68 (1) and (2) have been amended vide Notification dated 2-7-1997.

(0. G. Series I No. 17 dated 24-7-1997. The original sub-rules are as follows:

<sup>68</sup>. Quantum of building grant.- (1) No building grant shall ordinarily exceed two-third of the total expenditure annually incurred subject to maximum of Rs. 2.0 lakhs, whichever is less, after the commencement of these rules.

(2) The managements who are receiving maintenance grants are also eligible for the grant of building loans upto Rs. 5.0 lakhs to be regulated under the same terms and conditions as laid down in sub-rule (1) of rule 68 and rule 67 and 70. This building loan can be sanctioned as per the scheme prepared and approved by Government from time to time and in addition to the building grant at the discretion of the Government.'

(3) The scheme of payment of building grant and building ' loans shall be reviewed by the Government once in five years in consultation with the Advisory Board.

(4) The upper limit prescribed for the grant of building grant and/or building loan in sub-rule (1) and (2) above may be reviewed periodically on the recommendations of the Advisory Board, subject to availability of funds.

69. Application for building grant.- (1) Applications for building grant/building loan shall be submitted, along with the plans, estimates and specification for the building, in such form as may be specified (vide Appendix A).

(2) Every application for building grant/building loan shall comply with such conditions including executions of an agreement as specified in rule 70 below.

70. Requirements of building grants. - Before a building grant is sanctioned, Government must be satisfied:

- (i) that the means relied upon have actually been raised and are available, a declaration to this effect being appended to the application;
- (ii) that the building is intended for, and will be devoted to, secular educational purposes, and that it is suited as to site and character for the requirements of the locality where it is designed to build it;
- (iii) that the plans, estimates and specifications are satisfactory, for which purpose a certified copy of the same must be forwarded with the application, to be submitted thereafter for the report of the Public Works Department where it will be finally recorded;
- (iv) that the title of the managements to the site on which the building is to be erected is good and in order; and
- (v) that the building will be constructed within a fixed time if the grant is given.

(A) Production of Documents of Title. - In order to show the title of the Management, all the required documents according to the prevailing law should be furnished to the Education Department: The management shall also furnish a correct description of the property, its survey numbers and boundaries, and a map showing it and the adjoining properties and the position of any buildings on it. If a person professes to be acting for an association, corporation, society or other body of persons, following will also be required:

(i) A copy of the Memorandum and articles of association or rules and regulations of the body on whose behalf he professes to be acting so far as they relate to holding and dealing with immovable property, the receipt of grants-in-aid and the execution of

deeds, or any other documents authorising him to acquire the property on its behalf;

(ii) A copy of document where he is authorised to receive the grant and execute the trust deed on its behalf;

(iii) Information whether the Association, etc., registered and if so, when, were, and under what Act, and

(iv) The title deed vesting the property in the association etc. In any complicated case, or where there may be a doubt as to the validity of the title of the Management, the latter are recommended to avail themselves of adequate legal assistance in placing their title properly before the Legal Advisor to Government, and if not necessary, rectifying their title.

Note: All documents of title shall, if the grant is sanctioned be retained by Government who shall be entitled to the possession thereof.

(B) Commencement of Building Construction.- A building for which an application for a grant is to be made, is not to be commenced until the plans (including the site plan) and estimates have been approved in writing by the authorities of the Educational, the Sanitary and the Public Works Departments.

(C) Agency for the construction of building.- The construction of buildings by a private agency shall be permitted upto any amount subject to the following conditions:

(1) That the plans and estimates are approved by the authorities of the Public Works, The Education and the Sanitary Department;

Note: The permission of the Public Works Department concerned should be obtained if the cost does not exceed Rs.1 lakh. In other cases the sanction of Government is necessary.

(2) That no deviation in the sanctioned plans are made without the previous permission, in writing, of the Public Works Department; and

(3) That the authorities of the Public Works Department who approve the plans are satisfied as to the competency of the private agency by which the work is to be carried out.

Note: As regards buildings in which reinforced concrete is used, they shall not be entrusted to a private agency except in places where there are contractors who specialise in this kind of work.

(D) Production of Valuation Certificate.- A grant shall not be paid unless the Director of Public Works Department certifies that the work for which it is claimed is in accordance with the approved plans, is in good condition, and is, to the best of his knowledge and belief, of a certain value, the amount of grant actually to be given depending on the value of the building as estimated by him.

(E) Grants for Sites.- A grant of money may be made for the purchase of a site, provided that, subject to such additions and alterations as the Educational Department may direct, the conditions specified in this Section for building grants shall apply mutatis mutandis to grants for the purchase of sites. If a site required for a building belongs to Government, it may be granted free, or else its estimated value may be recovered from the grantee, less the amount of a money grant calculated as above.

(F) Execution of Trust Deed.- No portion of building grant shall be paid to the management of a school, unless and until they execute or agree to execute a trust deed or an agreement, as the case may be, in accordance with the requirements of the next following rule. If, however, the building is erected on a site already covered by a trust deed, a receipt may be sufficient.

(G) Execution of an Agreement. - If the total amount of the building grant does not exceed Rs. 1.00 lakh and the building is in the opinion of the Director of such a description that it is not worthwhile requiring the executing of a trust deed, the Director may accept from the management a written agreement undertaking:

- (a) to maintain the building in proper repair
- (b) to manage the school in accordance with the rules and regulations of the Education Department;
- (c) to keep the school open for inspection by the Department;
- (d) to use the building as a school devoted to secular education and not to loan it to any political body for purposes of meeting, propaganda, etc.;
- (e) to keep the building insured in the names of the management and the Government of Goa, Daman and Diu jointly subject to the provisions of sub-rule (H) and,
- (f) in the event of default being made by the management *in* any of the preceding conditions to repay on demand by the Director the aggregate amount of all building grants made by Government in respect, of the school.

In every other case the management shall execute a trust deed in such form as shall from time to time be approved by Government either generally or specially in this behalf, embodying conditions regarding

- (g) the construction and maintenance of the building;
- (h) the insurance of the building subject to the provisions of sub-rule (H);
- (i) the times at which and the instalments in which the building grant shall be paid;
- (j) the management and inspection of the school and;
- (k) such other matters as Government thinks necessary. Provision shall also be made in every trust deed that in the event of default being made by the management in the performance of any of the conditions thereof;
  - (l) the building grant, or so much of the same as shall not yet have been paid, shall lapse;
  - (m) the aggregate amount of the building grant or grants from time to time advanced by Government for the school shall be repayable to Government and except in cases where the site is granted by a private person on condition that it should revert to him in the event of the site ceasing to be used for a school or on any other conditions which precludes a transfer to the Government of Goa, Daman and Diu;
  - (n) for the purpose of recovering any moneys so due, Government may enter upon and take possession. of and sell the building; and

(o) the building site, if granted by Government may be resumed by it, and the building, if any, standing thereon may be entered upon and taken possession of by Government and may be used or disposed 'of by Government at its discretion for educational purposes, or if it shall appear expedient to the Government, for any other purpose.

Every such trust deed shall be prepared at the charge of the management by the Legal Advisor to Government.'

Note. With reference to (f) and (m) above, if Government is satisfied that the school was closed through no default of the management, account may be taken of any depreciation in the value of the building after expert revaluation, which will take account of the state in which the building has been maintained by the management, and a proportionate reduction may be made in the amount to be claimed from the management. If the Government grant extends to the acquisition of a site, account may be taken, after expert revaluations of any enhancement in the value of the site, and the proportionate share in such enhancement may operate as a set off, either total or partial, against the reduction to be made in the refund due in respect of the grant for buildings.

#### (H) Insurance of building:

Buildings in respect of which a building grant has been given must be insured, irrespective of their value, for a sum representing the value of all work above the plinth level, including flooring, in the name of the school management and the Government of Goa, Daman and Diu jointly, provided that it shall not be necessary to insure a school building if the Public Works Department certifies that in its opinion the risk of fire is not sufficiently great as to render insurance desirable.

#### (I) Other Building Grants:

In addition to building grants as aforesaid Government Will consider applications for grant-in-aid of building laboratories, libraries, observatories, school workshops or gymnasias or for providing playgrounds, provided that funds are available and subject to such of the foregoing conditions as may be declared applicable by the Department, or to any other that may be imposed. Grants made under this rule are exceptional, and the Government is not pledged to give any fixed proportion but will deal with each case on its merits and subject to financial consideration.

## CHAPTER VII

### School Property

71. Particulars of school property to be furnished to the appropriate authority. - The manager or managing committee of every aided school shall furnish to the Director of Education in Form III statements (in triplicate) of all movable and immovable properties of the school.

72. Transfer of school property.- Where any school property, movable or immovable, has been acquired wholly or partly out of the funds provided by the Government by way of aid, such property may be transferred without the previous approval of the Government if such school property is declared by the

Government to be obsolete, surplus or unserviceable, and every such disposal shall be made by public auction or in such other manner as may be specified by the Government.

73. *Form and time for appeal.*- Any person aggrieved by the grant or refusal of permission under sub-section (2) of section 9 may prefer an appeal to the Administrator within thirty days from the date of communication of the grant or refusal of permission to transfer school property and every such appeal shall be preferred in the form of an application and contain the particulars of the school property proposed to be transferred:

Provided that the Administrator may, if he is satisfied, that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, extend the period by such further period not exceeding thirty days, as he may think fit.

## CHAPTER VIII

### 46 [Recruitment and terms and conditions of service of the employees of the private schools

74. Recruitment and promotion. --- <sup>47</sup>[...]

(2) Recruitment/promotion of employees in each recognised private school aided or unaided shall be made on the recommendation of the selection committee promotion committee.

(3) The selection committee/promotion committee shall consist of:

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"This title has been substituted for the title "Recruitment and terms and conditions of service of the employees of the private schools other than unaided minority schools" by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

"Sub-rule (1) of rule 74 has been omitted, *Ibid.* The same reads as follows: "(1)

Nothing contained in this chapter shall apply to an unaided minority school.

(a) in the case of recruitment/promotion of the head of the school/Hr. Secondary school/primary Teachers Training Institute.

- (i) the chairman of the managing committee;
- (ii) the Dy. Education Officer of the area or an educationist nominated by the Director of Education;
- (iii) an educationist nominated by the managing committee and

(b) in the case of an appointment/promotion of a teacher (other than the headmaster of the school) : -

- (i) the chairman of the managing committee or a member of the managing committee nominated by the chairman;
- (ii) the head of the institution;
- (iii) the Dy. Education Officer of the area or his representative to be nominated by him; and
- (iv) in the case of appointment of a teacher in the Hr. Secondary school or a primary Teachers' Training Institute, a specialist may be co-opted by the committee and in such a case he/she shall carry the same rights and privileges on par with other members.

(c) in the case of an appointment/promotion of a non-teaching staff

- (i) the chairman of the managing committee or a member of the managing committee to be nominated by the chairman;
- (ii) head of the institution;
- (iii) the Dy. Education Officer of the area or his nominee;

*Explanation:* In case of minority schools the nominee of the Department or an Educationist appointed by the Director of Education in sub-rule (3) shall function as an observer and can participate in the discussion, but he/she shall not have the right to vote or make selection of the candidates, however he/she shall send a separate report to the Director of Education about his/her observations.

(4) The chairman of the managing committee, or, where he is not a member of the 48["selection/promotion"] committee, the member of the managing committee who is nominated by the chairman to be a member of the 48["selection/promotion"] committee, shall be the chairman of the 48 ["selection/ /promotion"] committee.

(5) Selection Committee/Promotion Committee shall <sup>49</sup>["follow the procedure applicable to the corresponding posts in the Government Schools"].

(6) The selection made by the selection committee/ /promotion committee shall be ordinarily accepted by the managing committee of the school. Where any selection made by the selection committee/promotion committee is not acceptable to the Managing committee of the school, the managing committee shall record its reasons for such non acceptance and refer the matter to the Director of Education for his decision and the Director of Education shall decide the same. 50[...]

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"These words have been substituted for the words "selection", by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

<sup>49</sup>These words have been substituted for the words "regulate its own procedure"), Ibid.

<sup>50</sup> In sub-rule (6) the words "but however in the case of minority schools the decision of the managing committee shall be final" have been deleted by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

(7) Where a candidate for <sup>51</sup>["recruitment/promotion"] to any post in the recognised school is related to any member of the selection committee, promotion committee the member to whom he is related shall not participate in the selection and a new member shall be nominated. <sup>52</sup>["by the Managing Committee of the school or by the Director of Education as the case may be as provided in sub-rule (3)"].

(8) No managing committee shall entertain any application for employment from a person who is already serving as a teacher or otherwise in a recognised school, whether aided or not, unless, the application from such person is duly forwarded by the manager of the school in which such applicant is serving:

53 ["Provided that every such application shall be forwarded by the applicant through the Head of the School to the Manager who shall forward the same to the prospective employer within seven days of its receipt by the Head of the School, under intimation to the applicant well within the time stipulated by the later towards the receipt of such application. In case the Manager fails to forward the application, the applicant may send a copy of his/her application to the prospective employer and appear directly for the interview."]

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<sup>51</sup>The word "recruitment "occurring in sub-rule (7) and in any other rules shall be substituted for the words and figure "recruitment /promotion", by (Amendment) Rules 1994 (O. G. series I No. 28 dated 14-10-1994.

<sup>52</sup>These words have been inserted, *ibid*

<sup>53</sup>The first proviso to rule (8) has been substituted, *Ibid*. Earlier the same has been amended by Notification dated 20-7-1994. (O. G. Series I No. 19 dated 11-8-1994. The original proviso reads as follows:

"Provided that every application from such person shall be forwarded by the manager, within 7 days of its receipt with its own remarks."

Provided further that no such employee shall be relieved of his duties on registration except after the expiry of a period of:

- (i) three months, in the case of a permanent employee from the date on which notice of resignation to leave the school is given;
- (ii) one month, in the case of an employee who is not\* permanent, from the date of which notice of resignation to leave the school is given;

Provided also where the employee desires to relieve himself before the expiry of the notice period he shall be relieved forthwith after recovery of three months salary including allowances from the permanent employee and one month salary with allowances from the non-permanent employee as the case may be and the amount so recovered shall be credited to the Government treasury within one month of the acceptance of the resignation,

75. Relaxation to be made with the approval of the Director. - Where the relaxation of any essential qualification for the recruitment of any employee is recommended by the appropriate selection committee, the managing committee of the school shall not give effect to such recommendation unless such recommendation has been previously approved by the Director of Education:

Provided that the Director of Education shall not give relaxation to the training qualifications when trained candidates are available and when they satisfy the subject requirements as notified by the school.

76<sup>54</sup>["Appointing Authority and Appointment"] 55<sup>55</sup>["(1) The Appointing Authority for every employee shall be the Managing Committee subject to the approval under rule 75.

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<sup>54</sup>This title in rule 76 has been substituted *for the words* 'Appointing Authority' by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

<sup>55</sup>Sub-rules (1) and (2) have been substitute, *Ibid*. *The* original sub-rules read as follows:  
"(1) Subject to provision of rules 75, the appointment of every employee of a

The appointment of every employee of a school shall be made by the Chairman of the Managing Committee on behalf of the Managing Committee in a form to be specified by the Director of Education."

55]"(2) Every appointment made by the Managing Committee of a recognised school shall initially be provisional and shall require approval of the Director of Education.";]

(3) The particulars of every appointment made by the 56( ..] the managing committee of an aided school shall be communicated by such committee to the Director (either by registered post acknowledgement due or by a messenger who will obtain an acknowledgement of the receipt thereof) within 7 days from the date on which the appointment is made.

(4) The Director of Education shall be deemed to have approved an appointment made by the managing committee of an aided school subject to the provision of rule 75, if within 3 weeks from the date on which the particulars of the appointment are received by him under sub-rule (3) he does not intimate the managing committee his disapproval of the appointment.

(5) Where any appointment made by the managing committee of an aided school is not approved by the Director, such appointment may (pending the regular appointment to the post) be continued on an ad-hoc basis for a period not exceeding three months and the salary and allowances of the person so continued on ad-hoc basis shall qualify for the computation of the aid to be given to such school, provided the provision of rule 75 is not contradicted.

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school shall be made by the Chairman of that managing committee, in a form to be prescribed by the Director of Education separately by a Circular."

"(2) Every appointment made by the Chairman of that managing committee of an aided school other than minority school shall initially be provisional and shall require approval of the Director of Education".

<sup>56</sup>In sub-rule (3) the words "Chairman of have been omitted, Ibid

77. Prohibition against employment of dismissed employees.- No recognised school shall employ, except with the previous approval of the Director, an employee who has change been dismissed from service by another recognised or Government school. Advisory Board or the directives. of the Central

qualifications for the recruitment/promotion of the teaching staff in the recognised schools, whether aided or not shall be as prescribed in the following table which is subject to in future on the recommendation of the

78. Minimum qualifications for the appointment of teaching staff.- The Government to fall in line with the National Educational policy.

TABLE

Sr. No.	Name of the post	Upper Age limit	Qualifications for Direct Recruits Qualification	Qualifications for promotees	Pay scales subject to revision
1	2	3	4	5	6
1.	Principals of Hr. Secondary School /Pry. Trs. Training Institute.	45 years	(i) IInd Class Master's Degree from a recognised University;	(i) A Master's Degree from a recognized University; (pre-re	1100-1600 (Pre- revised.
			(ii) Degree in Education or Teaching; and	(ii) Degree in / Education Teaching from a recognised University; and	

1	2	3	4	5	6
			Training Institute as Sr. Instructor, as the case may be, and remaining 5 years in equivalent posts.	Training Institute, as the case maybe.	
				OR (iii) Head Masters of Secondary Schools under the same management having at least 7years service out of which at least 5 years in Higher Secondary school as Gr. I teacher or in Primary Training College as Sr. Instructor as the case maybe	
2.	Headmasters of Secondary Schools.	40 years	(i) A Master's Degree from a recognised University;	(i) A Degree from a recognised University; and (ii) a Degree in Education /Teaching from a Recognised University, with 7 yrs. teaching experience as an Asst. Tr. in the school after graduation out of which 5 yrs. should be post B. Ed./ B. T. experience; Failing which,	2000-3500

1	2	3	4	5	6
			(ii) Degree in Education/Teaching from a recognised University or equivalent;	(ii) Diploma in education (2 yrs. course) of any recognised University or a diploma sanctioned as equivalent by the Govt. with 9 yrs. teaching experience in the school after graduation out of which at least 7 years should be post training experience;	
			(iii) At least 5 years teaching experience after graduation in a secondary school or a training institute, out of which at least 3 years teaching experience after training;		
3.	Asstt. Headmaster in Secondary Schools.	-	No direct Recruit.	The same as prescribed to the Headmaster of the secondary schools.	1640-2900
4.	Headmasters of Middle Schools.	35 years	(i) A graduate from a recognised University; (ii) A Degree in education teaching; and	(i) A Degree from a recognised University; and  (ii) A Degree in Education/Teaching or equivalent with 3 yrs. experience after training as an Asstt. Teacher; or	1640-2900

	2	3	4	5	6
			(iii) About 5 years teaching experience in a secondary school out of which about 3 years teaching experience after training;	(iii) A Diploma in Education (2yrs. duration) with 5 yrs. teaching experience after training.	

5.	Gr. I Teacher/Sr. Instructor.	35 years	(i) A Master's Degree in the subject; and	Asst. Teachers/Jr. Instructors with 3 yrs. post training service in the school/Pry. Trs. Training Institute and possessing qualifications prescribed to the direct recruit in Col. No. (4).	1640-2900
			(ii) A Degree in Education/Teaching; Failing which, A 2nd class Masters Degree in the subject. (He shall obtain his B. Ed. degree at his own cost within 5 years and he shall not be confirmed without training qualification).		
6.	Asst. Trs./Jr. instructoys (i. e. Trained graduate Trs.)	30 years	(i) A degree from a recognised University.	Undergraduate teachers working in the secondary schools having 3 yrs. service in the grade and possessing qualifications prescribed for direct recruits in Col. No. (4). failing	1400-2600

1	3	4	5	6.
			which an undergraduate teacher possessing a Degree from a recognised university and a Diploma in Education (2 yrs. course) and having 5 yrs. experience out of which at least 3 years experience after obtaining Diploma in education.	
		(ii) A Degree in Education/Teaching		
7. Higher Secondary S. C., D. Ed. Teachers Matriculate D. Ed. Teachers	30 years	Hr. Secondary school certificate with Diploma in Education (2 years courses) failing which S. S. C. with Diploma in Education (2 years course).	N. A.	1200-2040
8. Physical Education. Teachers	30 years	(i) A Degree from a recognised University	N. A.	1400-2600

	(ii) A Diploma in Physical Education (old Course) or a Degree in Physical Education from a recognised		
9. Drawing Teachers	30 years, Bachelor's Degree in Fine Art ,(B.F.A.) from a recognised University; or (i) S. S. C. or equivalent;	N.A.	1400-2600

1	2	3	4	5	
			(ii) Diploma/certificate in Art and Drawing from a recognised institution after a full-time course of not less than 3 years duration, or a part-time course of 5 years duration.		
10.	Music Teachers	30 years	Degree in music from a recognised University with 4 years course or a Diploma in music from a recognised Institution with 5 years course subject to its being equivalent to degree course.	N. A.	1400-2600
11.	Craft Teachers	30 years	Diploma or National certificate in the Subject with at least 3 years post S. S. C. full-time training from a recognised institute.	N. A.	1400-2600

Provided that the above qualifications shall be operative where no minimum qualification have been specified by the Affiliating Board and where the minimum qualification prescribed by the Affiliating Board are higher than those prescribed in the table above, the qualifications prescribed by the Affiliating Board shall be deemed to have been substituted wherever such occasion arises.

Provided further the teaching posts which are not included in the above table shall be governed by the recruitment rules as have been specified by the Administrator to corresponding posts in Government schools;

79. Minimum qualifications for recruitment to other posts.- In case of pre-primary and primary school teachers and the non-teaching staff such as Laboratory Asst. Librarians, Ministerial posts, menial posts etc. the qualifications for recruitment and promotion shall be the same as are specified by the Administrator for appointment and promotion to corresponding posts in Government schools:

Provided that the posts of U.D.Cs., Head Clerk etc., shall be filled up by promotion only, on the basis of seniority cum fitness as per the rules applicable to the corresponding posts in Government schools and if suitable candidates are not available for promotion, the posts can be filled up by direct recruitment after obtaining N .0. C. from the Director of Education.

80. Admissibility of Staff and Norms for calculating Teachers in Middle and Secondary Schools. -- (1) The number of teachers in a Middle/Secondary Schools shall be calculated on the basis of 18 hours minimum actual teaching workload per week excluding the workload of extra-curricular/ /co-curricular activities and remedial teaching. While calculating requirement of teachers for any school, the workload of approved optional subjects (prior approval of the Directorate to introduce optional subjects when there is an additional liability is necessary) shall be taken into consideration. After keeping aside the workload for the Headmasters, Asstt. Headmasters, Supervisors etc., as prescribed elsewhere in the rules, the requirement of teachers be calculated by dividing the teaching work load by 18 hours per teacher.

57 ["While calculating the number of teachers as above, if the fraction of the, number of teachers comes up to 4 and below, it shall be ignored and if it comes upto 5 and above it shall be rounded up to one. In case the existing part-time teachers cannot be converted to full-time teachers as per above calculations, such part-time teachers shall be given preference for appointment against full-time vacancies that may occur in future".]

(2) As a general rule the ratio of graduate Trained Teachers and 58["trained under graduate category teachers"] in a full-fledged secondary school shall be 7:3 ie. 70% graduated 30%

59["trained under graduate category teachers"]. In case, a secondary school adds divisions only to higher classes (VIII IX and X) the case for granting graduate trained teachers over and above the prescribed 70% can be considered at the discretion of the Director of Education, provided the total number of higher classes (VIII to X) are more then the total number of lower classes (V to VII). Further, in case the secondary school adds division to the lower classes the additional teachers to be sanctioned shall be only in <sup>68</sup>["trained under graduate category teachers"] scale by proportionately increasing the <sup>58</sup>["trained under graduate category teachers"] quota from the prescribed 30% limit. However, these norms are subject to modification on recommendations of the Advisory Board.

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"Substituted by (Amendment) Rules, 1988. (0. G. Series I No. 3 dated, 21.4-1988). The original reads as follows:

If the remainder of the work load is 5 hours or less, the same shall be ignored; where the remaining workload remaining is within 6 hours and 12 hours, a part-time teacher (half teacher) shall be allowed and when the remaining work load is within 13 hours to 18 hours a full time teacher shall be allowed. The strength of the teaching staff shall be so maintained that at any time there will be only one part-time teacher in the school in a particular category, (i. e. graduates or under graduates) and these part-time teachers shall be given preference for appointment against full time vacancies that may occur in future provided that the subject requirements are fulfilled."

"These words have been substituted for the letters "S. S. C., D. Ed ."by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>59</sup>The word "matriculate "has been substituted by the words "trained under graduate category teachers", *Ibid.*

(3) The middle school (V to VII classes) will be entitled to only one trained graduate teacher or a cadre post middle school headmaster, but, however the school will be eligible for a middle school cadre headmaster only when Std. VII is permitted. All the remaining teachers shall be in S.S.C., D .Ed. scale only.

(4) In case of a secondary school, the school shall be eligible for the post of a regular cadre Headmaster of a secondary school when Std. VIII is opened, provided that when the same middle school is upgraded to a secondary school, the post of, middle school cadre headmaster shall be abolished when a regular post of Headmaster of secondary school is sanctioned.

(5) A full-fledged secondary school, shall be eligible to the following teaching staff in addition to what is prescribed in sub-rules (1) to ( 4):-----

(a) an Assistant Headmaster, when the classes (from Std. V to X, or from VIII to X as the case may be are <sup>60</sup>["15 or more but less than 30"] to assist the Headmaster in his organisational, administrative and supervisory duties. The allotment of work shall be <sup>81</sup>]"made by the Headmaster"] in consultation with the Management.

<sup>62</sup>]"(b) one post of Assistant Headmaster in addition to the one provided in clause (a) when the number of divisions are thirty and above.";]

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60 In these words and figures have been substituted for the words and figures "more than 20 (twenty) " by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-94.

61 These words have been substituted for the words "given by the Head master, *Ibid.*

<sup>62</sup> Clause (b) has been substituted, *Ibid.* The original clause (b) reads as follows:

"(b) one post of supervisor, in the same pay scale of Trained Graduate Teacher, when the number of classes are more than 10 but not exceeding 30 classes."

(c) two posts of Supervisors, when the number of classes are more than 30.

### 63[...]

(6) The rules for granting teaching and non-teaching staff to the Higher Secondary schools and Primary Teachers Training Institute shall be as specified by the Administrator for the purpose.

(7) The admissibility of non-teaching staff to the Aided Middle Secondary and Higher Secondary Schools shall be as follows: -

*a) Ministerial Staff:*

(1) Schools having pupils up to 200 1 L.D.C. cum librarian.

(2) Schools having pupils over 200 but upto 600 . 1 U.D.C.  
1 L.D.C. cum librarian.

(3) Schools having pupils over 1 Head Clerk.

600 but upto 1200

1 U.D.C.

1 L.D.C.

1 L.D.C. cum librarian.

(4) Schools having pupils over 1200

1 Head Clerk.

2 U.D.Cs. 1 L.D.C.

1 L.D.C. cum librarian.

b) *Librarian and Library Attendant  
in Higher Secondary Schools:*

1 Librarian.

1 Library Attendant.

<sup>63</sup> The note below clause (c) has been omitted, by (Amendment) Rules, 1994 (O. G. Series 1, No. 28 dated 14-10-1994. The same reads as follows:

"Note: The supervisors shall be appointed on the basis of seniority in the trained graduate category, subject to fitness and they shall have a teaching workload of 24 periods per week, in addition to the work assigned to them by the Headmaster."

c) *Laboratory Asstts:*

(1) Secondary Schools having a strength of 120 or more in Std. VIII to X

1 Lab. Asstt. provided the cost of Laboratory apparatus is more than Rs. 7500/-.

(2) Higher Secondary Schools having Science faculty

3 Lab. Asstts. for 3 Laboratories.

d) *Menial Staff*

(1) Schools having upto 6

Upto 2 "D" Group posts class (V X)

(2) Schools having more than 6 classes

1 for every Additional set of 6 classes and a part thereof excluding the first 6 classes.

(3) Schools having less than 100 pupils

1 Post.

(4) Each Higher Secondary school will have 1 Night Watchman and in addition, 3 Lab. Attendants where Science wing is attached.

*Note :* The norms under this rule are subject to revision by the Government on the recommendations of the Advisory Board:

Provided that the managements shall create the posts in their schools as per the norms under this rule only after getting prior approval of the Director of Education and mere eligibility shall not entitle a school management to create posts and make appointments and any appointment made in violation of this proviso shall not be eligible for any aid.

81. *Power to relax qualifications.-* (1) The Director of Education, may, in case of non-availability of trained or qualified teachers in particular subjects, relax the minimum

qualifications prescribed for such period as the Director may think fit provided that no such appointments shall be made, except with the previous relaxation of the Director of Education.

(2) The minimum qualifications may also be relaxed by the Director of Education in the case of candidates belonging to the Scheduled Caste/Scheduled Tribe, provided that such relaxation shall be made in accordance with the orders on the subject made by the Central Government from time to time.

82. *Age Limit.*- Notwithstanding anything that may be prescribed in rule 78 regarding the upper age limit, the minimum and maximum age limit for recruitment to a recognised private school whether aided or not, shall be the limit specified by the Administrator for appointment to corresponding posts in Government schools.

Provided that the upper age limit may be relaxed in the case of a candidate belonging to the Scheduled Caste or Scheduled Tribe or any other special category of persons in accordance with the orders on the subject made by the Central Government from time to time; or in the case of employees migrating from one school to the other under these rules.

83. *Probation.*- (1) Every employee shall on initial appointment be on probation for a period of 2 years which may be extended by the appointing authority by another year and the services of an employee may be terminated with one month's notice without holding any enquiry during the period of probation if the work and the conduct of the employee, during the said period is not, in the opinion of the appointing authority, satisfactory:

Provided that no termination from the service of an employee on probation shall be made by a recognised non-minority school except with the previous approval of the Director of Education.

*Explanation:* The work is said to be unsatisfactory only when written Memos are served on the employee pointing out the defects or acts of misbehaviour and reasonable opportunities are given to the employees to explain and improve; and provided further that those deficiencies/ shortcomings are reflected in the confidential report/reports of the respective year/years.

(2) If the work and conduct of an employee during the O period of probation is found to be satisfactory, he shall be on the expiry of the period of probation or the extended period of probation as the case may be confirmed with effect from the date of expiry of the said period:

Provided that no teacher shall be confirmed unless he/she is trained and completes 2 years post training service; and his/her probation period shall be extended for a further period till he/she gets himself/herself trained:

Provided further, no untrained teacher shall be retained in service for a period of more than 5 years unless he/she joins the Training College before the completion of 5 years untrained service and in such a situation the Director of Education, at his discretion may grant extension by 2 more years i. e. upto completion of 7 years but one year at a time, so as to enable the teacher to complete his/her training, and in case ' the teacher fails to acquire the training qualification, during the extended period his/her

services shall be terminated by the management after giving one month's notice.

(3) Nothing in this rule shall apply to an employee who has been appointed to fill a temporary vacancy or any vacancy for a limited period.

*84. Medical Certificate and character certificate.- (1) Every appointment in a recognised private school, whether aided or not, shall be subject to the Physical fitness and good character of the appointee.*

(2) The candidates selected for appointment shall be required to produce a medical Certificate of fitness from a Hospital established or maintained by Government or any medical authority or a registered medical practitioner approved for the purpose by the Director and two certificates from two different members of Parliament or members of the Legislative Assembly of Goa, Daman and Diu or Gazetted Officers or the members of the municipalities <sup>64</sup>["or of Gram Panchayats"] not related to the candidate certifying the character of the appointee.

(3) In the case of Aided school, a copy of the medical certificate and a copy each of the certificates of character shall be enclosed with the Grant-in-aid papers, claiming for the first time, the salary grant of the appointee.

*85. Fixation of pay.- (1) The initial pay of an employee on first appointment, shall be fixed ordinarily at the minimum of the scale of pay.*

(2) If an employee migrates from one Aided School to another Aided in the Union Territory of Goa, Daman and Diu after applying through proper channel and his resignation in the former school with due notice is accepted, his pay last drawn shall be protected and paid to him in the new school on the strength of the last pay certificate provided the services are continuous and there is no break in service:

Provided that such migration is approved by the Director of Education.

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64 These words have been inserted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

(3) The pay of an employee on promotion to a higher grade or post in the same school or any other school under the same management where the services are transferable, shall be fixed under the same rules as are applicable to the corresponding employees of Government schools.

*86. Filling of vacancies.- (1) Notwithstanding anything contained in rule 78, every vacancy in an aided school shall be filled up by promotion failing which by direct recruitment, in accordance with such rules as may be framed by the Director of Education in this behalf and notified/circulated separately.*

65 ["Provided that the claim of any employee already working under the said

Management in the Under graduate category possessing the requisite qualifications for the direct recruit shall be given due consideration while filling up the post with direct recruitment."].

(2) The vacancy of Principal, Higher Secondary School/ Primary Training Institutes, Headmasters of Secondary Schools and Middle Schools, and the Asstt. Headmasters of Secondary Schools shall be filled up by promotion subject to the eligibility conditions prescribed in rule 78. While filling up of these posts, the managements shall first explore the possibility of selecting the senior most teacher from the next below 'category indicated in column 5 of Table under rule 78. While making such selection the. management shall also give very careful consideration and shall select the best qualified and most competent person among those available for selection/ appointment to the post. Seniority shall be the first criteria subject to fitness and merit. If the claim of a senior eligible teacher is by-passed, the reason for the same in writing will have to be recorded in the minutes by the promotion committee. The claim of the senior qualified teacher shall not be by-passed arbitrarily without tangible reasons.

65 This proviso inserted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

*Explanation:-* Common managements running the secondary schools as well as Higher Secondary schools, shall consider the claims of the Headmasters of Secondary schools in the order of interse seniority for the promotion to the post of Principal of Higher Secondary Schools subject to eligibility conditions prescribed in rule 78.

(3) The management shall make appointment of Heads only on probation for a year in the first instance and communicate full particulars with their biodata to the Director of Education for his approval. No Head of -the school shall be confirmed without the prior approval of the Director of Education.

(4) Every vacancy which is to be filled up by direct recruitment shall be notified to the Employment Exchange or in the local newspapers as the case may be as per the rules applicable to Government Offices while recruiting the corresponding posts in Government schools. However the harness cases shall be regulated as per the rules applicable to Government offices and the Director of Education shall be the controlling authority.

<sup>66</sup>[<sup>86</sup>'A. *Transfer of services of employees.*- If the services of an employee of a school are transferable to another school under the same management and if he is so transferred by the management, the employee shall be given the order 'of such transfer for his record, and

(a) the employee so transferred shall be entitled to such joining time and transfer allowances as are admissible to the corresponding employee in the Government schools:

Provided that no joining time or transfer allowance shall be admissible to the employee where the transfer is made

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"Rules 86A, 86B and 86C, inserted by (Amendment) Rules, 1994. (Official Gazette Series I No. 19 dated 11-8-1994).

at the request of the employee or the transfer is made to re-deploy surplus staff.

(b) any expenditure incurred by the school on transfer allowancees, joining time, pay, etc. shall not be admissible for grants.

86B. *Migration of employee.*- (1) An employee migrating from an aided school to another under a different management shall forward his application to the new post through proper channel as laid down in sub-rule (3) of rule 74. He shall also apply in a specified form, for concurrence of the Director, through proper channel.

(2) The Director may grant his concurrence provided there is no break in service or the break, if any, is condoned under rule 35.

(3) The past services of such an employee in his previous school/schools shall be counted for the purpose of:

(a) protection of pay, as laid down in rule 85(2);

(b) pension and other retirement benefits, as per rule 35.

(4) The past services of such an employee shall not count for seniority in the new school.

86C. *Relieving an employee on medical grounds.*- If a permanent employee is to be relieved from service on medical grounds, the management, shall refer the case to the Director who shall get the employee examined by the Medical Board of the Goa Medical College, Bambolim. It shall be left to the Board to decide whether the employee is fit to continue in service or is to be relieved temporarily or permanently.

The decision of the Medical Board of the Goa Medical College, Bambolim, shall be final and binding on both the parties and shall be communicated by the Director to the management with a copy endorsed to the employee for his acknowledgement".]

87. *Seniority.*- (1) Seniority of employees in each category shall be determined by the order of merit in which they were selected for appointment to the concerned post, and those selected on an earlier occasion being ranked senior to these selected later.

(2) Inter-se seniority between direct recruits and promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on quotas of vacancies reserved for direct recruitment and promotion respectively. In case of doubts, the detailed instructions issued by the Government in this behalf in respect of Government servants shall be followed, and, wherever there is a dispute the case shall be, referred to the Director of Education and his decision in the matter shall be final.

<sup>67</sup>[<sup>67</sup>87 A. *Seniority list.*- (1) It shall be the responsibility of the management to compile categorywise seniority list of employees in order of their seniority, as defined in rule 87, and maintain them upto date, in accordance with the norms laid down by the Director.

(2) Draft seniority lists drawn up for each category, shall include the names of all employees of that category working in the school/schools run by the management.

(3) A copy of the draft seniority list, so drawn up for each category, shall be made available to each employee of that category, for his records.

(4) Any objection to the draft seniority list if any, shall be submitted by the employee in writing to the Head of the school within fifteen days from the date of receipt of the copy of such draft list.

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'Rule 87A inserted, by (Amendment) Rules, 1994. (O. G. Series I No. 19 Dated 11-8-1994).

(5) The management shall after due scrutiny and verification of such objections/claims as are received and after hearing each of such employees as may be affected by possible revision in the list revise, the draft list, if necessary.

(6) A copy of the revised seniority list as finalised by the management, for each category, shall be made available to each employee of that category for his/her record. The employee shall acknowledge the receipt of such list for the record of the school.

(7) In case an employee has any objection/claim in respect of the seniority list so finalised by the management, he/she may prefer an appeal against the same to the Director, within 30 days from the date of receipt of the finalised list, who after making such enquiries as may be deemed necessary, shall decide the case:

Provided that any party aggrieved by the decision of the Director, may prefer an appeal to the Tribunal".]

88. *Retirement age.* - (1) Except where the existing employee is entitled to have a higher age of retirement, every employee of a recognised private school, whether aided or not shall hold office on par with his or her corresponding post in Government schools, and the rules of voluntary retirement and premature retirement shall be the same as applicable to their counterparts in Govt. service:

Provided that where a teacher attains the age of superannuation on or after the first day of November of any year, such teacher shall be re-employed upto 30th day of April of the year immediately following, if the teacher so desires.

(2) Notwithstanding anything contained in sub-rule (1) where a teacher has been awarded a National or State Award for rendering meritorious service as a teacher or where he/she has received both the national and state awards as aforesaid, the period of service of such teacher may be extended by one year by general or special order of the Administrator:

Provided that the teacher in the opinion of the managing committee is fit for such extension and has no mental or physical incapacity which would disentitle him to get such extension, and provided further that the teacher desires to enjoy the benefit of such extension.

89. Leave of absence. - Every employee of a recognised private school whether aided or not, shall be entitled to such leave as are admissible to employees of a corresponding status in Government schools.

90. Confidential Reports.- (1) Confidential Reports in relation to the teachers, Heads of Schools and other employees of recognised schools, whether aided or not, shall be maintained in the form specified by the Administrator in this behalf to the employees of the corresponding status in Government schools.

(2) The Confidential Reports shall be recorded, every year, by the Head of the school in respect of the employees working under him and every such Confidential Report shall be reviewed by the Chairman of the Managing Committee.

(3) The Confidential Report in respect of the Head of the Schools shall be recorded, every year, by the Chairman of the Managing Committee and every such Confidential Report shall be reviewed by the Managing Committee.

(4) Any adverse entry in the Confidential Report in relation to any Head of the school or other employee shall be communicated to him by the Chairman of the Managing Committee and every such communication shall be made in accordance with the instructions issued by the Administrator in respect of Government employees.

(5) Any employee of <sup>68</sup>["a recognised"] school who is aggrieved by any adverse entry in his Confidential Report may, within 30 days from the date on which such adverse entry is communicated to hirer, prefer an appeal against such entry to the <sup>69</sup>["Director of Education and the Director of Education"] may, after giving to the Managing Committee the reasonable opportunity of showing cause, make such alterations in the entries in the Confidential Report as he may think fit and may, for that purpose require the Managing Committee to produce the concerned Confidential Report.

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<sup>68</sup> Substituted for the words "an aided" by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>69</sup> These words have been substituted for the words "Dy Education Officer of the Zone/District and the Dy. Education Officer" by (Amendment) Rules, 1994 (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>70</sup>["Provided that every such appeal shall be forwarded by the appellant through the Manager who shall forward the same to the Director of Education within seven days of its receipt and in any case within such time so as to reach the Director of Education within the stipulated period:

Provided further that the Manager shall endorse and make available a copy of his letter forwarding the appeal to the Director of Education and simultaneously, to the appellant, failing which he may file his appeal directly to the Director of Education"].

(6) The Confidential Report in relation to the Head of the school shall be kept in the safe custody of the Chairman of the Managing Committee and the C. Rs. in relation to the other employees of the school shall be kept in the safe custody of the Head of the school.

91. Private tuitions. - No full time teacher or an employee of an aided school shall undertake private tuitions or private employment or otherwise engage himself in any business. .

92. Suspension: - (1) Subject to the provision of sub-section (3) and (4) of section 11 <sup>71</sup>["..."] the Managing Committee may place an employee of a recognised private school, whether aided or not under suspension: -

(a) where a disciplinary proceeding against such employee is contemplated or pending; or

(b) where a case against him in respect of any criminal offence is under investigation/vial; or

(c) where he is charged with cruelty towards any student, or other employees of the school; or

(d) where he is charged with embezzlement; or

<sup>70</sup>Provisos inserted by"(Amendment)" Rules, 1994. (O. G. Series I, No. 28 dated 14-10,-1994.

<sup>71</sup> The words "the Chairman of" omitted, Ibid.

(e) where he is charged with <sup>72</sup>["gross"] misbehaviour towards any parent, guardian, student or employee of the school; or an officer of the Dept.; or

(f) where he is charged with the breach of any other provision of code of conduct.

(2) No order of suspension shall remain in force for more than 6 months unless the Managing Committee, for reasons to be recorded by it in writing, directs the continuation of the suspension beyond the period of six months; subject to sub-section (3) of section 11 of the Act.

Provided that <sup>73</sup>[...] where the suspension is continued beyond the period of six months, the Director may, if he is of the opinion that the suspension is being unreasonably prolonged, revoke the order of suspension <sup>74</sup>[" after giving the Managing Committee of the school a reasonable opportunity of showing cause against the proposed action."]

<sup>75</sup>[(3) "If any doubt arises with regard to the application of the provision of this rule the same shall be resolved in accordance with the orders issued by the Government in respect of its employees of corresponding status."]

93. *Subsistence allowance.* - (1) An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely: -

- (a) a subsistence allowance at an amount equal to onehalf of the pay last drawn by him and in addition to such pay, dearness allowance at the appropriate rate to be paid in the same manner as salary:

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<sup>72</sup> The word "gross" has been inserted by (Amendment) Rules, 1994 (O. G. Series I No. 28 dated 14-10-1994).

<sup>73</sup> The words "in case of non-minority schools" deleted, *Ibid.*

<sup>74</sup> These words have been added by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>75</sup> Sub-rule (3) added, *Ibid.*

Provided that where the period of suspension is extended beyond twelve months, the managing committee shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of past twelve months as follows: -

(i) the amount of subsistence may be increased by a suitable amount not exceeding fifty percent, of the subsistence allowance admissible for the period of first twelve months, if, in the opinion of the managing committee, to be recorded in writing, the period of suspension has been prolonged, for reasons not directly attributable to the employee;

(ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty percent of the subsistence allowance admissible for the first twelve months, if, in the opinion of the managing committee, to be recorded in writing, the period of suspension has been prolonged due to reasons directly attributable, to the employee:

(b) any other compensatory allowance admissible from time to time on the basis of pay of which the employee was in receipt on the date of suspension:

Provided that the employee shall not be entitled to the compensatory allowance unless the managing committee is satisfied that the employee continues to meet the expenditure for which such compensatory allowance is admissible.

(c) no payment of subsistence allowance shall be made unless the employee furnishes a <sup>76</sup>["solemn declaration"] to the effect that he is not engaged in any other employment, 'business, profession or vocation; <sup>77</sup>["and he/she shall not leave the headquarters without the permission of the Chairman:

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<sup>76</sup> These words have been substituted for the word "certificate", by (Amendment) Rules, 1994. (O. G, Series I No. 28 dated 1410-1994).

<sup>77</sup> These words have been substituted for the words "and he regularly gives attendance to a station prescribed by the Chairman of the Managing Committee on all working days, and he shall not leave the headquarter without the permission of the Chairman", *Ibid.*

Provided that in the case of an employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be 'under' suspension and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which

his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him; where the subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(2) If the managing committee fails to pay any subsistence allowance or compensatory allowance within thirty days from the date from which the payment becomes due, the employee may appeal to the Director, who may pass appropriate orders.

(3) If any doubt, arises with regard to the application of this rule the same shall be resolved in accordance with the orders issued by the Central Government in respect of its employee.

(4) Where a suspended employee is, exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal, <sup>78</sup>["or where suspension is revoked or the suspension order is otherwise annulled"] the salaries and allowances of such employee minus the subsistence allowance received by him shall be paid to him from the date on which he was suspended.

94. Penalties and Disciplinary Authorities. - (1) The following penalties may, for good and sufficient reasons, including, breach of one or more of the provisions of the Code.

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<sup>78</sup> These words have been inserted by (Amendment) Rules, 1994. (O. G. Series I No. 28 dated 14-10-1994).

of conduct, be imposed upon an employee of a recognised private school, whether aided or not, namely:

- (a) minor, penalties;
  - (i) censure;
  - (ii) recovery from pay the whole, or any part of any pecuniary loss caused to the school by negligence breach of orders;
  - (iii) with holding of increment of pay not exceeding (three) at a time;
- (b) major penalties -
  - (i) reduction in rank;
  - (ii) compulsory retirement;
  - (iii) removal from service, which shall not be a disqualification for future employment <sup>79</sup>[...]
  - (iv) dismissal from service, which shall ordinarily be a disqualification for future employment in any recognised school or a Government service;

<sup>80</sup>["(2) The Managing Committee shall be the disciplinary authority for employees of a

recognised private school whether aided or not;"]

<sup>81</sup>["(3) In case of doubts regarding the interpretation, the penalties, their imposition, functioning of the disciplinary authority etc., the detailed instructions & Aid interpretations given by the Government in that behalf in respect of Government Servants of corresponding status shall be followed."]

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<sup>79</sup> The words "in any other recognised private school" have been omitted by (Amendment) Rules, 1994 (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>80</sup> Sub-rule (2), substituted, *Ibid.* The original sub-rule (2) reads as follows:

(2) The chairman of the managing committee shall be the disciplinary authority for all employees, except the head of a recognised private school whether aided or not and the managing committee shall be the disciplinary authority in the case of head of the school."

81 Sub-rule (3) inserted, *Ibid.*

Explanation: The following shall not amount to a penalty within the meaning, of this, rule, namely...

(a) stoppage at the efficiency bar on the ground of unfitness to cross the bar;

(b) retirement of the employee in accordance with the provisions relating to superannuation or retirement;

(c) discharge of an employee appointed on a short term officiating vacancy caused by the grant of leave, suspension or the like;

95. <sup>82</sup> *Authority to impose penalties and/or to institute disciplinary proceedings*]- <sup>83</sup>["(1) The Managing Committee being the disciplinary authority shall be competent to impose any of the minor penalties prescribed under rule 94(1) (a) as per the procedure laid down in rule 90.";

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<sup>82</sup> The heading of rule 96 has been substituted, by (Amendment) Rules, 1994 (O.G. Series, I No. dated 14.10-1994). The original heading reads thus: "Disciplinary Committee in respect of employees."

<sup>83</sup> Sub-rules (1) and (2) have been substituted *Ibid.* The original rules are as follows:'

"(1) In case of minor penalties, the disciplinary authority indicated in rule 94 shall be the competent authority to impose such penalties as per the procedure laid down in rule 96.

(2) In case of major penalties, there shall be a Disciplinary Committee in respect Of every recognised private school, constituted by the managing committee for this purpose whether aided or not which shall consist of:

- (i) the chairman of the managing committee of the school as the convenor and presiding officer;
- (ii) the manager of the school concerned or a senior teacher of the school nominated by the managing committee;
- (iii) a nominee of the Director of Education not below the rank of the Dy. Education Officer.

The Disciplinary committee shall scrutinise the records of the inquiry report of the Inquiry Officer received from the Disciplinary Authority with his remarks, and arrive at its conclusion by majority stating clearly whether, it agrees with the

(2) The disciplinary authority as specified under rule 94, shall be competent to institute - disciplinary proceedings as per the procedure laid down under rule 97, against any employee for the imposition of any of the major penalties specified under rule 94 (1) (b) but shall not be competent to impose any of the major penalties except with prior approval of the Director of Education and subject to provisions of Section 22 of the Act."]

*96. Procedure" for imposing minor penalty. - No order imposing the minor penalty shall be made except after informing the employee in writing of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation <sup>84</sup>to the disciplinary authority] against the proposed action.*

<sup>85</sup>("Provided that any employee of a recognised private school, who is aggrieved by any order imposing on him any such penalty, may within 30 days from the date of receipt by him of such an order, prefer an appeal to the Director of Education, through proper channel as laid down in rule 90

finding of the Inquiry Officer or not by giving reasons for non-agreement, if any. The Disciplinary Committee in its own discretion before coming to a decision may provide an opportunity to both the parties to explain their cases to the committee either orally or by written briefs but however they will not be allowed to take assistance of a third party. In case the decision of the committee is not unanimous, the disagreeing member shall write his own decision separately;

Provided that in case of unaided minority schools, the report of the Inquiry Officer need not be referred to the Disciplinary Committee for its opinion.

Provided further that in case of aided and unaided minority schools, the nominee of the Director of Education referred to at (2) (iii) above shall function as an observer only."

<sup>84</sup> These words in rule 96 have been inserted by (Amendment) Rules, 1994 (Official Gazette Series I No. 28 dated 14-10-1994).

<sup>85</sup> Proviso inserted, *Ibid.*

*97. Procedure, for imposing major penalty,-- <sup>86</sup>1"(1) the procedure for imposing,, penalties, specified in rule 94 (1) (b), shall be as applicable to the Government, employees of the corresponding, status:*

'86 Sub-rule (1) of rule 97, 'is substituted by (Amendment) Rules, "1994. (0. G. Series I No. 28 dated 14-10-1994). The original sub-rule (1) reads as follows:

*"97 Procedure for imposing major penalty.-* (1) No order imposing on an employee any major penalty shall be made except after an inquiry, held as far as may be, in the manner specified below:--

(a) the disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed to be held and copy of the charges together with the statement of the allegations on which they are based shall be furnished to the employee and he shall be required to submit within such time as may be specified by the disciplinary authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person;

(b) on receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if considers it necessary so to do, appoint an inquiry officer for the purpose;

*Explanation:* The Inquiry Officer shall follow the procedure as laid down in the Central Civil Service (Classification, Control and Appeal) Rules, 1972. A representative of the Management shall be permitted to present the case before the Inquiry Officer and the accused employee shall be permitted to take the services of any employee of the school or any other private school as defence assistant and the absence from the school of such employee shall be considered as on duty. However, either the Management or the accused employee shall not be permitted to take the assistance of an Advocate or a legal practitioner, during the enquiry before the Inquiry Officer.

(c) at the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry regarding the findings on each of the charges together with the reasons therefore;

(d) the disciplinary authority shall consider the record of the inquiry and the opinion of the Disciplinary Committee constituted for the purpose by the Managing Committee under sub-rule (2) of rule 95 and record its findings on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed it shall-

Provided that notwithstanding, anything contained in the rules applicable to Government, employees of corresponding status, the enquiry into such charges as are not admitted by the employee shall be, made by an Inquiry Officer appointed for, the purpose by the Disciplinary Authority. ";]

(2) No order with regard to the imposition of a major penalty shall be made by the disciplinary authority except after the receipt of the approval of the Director:

<sup>87</sup>["Provided that the Director of 'Education may, if found necessary, hear both the parties concerned, before granting/refusing his approval:

Provided further that where any of the major penalties has been imposed on any employee in violation of the

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(i) furnish to the employee a copy of the report of the inquiry officer, where an inquiry has been made by such officer;

(ii) give him notice in writing stating the action proposed to be taken in regard to him and calling upon him to submit within the specified time, not exceeding two

weeks such representation as he may wish to make against the proposed action;

(iii) on receipt of the representation, if any, made by the employee the disciplinary authority shall determine what penalty, if any should be imposed on the employee and communicate its tentative decision to impose the penalty to the Director alongwith a copy of the Inquiry Officer's report and the Disciplinary Committee's opinion for his prior approval;

(iv) after considering the representation made by the employees against the penalty, the disciplinary authority shall record its findings as to the penalty which it proposes to impose on the employees and send its findings and decision to the Director for his approval and while sending the case to the Director the disciplinary authority shall furnish to him all relevant records of the case including the statement of allegation, charges framed against the employee, representation made by the employees, a copy of the inquiry report, where such inquiry was made, and the proceedings of the disciplinary authority."

<sup>87</sup> Proviso to sub-rule (2) of rule 97 has been substituted by (Amendment) Rules, 1994 (Official Gazette Series I No. 28 dated 14-10-1994). The original proviso reads as follows:

"Provided that in case of minority schools, the approval of the Director of Education referred to in sub-rule (i) (d), (iii) and (iv) and sub-rule (2)-above is not necessary."

provisions of the Act or the rules made thereunder, and where the same has been brought to the notice of the Director of Education, the Director of Education shall revoke the penalty imposed after giving reasonable opportunity to the Disciplinary Authority of showing cause against the proposed action and order that the employee be reinstated in service/and/or be restored in all respects, to his original position prior to the imposition of such penalty."].

(3) Any employee of a recognised private school who is aggrieved by any order imposing on him the penalty of compulsory retirement or any major penalty may prefer an appeal to the Tribunal.

98. *Payment of pay and allowances on reinstatement.* - <sup>88</sup>["(1) When: an employee who has been dismissed, removed or compulsorily retired from services . or reduced in rank or whose service is otherwise terminated, is re-instated or restored to his original rank or position as a result of appeal or the decision of the Director of Education under sub-rule (2) of rule 97 or would have been so re-instated or restored to his original rank but his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement as the case may be, the Disciplinary Authority shall consider forthwith and, make specific order" .]

(a) <sup>89</sup>["for the payment of"], the salary and allowances  
<sup>90</sup>[...] to the employee for the period of his absence from duty, including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and

**88** Sub-rule (1) of rule 98 has been substituted by (Amendment) Rules, 1994 (Official Gazette Series I No. 28 dated 14-10-1994). The original sub-rule (1) reads as follows:

"(1) When an employee who has been dismissed, removed or compulsorily retired from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement as the case may be, the Disciplinary Authority shall consider end make a specific order."

<sup>88-90</sup> In clause (a) the words "with regard to" have been substituted by the words "for the payment", by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-

1994 and the words "to be paid" in the same clause have been omitted, *Ibid.*

<sup>91</sup>((b)" that the said period of absence shall be treated as the period spent on duty.');

(2) Where the <sup>92</sup>[...] employee who had been dismissed, removed or compulsorily retired from service has been <sup>93</sup> ["exonerated"] the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired from service or suspended prior to such dismissal, removal or compulsory retirement from service <sup>94</sup>[...] as the case may be:

Provided that where the Disciplinary Authority is of opinion that the termination of the proceeding instituted against the employee had been delayed due to reason directly attributable to the employee, it may, after giving a reasonable opportunity to the employee to make representation and after considering the representation, if any, made by the employee, direct for reasons to be recorded by it in writing, that the employee shall be paid for the period of such delay only such proportion of the salary and allowances as it may determine.

<sup>96</sup>["Provided further that the employees, if aggrieved by the decision of the Disciplinary Authority, may, within 30 days from the date of receipt by him of such a decision, prefer an appeal to the Director of Education through proper channel as laid down in sub-rule (5) of rule 90.".]

<sup>91</sup> Clause (b) has been substituted, by (Amendment) Rules, 1994.(O. G. Series I No. 28 dated 14-10-1994. The original clause (b) reads as follows:

"Whether or not the said period shall, be treated as the period spent on duty.

<sup>92</sup> The words "Disciplinary Authority is of opinion that the" in sub-rule (2) have been omitted, *Ibid.*

<sup>93</sup> This word has been substituted for the word "fully exonerated", *Ibid.*

<sup>94</sup> The words "or suspended prior to such dismissal removal or compulsory retirement from service; have been omitted, *Ibid.*

<sup>95</sup> Proviso inserted, *Ibid.*

(3) The payment of allowances shall be subject to all other conditions under which such allowances are admissible and the proportion of the full salary and allowances determined under the proviso to sub-rule (2) shall not be less than the subsistence allowance and other admissible allowances.

## CHAPTER IX

<sup>96</sup>[" Code of conduct for heads of Schools, Teachers and other Employees"]

99. *Employees of recognised schools to be governed by the Code of*

*Conduct.* Every employee of a recognised school, whether aided or not, shall be governed by the Code of Conduct, as specified in this Chapter, and every such employee shall, be liable to the disciplinary action, specified in rule 94, for the breach of any provision of the Code of conduct.

<sup>97</sup>[...]

100. Conduct *and* behaviour of teachers *including Heads* of Schools - (1) The Code of Conduct for the teachers of the recognised schools, <sup>98</sup>[...] shall be as follows: ---

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<sup>96</sup> This title of Chapter IX has been substituted for the words "Conduct of Heads of Schools, Teachers and other employees", *Ibid.* "

<sup>97</sup> The proviso to rule 99 has been omitted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994). The same reads as follows:

"Provided that in the case of an employee of an unaided minority school, the penalties for the breach of any provision of the Code of Conduct shall be such as maybe specified in the conduct of service between the management of the school and the concerned employee."

<sup>98</sup> The words "including aided minorityschools" have been omitted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-1.0-1994).

(a) No teacher, shall -

(i) knowingly or wilfully neglect his <sup>99</sup>[...] assigned to him by the Head of the school, the <sup>99</sup>[...] <sup>100</sup>["Director"] of Education <sup>99</sup>[...] and the Examination Board.

Explanation: <sup>100</sup> ["Teacher's"] duties include, ' marking attendance of pupils, correction of classroom work and homework of pupils, setting question papers, cutting the manuscript stencils as per exigency, assessment of answer books of all tests/examinations consolidation and preparation, of examination results, correction of composition note books, science journals, conduct of practicals, etc.

(ii) propagate through, his teaching lessons or otherwise communal or sectarian outlook, or, incite or allow any student indulge in communal or sectarian activity;

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

(iv) indulge in, or encourage, any, form of malpractice connected with school or public examination or any other school activity;

(v) make any, sustained neglect in, correcting classwork or home-work done by students or work connected with school examination, absentee arrangement, remedial teaching, observation of school functions, sports, social, gathering etc.

(vi) while being present in the school absent himself (except with the previous permission of the head of the School) from the class which he is required to attend;

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<sup>98</sup>The words "teaching and non-teaching", "Management" and "or his

representative" have been deleted, by (Amendment) Rules, (O. G. series I NO. 28 dated 14-10-1994).

<sup>100</sup> The words "Director" and "Teacher's" have been substituted for the words "Directorate" and "Tbaching", Ibid.

(vii) remain absent from the school without leave or without the previous permission of the head of the school:

Provided that where such absence without leave or without the previous permission of the head, of the school is due to reasons beyond the control of the teacher, it shall not be deemed to be a breach of the Code of Conduct, if, on return to duty, the teacher has applied for with full justification,, in writing and obtained, ex-post facto, the necessary sanction for the leave.

(viii) accept any job of a remunerative character from any source other than the school or give private tuition to any student or other person or engage himself in any business;

(ix) prepare or publish any book or books, commonly known as keys, or assist, whether directly or indirectly in their publication;

(x) engage himself as a selling agent or canvasser for any publishing firm or trader;

(xi) ask for or accept (except with the previous sanction of the Director in the case of an aided school, or of the managing committee, in the case of an unaided school) any contribution, or otherwise associate himself with the raising of any funds or make any other collections, whether in cash or in kind in pursuance of any object whatsoever, except subscription from the members of any association of teachers;

(xii) enter into any monetary transactions with any student or parent; nor shall he exploit his influence for personal ends nor shall he conduct his personal matters; in such a manner that he has to incur a debt beyond his means to repay;

(xiii) accept, or permit any member of his family or any other person acting on his behalf to accept, any gift from any student, parent or any person with whom he has come into contact by virtue of his position in the school.

Explanation.- (A) The expression gift shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a near relation or personal friend having no dealings with him in connection with the school.

*Note.-* A casual meal, lift or other social hospitality of a casual nature shall not be a gift.

(xiv) practice, or incite any student to practise, casteism, communalism or untouchability;

(xv) cause, or incite any other person to cause, any damage to school property;

(xvi) behave, or encourage or incite any student, teacher or other employee to behave, in a rowdy or disorderly manner in the school premises;

(xvii) be guilty of, or encourage, violence, or any conduct which involves moral turpitude.

(xviii) be guilty of misbehaviour or cruelty towards any parent, guardian, student, teacher or other employee of the school, or be, guilty of misbehaviour by

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<sup>101</sup> Para (B) under Explanation has been omitted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994). The same reads as follows:

"(B) On occasions, such as, Weddings, anniversaries, funerals of close relatives or religious function when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept gift if the value thereof does not exceed Rs. 25;"

disobeying the instructions' of the Head of the school or Departmental Officers or of using indecent language while talking with superiors or corresponding with superiors, including the Department;

(xix) organise or attend any meeting during the school hours except where he is required, or permitted by the head of the school to do so;

(b) every teacher shall

(i) be punctual in attendance and in respect of his class-work and also for any other work connected with the duties assigned to him by the, Head of. the school; and he shall prepare his lessons and lesson notes well in advance and maintain the records for the verifications of the Head of the school.

(ii) abide by' the rules and regulations of the school and also show due respect to the constituted authority.

(iii) make representations to the higher authorities only through: the. Head of the school <sup>102</sup> ["or Manager, as the case may be"]

(2) Nothing contained in sub-rule (1) shall be deemed to take away or abridge the right of teacher, -

(a) to appear at any examination to 'improve his qualifications with prior permission of the Management;

(b)to become, or to continue to be, a member of any literary, scientific or professional organisation;

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102 These words have been substituted for the words "and the management" by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994).

© to make any representation for the redressal of any bonafide grievance, subject to the condition that such representation is not made in any rude or indecorous language;

(d) to organise or attend any meeting outside the school hours, subject to the condition that. such meeting is held outside the school premises:

Provided that where any teachers organisation or association does not have any facility to hold any meeting outside the school premises, a' meeting of such organisation or association for the bonafide purpose may be held within the premises; but before or after the school hours, with, the previous permission of the head of the school.

(3) The breach of any condition specified in sub-rule (1) shall be deemed to be a breach of the Code of Conduct.

<sup>f</sup><sup>3</sup>["(4) The Head of the School/Chairman shall duly receive the representation or any other correspondence addressed to the higher authorities or to him by the employee of the school and give acknowledgement of the same to the employee on the duplicate. The Head of the, school/Chairman shall forward the same to the next superior authority".]

*101. Code of other' employees.* -The code of conduct specified for teachers shall, so far as may be, apply to other employees of a recognised private school, including an unaided minority . school, with special reference to the job requirements and functional duties assigned to them by the Head of the school.

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<sup>103</sup> After sub-rule (2) and (3) sub-rule (4) has been inserted by (Amendment) Rules,19,94. (Official Gazette Series I No. 19 dated 11-8-1994).

## CHAPTER. X

### Additional Benefits

102. Every employee of a recognised private school, not being an unaided minority school, shall be entitled to the following additional benefits, namely: -

	Middle, Secondary and. Higher Secondary Schools and Pry. Us' Training College
1	2

(1) Children's Education Allowance	As payable by Goa Administration to its employees.
(2) Re-imburement of Tuition Fees	Free education or reimbursement of tuition fee as payable by Goa Administration to its employees.
(3) Travelling Allowance and daily Allowance and L. T C	According to the rules applicable to the Government servants.
(4) Bonus	- do -
(5) Re-imburement of medical expenses	- do -

103. *Power to specify procedure for payment of pension. bonus etc.* (1) The Administrator shall, in consultation with the Accountant General, Central Revenues, specify the detailed procedure for payment of L. T C., Bonus, Pension and gratuity, reimbursement of medical bills accounting of provident Fund and payment of other allowances, such as children's educational allowance to the employees of aided schools.

(2) The Administrator shall, in like manner, specify the detailed procedure for deposits made by the managing committees of recognised aided schools, (not being unaided minority schools) of their share of the pay and allowances, pension, gratuity, provident fund and the benefits specified in rule 102.

<sup>104</sup> [...]

## CHAPTER XII

### Admission to and withdrawal from Recognised schools

108. *Power of Director to regulate admissions to aided schools.*- The Director shall regulate admissions to aided schools or to a class thereof either on the basis of an

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<sup>104</sup> Rules 104 to 107 have been omitted by (Amendment) Rules, 1994. (Official Gazette Series I No. 28 dated 14-10-1994. The omitted rules are reproduced below:

## CHAPTER XI

### Unaided Minority Schools

"104. Recruitment - <sup>(1)</sup> Recruitment of employees in each recognised unaided minority school shall be made as far as possible on the recommendation of Selection Committee to be constituted by the managing committee of that school.

- (2) The Selection Committee shall include,
- (a) in the case of recruitment of the head of the school.
- (i) the Chairman of the managing committee;
- (ii) an educationist, nominated by the managing committee; and (iii) a

person having experience of administration of schools, nominated by the managing committee;

(b) in the case of recruitment of any other employee.

(i) the Chairman of the managing committee or any member of the managing committee nominated by the Chairman;

(ii) the head of the school;

(3) The Selection Committee shall regulate its own procedure, and, in the case of any difference of opinion amongst the members of the Selection Committee on any matter it shall be decided by the trust or society running the school.

(4) Where a candidate for recruitment to any post in an unaided minority school is related to any member of the Selection Committee, the member to whom he is related, shall not participate in the selection and a new member shall be nominated in his place by the managing committee of the school.

(5) The appointment of every employee of a school shall be made by its managing committee.

(6) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school, the managing committee shall record its reasons for such non-acceptance and refer the matter to the trust or society

admission test to be taken by him or on the basis of the results of a student, in the lower class or on the basis of first come first serve basis.

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running the school and the trust or society, as the case may be, shall decide the same.

105.- Minimum Qualifications.- (1) The minimum qualifications for appointment as a teacher of an unaided minority school shall not be less than those as are specified in rule 78.

(2) In the case of any employee, other than a teacher the minimum qualifications for appointment shall be the same as are specified in rule 79.

(3) Where, a post (other than that of a teacher) in an unaided minority school does not correspond to any post in the Government schools, the minimum qualifications for recruitment to such post may be specified by the Director after considering such recommendations or suggestions as may be made by the unaided minority schools in this behalf.

106. *Power to Relax.*- The Affiliating Board, or where no qualifications have been specified by the Affiliating Board for the post of a teacher in a particular subject, the Director of Education may, in the case of non-availability of trained or qualified teachers in that subject relax the minimum qualifications for such period as he may think fit.

107. *Contract of Service.*- (1) Every contract of service, referred to in subsection (1) of section 17 shall be entered into in the form specified in the scheme of management before the employee is called upon to join his duties.

(2) A copy of the contract of service, referred to in sub-section (1) of section 17, shall be forwarded to the Director of Education by the managing committee of the concerned unaided minority school either by registered post, acknowledgement due, or by a messenger within thirty days from the date on which the contract is entered into.

(3) On receipt of a copy of the contract of service, the Director of Education shall

cause the particulars of such contract to be entered in a register to be maintained for the purpose, to be known as the Register of Council.

(4) The Director of Education shall also cause the copies of contracts received by him to be preserved in such manner as he may specify.

(5) If on a scrutiny of the copies of contract received by him, the Director of Education is of opinion that the contract does not comply with the provisions of subsection (3) of section 17, he may draw the attention of the school concerned to the deficiencies in the contract and require the school to modify the contract so as to bring it in conformity with the provisions of sub-section (3) of section 17, and thereupon the school shall take urgent steps for the rectification of the contract.

(6) When a contract has been rectified under sub-rule (5), a copy of the contract, as so rectified shall be forwarded to the Director of Education for registration and on receipt of the copy of such contract the Director of Education shall cause the contract to be registered in the manner specified in sub-rule (3)."

109. Admission test not be held by aided schools. - Save as otherwise provided in this Chapter, no aided school shall hold any test for admission to any class except with the written prior permission of the Director:

Provided that nothing in this rule shall prevent the holding of tests for the admission to any class higher than class I of such candidates as have not studied in any recognised school prior to their seeking admission:

Provided further that the admissions in the recognised Primary Teacher's Training Institute shall be regulated as under:

(1) Not more than 50% of the total seats in the I year class shall be reserved for the untrained teachers serving in Government or aided schools and the selection list shall be prepared strictly on seniority i.e. the length of service rendered in the schools with authentic proof. If sufficient number of inservice teachers are not available for filling up the reserved seats, the seats shall be transferred to the unreserved category.

(2) Remaining 50% of the seats shall be filled up in the following manner strictly on merit.

(a) eligibility of the candidate shall be

(i) the candidates medium of instruction at the secondary level should be the medium of the training course for which the admission is sought.

(ii) the candidate should have passed the S. S. C. Exam with atleast 50% marks in the aggregate and should have passed English, Mathematics and Science subjects. However in case of candidates passing XII class, the requirement of percentage of 50% marks in the S. S. C. Examination shall be relaxed.

(3) The scheduled caste and scheduled tribe candidates shall enjoy the benefit of reservation as prescribed by Government for recruitment to Government service.

110. *Power of Director to regulate manner of admission.*----

(1) The Director may specify the manner in which students shall be admitted to an aided school.

(2) The Director may prepare, in each year, a plan for the admission of students to the various classes in the aided schools in the territory.

(3) Admission of students to any aided school from an unrecognised private school may be regulated or prohibited by the Director.

(4) The Director may exclude any recognised aided school from the purview of the admission plan.

(5) The managing committee of an aided school shall not refuse admission of any student who is assigned to that school under the admission plan.

(6) Where the circumstances of a case so require, the Director may, notwithstanding anything contained in the admission plan, direct the admission of any student to an aided school, and, on receipt of such direction, the head of such school shall admit such student in the school.

111. *Admissions to be without any distinction* - Admission of students in aided schools shall be made without any distinction of religion, race, caste, place of birth, or, any of them.

112. *Manner of Admission.*- (1) No student shall be admitted to an aided school unless an application in the prescribed form signed by his parent or guardian, has been submitted to such school, and accompanied with a school leaving certificate in original issued by the previous school attended.

(2) The parent or guardian shall state the exact date of birth of his child or ward in the application for admission, in case of first admission, and in case of subsequent admissions on transfer the date of birth shall be taken from the school leaving certificate produced.

(3) All applications for admission to an aided school shall be kept in a separate file and form part of the permanent record of the school.

113. *Entry on the Rolls.*- A newly admitted student shall have his name entered on the rolls of the school on the date on which he first attends his class after making payment of all specified dues/fees, if any.

114. *Admission to be made once a year.*- Admission shall ordinarily be made once a year and shall not be made after 30 days of the reopening of the academic year, except where the Director being satisfied that for special reasons like migration of a student from a school outside Goa, the delay in seeking admission has been unavoidable and was due to circumstances beyond the control of the parent or the guardian of the student, directs the admission of such student after the date.

115. *Admission of failed students not to be refused.*- A student who fails at any public examination or school examination shall not, on that account, be refused readmission in the school or class by the school from which he had appeared at such examination.

116. *Admission on transfer certificate.*- (1) No student who had previously attended any recognised school shall be admitted to any aided school unless he produces a transfer or school leaving certificate from the school which was last attended by him.

(2) Where a student seeks admission to an aided school on the basis of a School leaving certificate granted by a school in any State or Union territory, other than Goa, such certificate (except where such certificate has already been verified) be sent for verification and countersignature, by the head of the school in which admission is sought, to the education authority of the district in which the school from which the transfer certificate was obtained is situated, in case the certificate is not already got countersigned by the guardian.

(3) If such school leaving certificate has not already been countersigned or verified by such authority, the student may be admitted provisionally pending the verification of the certificate and his admission shall be confirmed only on the receipt of the verified certificate from the State or Union territory concerned.

*117. When migration students may be admitted to higher class.-* A student coming from another recognised school shall not be admitted to a class higher than the one in which he was studying at his former school unless the transfer certificate states that he has been promoted to the next higher class.

*118. Parent or guardian to submit an affidavit.-* (1) Where a candidate who had not previously attended any recognised school, applies for admission to class II or to any higher class upto class VII of a recognised school, the parent or guardian or such candidate shall give full history of the previous education of such candidate and furnish an affidavit on a non-judicial stamp paper duly attested to the effect that such candidate for admission had not attended any recognised school till then and he shall also be required to state in affidavit the exact date of birth of such candidate.

(2) If a seat is available in the class to which admission is sought the head of the school, in consultation with the Zonal Education Officer, shall arrange for a test to determine the suitability of the student for admission to that class and admission shall be granted if the student passes in this test, provided the provisions of section 18 are fully complied with.

*Regulation of admission to class VIII.-* (1) No student shall be admitted to class VIII unless he has passed class VII of a school.

(2) Students who, without having passed the examination for promotion from class VII of a recognised school, have appeared as private candidates at any public examination, and have failed to pass such examination, shall not be admitted to class VIII or to any class higher than class VIII.

*120. Admission of pupils without leaving certificate from the last school attended.-* If an applicant states that a leaving certificate from the last school attended has been refused to him, the Head of the new school, will intimate to the Head of the former school that the pupil seeks admission to his school and if within ten days he receives no satisfactory explanation of the omission to give a leaving certificate, he will be entitled to admit the pupil and report the circumstances immediately to the Director of Education, who will inquire into the case.

*121. Entry in the General Register.-* Pupil's name should not be entered in the the General Register until the fees due if any are paid and he/she is formally admitted.

*122. Admissions from other Countries.-* Pupils from other countries should not be admitted unless the Head Master satisfies himself by referring to appropriate authorities and the pupils possess the appropriate kind of visa covering the entire -period

of the course they want to study in this Union territory. Such pupils shall also be subjected to a test before they are admitted and should produce the leaving certificate or other similar documents showing the stage of his or her study there, duly countersigned by the educational authorities of that country.

123. *Scrutiny of Leaving Certificate.*- If in a leaving certificate the Head of a school suspects any unauthorised addition or alteration before or after a pupil is admitted, the fact should be immediately reported to the Director of Education, and if the pupil has not already been admitted, he should not be given admission until a reply is received. If such a pupil has already been admitted, the case reported to the Director of Education and till decision has been received from him, the pupil should be provisionally allowed to appear for the annual examination, but his result should not be declared without getting specific orders from the Director of Education in the matter.

124. *Application for Leaving Certificate.*- Every application for a leaving certificate shall be made in person or in writing by the parent or guardian or the candidate, if major. Leaving certificate shall be issued without unnecessary delay, within a week at the latest.

125. *Refusal to issue a Leaving Certificate.*- Either refusal to issue a Leaving Certificate without adequate justification or delay of over one week in issuance of the certificate or in giving a reply explaining why it cannot be issued, may entail penal action against the school, considering of cut in grant or withdrawal of recognition. The only ground on which a leaving certificate may be refused is (i) non-payment of fees due, if any or (ii) rustication by the Director. In the case of rustication, no leaving certificate shall be issued until the expiry of the period for which the Director has debarred the pupil from admission to a recognised school.

126. *Fees to be charged for Leaving Certificate or other Certificates.*- No fee shall, in any circumstances, be charged for a leaving certificate, if asked for within two years from the date of leaving a school, or from the date of the result of the Secondary School Certificate Examination/the examinations of the Department of Technical Education. After this period a fee of Rupee 1 may be charged. A fee of Rupee 1 may also be charged for a duplicate copy of the leaving certificate or a certificate of birth date or an extract from the register.

127. *Validity of a Leaving Certificate.*-No leaving certificate is valid unless it is in the form prescribed by the Director of Education and is signed by the Head of the school himself.

128. *Entry of birth date in the Leaving Certificate.* Entries regarding the date of birth according to the Christian Era and the standard in which studying in appropriate columns of the Leaving Certificate, shall be made both in figures and in words. These entries shall be in manuscript and not typewritten.

129. *Entry of Examination Results in the Leaving Certificate.*- A note to the effect that a pupil has been promoted or detained shall be entered in the Remarks column of the leaving certificate.

130. *Power to issue departmental instructions.*- The Director may issue instructions with regard to any matter, not covered by this Chapter, relating to admissions to aided schools.

131. *Admission to recognised unaided schools.*- (1) The Head of every

recognised unaided school shall regulate admissions to a recognised unaided school or to any class thereof either on the basis of admission test or on the basis of result in a particular class or school.

(2). Subject to the provisions of sub-rule (1) the provisions of this Chapter shall, so far as may be, apply to admission to a recognised unaided school as they apply to admissions to an aided school.

### CHAPTER XIII

132. *Trust or society not to collect fees, etc., schools to grant receipts for fees, etc., collected by it.*- (1) No fee, contribution or other charge shall be collected from any student by the trust or society running any recognised school; whether aided or not.

(2) Every authorised fee, contribution or other charge collected from any student by a recognised school, whether aided or not, shall be collected in its own name and a proper receipt shall be granted by the school for every collection made by it.

133. *School fund how to be maintained.*- (1) Every school fund shall be kept deposited in a nationalised bank or a scheduled bank or any post office in the name of the school.

(2) Such part of the school fund as may be approved by the Administrator, or any officer authorised by him in this behalf, may be kept in the form of Government securities.

(3) The Administrator may allow such part of the School Fund as he may specify in the case of each school (depending upon the size and needs of the school) to be kept as cash in hand.

(4) Every Recognised Unaided School Fund shall be kept deposited in a nationalised bank or a scheduled bank or in a post office in the name of the school and such part of the said Fund as may be specified by the Administrator or any officer authorised by him in this behalf shall be kept in the form of Government securities and as cash in hand respectively:

Provided that in the case of an unaided minority school the proportion of such Fund which may be kept in the form of Government securities or as cash in hand shall be determined by the managing committee of such school.

134. *Withdrawal from School Fund.*- Withdrawals from the School Fund or Recognised Unaided School Fund, as the case may be, shall be made jointly by the Head of school and the manager of such school, or jointly by the Head of the school and by any duly authorised member of the managing committee, where the head of the school is also the manager of the school.

135. *Accounts of the school how to be maintained.*- The accounts with regard to the School Fund or the Recognised

Unaided School Fund, as the case may be, shall be so maintained as to exhibit, clearly the income accruing to the school by way of fees, fines, income from

building rent, interest, development fees, collections for specific purposes, endowments, gifts, donations, contributions to Pupil's Fund and other miscellaneous receipts, and also, in the case of aided schools, the aid received from the Administrator.

136. *Collections for specific purposes to be spent for that -purpose.-* Income derived from collections for specific purposes shall be spent only for such purpose.

137. *Amount received for scholarships to be spent for that purpose.-* Every amount received by the managing committee of any school, whether aided or not, for payment of scholarships to the students shall be utilised solely for payment of such scholarships and proper receipts shall be obtained from the students to whom scholarships are paid and shall be preserved by the managing committee for the inspection of the Director or any office authorised by him in this behalf.

138. *Aided schools to keep accounts of all income.-* (1) Every aided school shall keep accounts of income from all sources and of all expenditure in the form in which such accounts are maintained immediately before the commencement of these rules.

(2) The accounts of the school shall be open to inspection by the auditors and inspecting officers authorised by the Director, and also by any officer authorised by the Comptroller and Auditor General of India.

139. *Unaided recognised schools to submit returns.-* (1) Every unaided recognised private school shall submit returns and documents in accordance with the instruction issued by the Director of Education from time to time.

(2) Every return or documents referred to in sub-rule (1) shall be submitted to the Director by the 31st day of July of each year.

(3) The accounts and other records maintained by an unaided private school shall be subject to examination by the auditors and inspecting officers authorised by the Director in this behalf and also by any officer authorised by the Comptroller and Auditor General of India.

140. *Pupils Fund.-* (1) Unless the Administrator, by *notification*, otherwise directs, every school maintained or aided by Government or any local authority shall be authorised to charge from each student, contribution to the Pupils Fund,

(i) in any class in the secondary stage VIII to X at the rate of Re. 1/- per month; and

(ii) in the higher secondary stage and primary teachers training institute at the rate of Rs. 2/- per month, . in addition to the fees prescribed by the Department from time to time.

(2) The managing committee of every aided school shall prepare before the commencement of each academic year, a budget of items as are debitable to the Pupils Fund and submit such budget to the Director for approval.

(3) If the collections made by the school towards the Pupils fund falls short of budgeted amount as approved by the Director, the deficiency shall be made good by the Director.

(4) The amount standing to the credit of the Pupils' Fund shall be at the disposal of

the Head of the school and shall be spent in the interest of the students for various physical and co-curricular activities of the school or for such other purpose as may be specified by the Director.

141. *Contributions to Pupils' Fund not to be exempted.* -- Any student exempted from payment of any fee, whether in full or in part, shall not be exempted from contributing to the Pupils Fund.

(2) Nothing in sub-rule (1) shall apply to students, belonging to the scheduled caste and tribe.

142. *Pupils Fund Advisory Committee.* - (1) The administration and expenditure of the Pupils' Fund in all aided schools shall vest in the Head of the school, who shall be assisted and advised by a committee, to be called "Pupils' Fund Advisory Committee".

(2) The Pupils' Fund Advisory Committee shall consist of; (a) the Head of the school;

(b) at least two teachers employed in the school to be elected from among the teachers in their monthly meeting; and .

(c) two students representatives from the secondary classes or the higher secondary classes as the case may be, nominated by the student council or elected by the students.

(3) One of the teacher members of the Pupils Fund Advisory Committee shall function as the Secretary of the Committee and shall maintain the minutes of the decisions taken at the meetings of the committee in a properly maintained minutes book.

(4) The minutes of the Pupils' Fund Advisory Committee shall be liable to inspection by the Director or any officer authorised by him in this behalf or by any officer of the Office of the Accountant General, Central Revenue.

(5) The function of the Pupils Fund Advisory Committee shall be

(a) to discuss and pass budget for expenditure from the funds;

(b) to deal with all other matters relating to the proper utilisation of the Pupils Fund.

(6) The Pupils' Fund Advisory Committee may also give advice with regard to –

(a) applications from the students, parents or guardians for exemption from the payment of any fee, subject to such limit as may be specified by the Director; or

(b) any other matter which may be referred to it by the Head of the school.

## CHAPTER XIV

### Fees and other charges in aided schools

143. *Admission fees.*- No admission fees shall be charged or collected by a recognised school for admission at any stage upto Class. XII and in the classes of Primary Teachers Training Institutes.

144. *Tuition fees.*- Subject to such alterations in the scales of fees as may be made by the Director from time to time, the rate of tuition fees and term fees in the schools shall be as follows:

Sl. No.	Class	Tuition fees per	Term fees per	Admission fees
1	2	3	4	5
(1)	Pre-Primary to Std. IV	Nil	Nil	
(2)	Std. V to VII	Nil	Rs. 5/	
(3)	Std. VIII to X	Nil	Rs. 8/	
(4)	Std. XI	Rs.20/-	Rs. 8/	
(5)	Std. MI	Rs. 30/-	Rs. 8/	
(6)	D.Ed.1st and 2nd year	Rs.20/-	Rs.8/	
(7)	Std. V			Rs. 5/-
(8)	Std. VI			Rs. 5.50
(9)	Std. VII			Rs. 6.00
(10)	Std. VIII			Rs. 6.50
(11)	Std. IX			Rs. 7.00
(12)	Std. X			Rs. 8.00

Provided that the unaided pre-primary and primary schools can charge the monthly tuition fees upto Rs. 10/- per month, and the unaided secondary schools can charge fees upto Rs. 15/-per month with the prior approval of the Director of Education:

Provided further that the Higher Secondary Schools and the Primary Teachers Training Institutes can charge the laboratory fees, library deposit, etc. as prescribed by the Director of Education from time to time.

145. *Ban on the levy of unauthorised fees or funds.* - No fees, funds or contribution other than those specified by these rules or permitted by the Director in writing shall be charged by any recognised school.

146. *Donation not to be levied compulsorily.*- (1) No aided school shall levy or collect any donation from any student or any parent or guardian or any student directly or indirectly.

*Explanation:* Any voluntary donations or interest free loan collected from the students or from the of parents or guardians at the time of admission shall amount to breach of this rule.

(2) No aided school shall collect any donation through its student for the aid of teachers or for any fund for the aid of teachers, but however the funds collected on the "Teachers Day" shall not amount to breach of this rule.

147. *Concessions to children or wards of employees.*- (1) No fee shall be charged from the children or wards of the employees of any aided school.

(2) No fee shall also be charged from the children of the employees of the aided school who have retired from service or have died.

## CHAPTER XV

### Other duties and responsibilities of managers and managing committees of schools

148. *Managing committee how to run schools.*- Every managing committee shall run the school managed by it in the best interests of education of children and for the better organisation and development of school education in the Union territory of Goa, Daman and Diu.

149. *Managing committee not to create adverse Situations.* - Every managing committee shall allow a school managed by it to function normally and smoothly and shall not cause any situation by which or due to which, the normal and smooth functioning of the school may be hampered nor shall it interfere in the day-to-day affairs of the school.

150. *Managing committee to comply with the Rules regarding recognition of schools, receipt and utilisation of the aid, etc.*- Every managing committee shall comply with the provisions of the Act and these rules with regard to the recognition of the schools and shall also comply with the provisions of these rules with regard to the receipt and utilisation of aid and shall maintain in accordance with these rules, proper accounts of all fees and contributions received by it.

151. *Managing committee to offer facilities for inspection.*---Every managing committee shall provide all reasonable facilities for the inspection of the school and also for the inspection of its account books, registers and other documents required by these rules to be maintained by such schools.

152. *Managing committee not to act adversely to the interests of the school.*- The managing committee shall not conduct the affairs of the school in such a way as to adversely affect the interests of the school.

## CHAPTER XVI

Term of office of the members of the Advisory Board and the travelling and other allowances admissible to them

153. *Term of office.*- -) Every member of the Advisory Board shall hold office for a period of three years from the date on which he is nominated by the Administrator, and shall be eligible for re-nomination for a like period and shall, notwithstanding the expiry of the term of his office, continue to hold such office, unless his successor is nominated by the Administrator.

(2) Subject to the provisions of section 24 of the Act, no member of the Advisory Board shall hold office consequently for more than two terms.

154. *Resignation.*- -) A member of the Advisory Board may by giving notice in writing to the Administrator, resign his membership of the Board.

(2) A resignation shall take effect from the date of communication to the member concerned of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.

155. *Vacancy in the office of a member.* - -) A member of the Advisory Board shall be deemed to have vacated his office:

(a) if he is of unsound mind-and stands so declared by a competent court;

(b) if he is tan undischarged insolvent;

(c) if he is convicted of an offence which in the opinion of the Administrator, involves moral turpitude;

(d) if he does not attend three consecutive meetings of the Advisory Board without obtaining leave of absence from the Administrator; or

(e) if he ceases to have the status on the basis of which he was nominated by the Administrator.

(2) Any vacancy in the membership of the Advisory Board whether cause resignation or by any of the reasons specified in sub-rule (1) or by death shall be filled by nomination and the person so nominated shall hold office for the remainder of the terms of office of the member in whose place he is nominated.

(3) The Advisory, Board shall be functioning not-withstanding any vacancy in the membership thereof.

156. *Travelling and other allowances.*- The members of the Advisory Board shall be entitled to such travelling or-daily allowances as are admissible to non-official members of the committees, boards or the like in accordance with the orders issued by the Central Government from time to time and shall not be entitled to. any other remuneration.

## CHAPTER XVII

### Inspection of schools

157 *Inspection and supervision of schools.*- (1) The ,Director shall be

responsible for the supervision and inspection of all recognised schools, whether aided or not.

(2) For the purposes of sub-rule (1) the Director may assign all or any of his functions relating to supervision and inspection to such officers subordinate to him, and as may be authorised by him in this behalf.

(3) Every officer authorised by the Director under sub-rule (2) shall discharge his powers of supervision and inspection under the direction, control and supervision of the Director.'

(4) The Director may also form a team of panel of persons with special knowledge and experience of different subjects taught in schools, to carry out inspection of a school.

(5) The Director may also carry out surprise inspection through any officer authorised by him in this behalf.

(6) Every person, other than the Director, inspecting a school shall, within fifteen days from the completion of the inspection, submit to the Director, the report as to the results of the inspection, and shall simultaneously send a copy of the report to the school concerned.

(7) Where the Director himself makes the inspection, he shall make a note of the defects or deficiencies noticed by him and shall send a copy of that note to the head of the concerned school.

158. *Advance notice of inspection to be given to schools* ---Except where a surprise visit is considered to be necessary advance intimation of the proposal to carry out inspection of a school shall be given to the head of the school.

159. *Inspection how to be made*.- (1) Every inspection shall be objective as far as possible and shall be aimed at bringing about improvements in the standards of teaching in the school.

(2) In making the inspection the following items shall be critically examined, namely: -

(a) academic work, that is to say, actual teaching and its different aspects;

(b) library and its service to students and teachers;

(c) games and sports and their organisation;

(d) co-curricular activities;

(e) cordiality, or otherwise of the teacher of the school with the parents of the students and the community in general;

(f) administration of the school; observance of school timing, guidance to the junior teachers etc.

- (g) accounts of the school and their maintenance;
- (h) the school plant and physical needs of the school;
- (i) discipline, tone and tenor of the school;
- (j) observation by the school of the rules and instructions;
- (k) remedial teaching and special efforts made for the benefit of slow learners, etc.

(3) The inspecting officer shall go to each class and watch the teaching by each teacher in at least two classes and shall specifically note the matters specified in form No.

*160. Number of schools to be inspected by Inspecting Officers in a year.-* The Deputy Education Officers shall inspect/cause to inspect all the schools in their charge every year. The Dy. Edn. Officer shall inspect on an average 40 secondary schools in a year. The Dy. Directors of Education and Asstt. Directors of Education shall also inspect 10-20 secondary schools as allotted to them by the Director.

*161. Inspection report.-* The report of every inspection shall be made in Form No. IV and shall contain information with regard to each matter specified in that Form.

## CHAPTER XVIII

### Miscellaneous

162. *Provisions of certain rules to apply to Government school.-* (1) The Provisions, of these rules, in so far as they relate to the matters specified in sub-rule (2) shall also apply to Government schools and to schools run by local authorities.

(2) The matters referred to in sub-rule (1) are:

- (a) regulation of education; (Chapter II);
- (b) admissions to and withdrawal from recognised schools; (Chapter XII );
- (c) educational qualifications. prescribed for teachers; (rule 78);
- (d) Code of conduct for teachers; (rule 100);
- (e) Pupils' fund; (rule 140);
- (f) fees and other charges to be levied in recognised aided schools, including fee concessions; (rule 143 and 144);
- (g) inspection and supervision of schools; (chapter XVII);

By order and in the name of the Administrator of Goa, Daman and Diu.

*D. N. Accawade, Under Secretary (Education).*

Panaji, 12th November, 1986.

FORM I  
(Rule 36)  
**Application for grant of recognition**

**To**

The ... (Give the name of appropriate authority).

...  
...

Sir,

I forward herewith an application in the prescribed program for the grant of recognition to ...(name of the school) ...with effect from the commencement of the school year 19...

Yours faithfully,

Chairman of Managing  
Committee/Manager.

Enclosure: One

Place:

Date:

PROFORMA

1. Name of the school.
2. Name of the District and Zone in which it is situated.
3. Date of First opening of the school.
4. Special aims of the school.
5. Stage upto which educational facilities provided (primary, middle or higher secondary).
6. Medium of instruction at various stages.
7. Stage of education upto which recognition desired (primary, middle or higher secondary).
8. In case recognition is desired upto middle and higher secondary stages, subjects in which recognition is desired.

9. Number and categories of recognised schools already functioning in that locality.
10. General desirability of the school with reference to the suitability and sufficiency of the existing school in the locality and the probable effect on them.
11. Whether the school is run on commercial basis for profit to any individual or group of individuals.
12. Constitution of the Managing committee of the school together with the names of the members of the Committee and their occupations.
13. (a) Is the Society running the school registered under the Societies Registration Act, 1860? (If registered, an attested copy of the certificates of registration to be attached).
  - (b) Name of the Manager of the school.
  - (c) Whether the school has a duly approved scheme of the management.
14. Has the school its own building or is housed in a rented buildings ?
15. Total area of the school campus with the total built-up area,
16. Accommodation provided In the school building (dimensions to be Indicated in all cases).
17. (a) Number of classrooms with Seating capacity in each.
  - (b) Details of furniture, fans, ventilation provided in each class-room.
  - (c) School library and reading room.
  - (d) Science laboratories.
  - (e) School Hall.
  - (f) Staff room.
  - (g) Room for head of school.
  - (h) Office room.
  - (i) Store room.
  - (j) Refreshment room for students.
  - (k) Bath rooms and lavatories for day scholars.
  - (l) Drinking water facilities.
18. Total area of play grounds and the number of play grounds available an, games played.
19. Details of apparatus and equipment for
  - (a) Physics.
  - (b) Chemistry.
  - (c) Physiology and Hygiene,
  - (d) Home Science.
  - (e) Drawing, Paint.
  - (f) Music.
  - (g) Biology.
  - (h) Agriculture.
  - (i) History.

- (j) Geography.
- (k) Cookery.
- (l) Graft.
- (m) Commerce.
- (n) Technical subjects.

20. Number of books in the Library.

21. Is there a separate section of library for teachers ? If so, how many books are there in the section ?

22. Amount spent on the purchase of books for the library every year from the date the school was opened.

23. Financial position of the school;

- (a) Reserve Fund.
- (b) Average monthly income from
  - (i) fees;
  - (ii) other sources (sources to be specified).
- (c) Total monthly income.
- (d) Average monthly expenditure (details to be given).

24. Number of students:

Name of the class	Number of section	Number of students in each Section	Average attendance in each section during the last six months

25. Whether admission in the school is open to all without any discrimination based on religion, caste, race, place of birth or any of them..

26. Whether any religious instruction is imparted and if so, whether it is compulsory,

27. Details of curriculum and Syllabus followed in each class.

28. Educational and vocational guidance facilities available.

29. Whether the management maintains a provident fund scheme or any other similar scheme for the staff.

30. Rates of fees and other funds charged (class-wise)

31. Number of students residing with their parents/guardians and arrangements made for their residence.

32. Details of staff including Head of School.

Name	Date of Birth	Academic qualifications, training, previous teaching experience, if any
1	2	3

Subjects teacher at present	Date of appointment	Present Pay with the scale of pay	Whether whole-time or part time
4	5	6	7

33. Details of facilities available for Physical Education and recreation.

34. Medical facilities for students.

35. Details of co-curricular cultural and other activities organised in the school.

36. Any other Information.

Chairman / Manager,  
Managing Committee

Place: ...  
Date: ...

..... School

Form II  
(Rule 49)

	Locality and description of the School
2	Class of School
3	Name of the Society or other controlling body
4	Date of Establishment
5	Names, ages and places of education of the Headmaster and Asstt. Masters with academic and professional qualifications in full
6	Other employment if (any) of teachers
7	Rate or rates of fees
8	Pay and scale of pay
9	Amount of fees received during the 12 months preceding the application
10	Average annual income from all sources exclusive
11	Average annual expenditure
12	Number of pupils in each standard during the year for which a grant recognition is requested
13	Name and residence of parties to whom reference
14	Name and postal address of Secretary or correspondent who will be responsible for correspondence with the Department

Dated:... Place:

(Signature) Manager  
School

APPENDIX A  
(Rules 69)

**Form of Application for Building Grant /Loan**

- (1) Locality.
- (2) Name of the Institution.
- (3) Class of the Institution under the Grant-in-aid Code (Chapter I).
- (4) The purpose for which the Grant is claimed.
- (5) Amount of grant.
- (6) The Total cost and the proportion which the grant bears to it.
- (7) Whether the Institution has received a building grant before, if so, how much and under what orders.
- (8) If a deed has been executed the last Government Resolution in the matter.
- (9) Whether the site has been granted by Government, if so, under what orders and terms....
- (10) Whether the title of the Management to the site is good.
- (11) Whether the plans and estimates have been approved and if so, by whom.
- (12) The agency by which the work is to be carried out.
- (13) Whether the Management is willing to execute a trust deed or agreement in case the grant is given.

Dated: 19...

(Signature)  
Manager  
..... School

FORM III  
(See rule 71)

**Statement of Movable and immovable properties**

Name and address of the school:

---

---

As at the time of  
grant-in-Aid as on...

1. Extent of site including playgrounds and nature of ownership.
2. Total area of
  - (a) Class rooms
  - (b) Other, building including hostels, if any.
3. Number of class rooms and size of each.
4. Whether the buildings are tiled, and floor  
is cemented or paved or other-wise?
5. Furniture: Table Chairs Almirahs  
Benches Desks  
Black boards Boxes  
Stools, etc.
- 6 Science and other apparatus.
7. Appliances:  
Maps  
Charts  
Pictures  
Models, etc.
8. Number of books in the library.
9. Particuiars if electric fittings, water supply and sanitation.
10. Equipments for games and athletics.
11. Audio Visual equipments such as:  
  
Television sets  
  
Film strips projectors Radios  
  
Magic lanterns  
Epidiascopes, etc.
12. Craft equipment.
13. Investments in Government securities, etc.
14. Other items, if any Place:... Date .  
Chairman of Managing Committee/Manager  
.... School  
.....

Note: School includes the land, buildings, playgrounds, and hotels of the school and the movable properties such as furniture, books, apparatus, maps, and equipments pertaining to the school.

SCHOOL INSPECTION PROFORMA

FORM IV

(See Rule 161)

**Data for Inspection of Secondary Schools**

- 1) i) Name of the School.  
 ii) Address of the School. Phone Number (If any)  
 iii) Year of its foundation.  
 iv) Name of the Management.  
 v). Number and date of registration as Society/Trust.  
 vi) Medium of Instruction
- 2) a) Whether the school is aided/unaided/Government
- 2) a) Whether the school is aided/unaided/Government  
 b) Whether the school is duly recognised by the Goa, Daman and Diu Board of Secondary and Higher Secondary Education.  
 And the period of recognition if any.  
 c) The year of the first time recognition by the Board.  
 d) Index number of the school given by ... the Goa, Daman and Diu Board.
- 3) Name of the correspondents  
 a) Headmasters/Headmistress.  
 b) For the Management. ...
- 4) a) i) Date of Preceding Inspection.  
 ii) Date of Present Inspection
- b) Follows up action taken by the School/Management on the previous suggestions ( Attach a separate sheet)

Suggestions given	Steps taken to comply with the suggestions
1.	
2.	
3.	

5) *Working Hours, Days*

- a) The school works from ... to.. Recess from ... to ...
- b) Number of working days per week. ...
- c) Number of Instructional Hours per week. ...
- d) Number of working hours per week. ...

e) If working in shifts, quote the number and date of permission letter of Director of Education.

6) Total Number of working days for the last academic year.

	working	Instructional
1st Term	...	...
2nd Term	...	...
	_____	_____
Total	_____	_____

7 (a) Number of pupils on roll (as on 15th July of the current academic year)

Note: If there are divisions, a separate sheet should be used mentioning number of pupils divisionwise).

	VI	VII	VIII	IX	X		Total number of pupils
Area in sq. Metres							Present on the day of Inspection Roll at the last inspection
Boys							
Girls							
Total							
No. of Pupils B belonging to Schedule Caste/ Schedule Tribes .							
Total							

8) School Premises

- a) i) Number of buildings in which the school is functioning. ....
- ii) Distance between the buildings if functioning in more than one building. ....
- iii) If the rent is paid, the party to whom it is paid ....
- iv) Is there a valid rent contract between the school and the party ? ....
- v) Total area for which rent is certified by the P W. D. in (sq. mets). ....
- vi) Total certified area used (in sq, metres). ....
- b) State the area in sq. metres for the following separate rooms, if any.,
- i) Office of the Headmaster. ....
- ii) School Office. ....
- iii) Staff room ....
- iv) Office of the Management if any
- v) Assembly Hall ....
- vi) Laboratory:
- 1) Physics. ....
- 2) Chemistry. ....
- 3) Biology ....
- vii) Library. ....
- viii) Drawing. ....
- ix) Craft. ....
- x) Common room for girls. ....
- xi) Recreation room (in-door games). ....
- xii)** Store room. ....
- xiii) Geography. ....
- xi) Any other (specify). ....

Total Area

\_\_\_\_\_

\_\_\_\_\_

- c) Area of Play Ground. ...
- d) Whether there is electric supply to the school building/s. ...
- e) Particulars regarding drinking water facility.
- f) Provision for sanitary arrangement

		Number
1) For boys	Urinals W. C.	_____ _____
2) For girls	Closets W. C.	_____ _____
3) For staff	urinals W. C. Closets	_____ _____

9) *Furniture*

- a) Number of desks-cum-benches
    - Single sitter
    - Two sitters
    - Three sitters
- Total                      ... b) Number of

Newspaper stands.

- c) Number of-

	Almirah	Tables	Chairs	Racks	Notice Boards
i) In classes					
ii) In Library					
iii) In Laboratory					
iv) In School Office					
v) In Head-masters'					
vi) In staff room					
vu) Elsewhere (please mention where)					
Total					

- d) Any other furniture items (Specify names and number)

- e) Date of Physical verification of the furniture

10) Office and other *Equipment*

- a) Number of

- i) Typewriters.
- ii) Wall clocks.
- iii) Fans.

b) Whether there is cyclostyling Machine.

c) Other Amenities

(Tick in the box against the items if existing)

i) Telephone

ii) inter Com.

iii) Any other (Specify)

d) Whether there is cash-chest *II) Library*

a) Total number of books as on 15th July of the current academic year.

i) Number of General Books 1st Language ( )

    IInd Language ( )

    IIIrd Language ( )

    Any other Language ( )

Total \_\_\_\_\_

ii) Number of Reference Books -

(i) Dictionary (Languagewise). (ii) Others

Total

iii) Number of Books on Education.

iv) Number of sets of text books as prescribed -

V	VI	VII	VIII	IX	X

b) Periodicals subscribed to -

1) Names of Education Magazines. 2) Names of Subject Magazines. 3) Names of Newspapers. 4)

Names of other periodicals.

c) Date of Physical verification of the Library.

12) a) *Laboratory*

i) Number of Charts in -

i) Physics

ii) Chemistry

iii) Biology

ii) Number of Models in -

i) Physics

ii) Chemistry

iii) Biology

b) (i) Whether the apparatus is maintained subjectwise separately.

(ii) Number of sets of apparatus existing in the Laboratory for each prescribed experiment:

Standard I	V	VI	VIII	IX	X

Number

(iii) The Maximum number of pupils that can work at a time in each Laboratory.

Type	Dimension of the Table	Number of Tables
Demonstration		
Work Table		

(v) Number of stools

(vi) Tick in the box against the item if existing in the Laboratory

1) Chalk Board

2) Graph Board

3) Electricity


4) Water facility

5) Fire Extinguisher

--

c) Whether the Stock Register for consumables is maintained separately.

d) Date of Physical verification of the dead stock.

13) Teaching *Aids*:-

a) Number of

i) Chalk Boards

ii) Roll-up Chalk Boards

b) Audio Visual Aids:

(Tick in the box against the item, if existing)

1) Slide Projector

--

2) Tape Recorder

--

3) Film Projector

--

4) Over head Projector

--

5) Radio Set

--

6) Television

--

7) Public Address system

--

8) Any other (specify)

--

c) *Subjectwise* teaching *Aids*

i) Language Charts:-

Language	Number


ii) Mathematics

1) Charts

Subject	Number
Algebra	
Geometry	
Arithmetic	

2) Number of sets of Mathematical Instruments

3) Number of Graph,Boards ...

4) Any other (Specify item and number) ...

iii) History Civics

1) Number of Charts ...

2) Number of Maps ...

iv) Geography

1) Number of Charts

2) Number of Maps

3) Number of Models ...

4) Number of Globes

5) Any other (specify name and number) ..

v) Art/Drawing -

1) Number of tables specially designed for drawing

2) Number of Drawing Boards if any ...

3) Number of Models for object Drawing ..

4) Any other Aid  
(Specify Name and number)

vi) Music Instruments (Tick in the Box against the item if.. existing)

1) Harmonium

2) Tabls

3) Violin

4) Guitar

5) Piano

6) Any other (Specify)

14) *Physical Education/Sports/Games*: -

- a) For what games and sports are facilities provided by the school ? ...
- b) The date of last Medical Examination of pupils. ...
- c) Whether health records of pupils are maintained,
- d) Date of the last Physical Education Inspection.

14. *Craft/work experience/Socially useful productive work*

(a) State the courses introduced standardwise

Standard		V	VI	VII	VIII	IX	X
	i)						
	ii)						
	iii)						
	iv)						

(b) Whether the equipment for each course introduced, as stated, above is adequate.

(c) Whether the teachers teaching the courses are duly qualified to teach the courses introduced ?

16) Optional *Languages*:

a) State the optional languages taught and the number of pupils for each language.

Standard	Language	Number of pupils
V		
VI		
VII		

VIII		
IX		
X		

17) Results:

a) Result of S.S.C. or its equivalent Examination for the last three years;

Year	Number of pupils on roll	Number of pupils appeared	Number of pupils passed	Pass percentage	Number Pupils passed grade wise of	
					D. I.	I. P

b) Subject wise pass percentage at. the last S.S.C. or its equivalent; Examination.

Subject	Pass Percentage	Remarks if any
1		
2		
3		
4		
5		
6		
7		

c) School Examination Results (Last Academic Year)

Std.	No. of pupils on roll	Number of pupils promoted		Tots
		Without condonation	With condonation	

V			
vi			
VII			
VIII			
X			

18) Stagnation (Number of Repeaters).

Std.	For one year	For two year	For more than two years
V			
VI			
VII			
VIII			
<b>IX</b>			
X			

19) Co-curricular Activities :-

a) State the activities conducted

(Tick in the Box under the activity, conducted in the school).

N.C.C.,	Scouting,	House System,	Social Service,	Science Club
Dramatic,	School Magazine,	Wall paper,	Saving Bank,	Exhibition.

Elocution	Debate,	Assembly, & Prayer,	Educational Excursion

School Gathering/Annual day

Any other specify

b.) Give a brief report of the activities conducted during the last academic year (Attach a separate sheet).

20) Relation of *school* with parents and community:

a) Whether there is parent teachers' Association ...

b) Number of meetings of the PTA. held during the last academic year. ...

c) Give a brief report of the activities -of the PTA. for the last academic year (Attach a separate sheet).

21) Staff *Meetings*: -

a) Number of staff meetings held during the last academic year. ...

b) Name the topic on Education discussed at the meetings

c) Number of separate meetings held with subject teachers. ...

22) Records *and registers*: -

Whether the following registers/records as prescribed are maintained

(Tick in the box against the item, if maintained).

a) Pupils:

1) General Register in the prescribed 'form

2) Pupils Attendance Register (Class-wise and Monthwise).

3) School leaving certificate received from other schools.

4) Counterfoils of school leaving certificates issued to the pupils.

5) Records of Examination Results.

6) Health Records.

7) Answer books of the last Annual Examination.

8) Records of pupils admitted with test.

9) Any other specify.

b) Employees:

1) Personal files.

2) Service Books.

3) Muster Roll.

4) Confidential Reports.

5) Confidential Report of the Head<sup>i</sup>-Master.

6) Discharge Certificates if previously employed elsewhere.

7) Register of private tuitions conducted by the teachers, if any.

8) Leave records.

9) Register of Casual leave.

10) Register of the minutes of the Staff meeting.

- 11) Any other specify.
- c) Laboratory:
  - 1) Register of equipment in the Laboratory (Sectionwise).
  - 2) Register of Consumable material (Sectionwise)
- d) Library:
  - 1) Accession Register.
  - 2) Register of Book (Sectionwise)
  - 3) Library issue register.
  - 4) Register of Book Bank.
- e) Sports:
  - 1) Register of sports material.
- f) Office:
  - 1) Register of Dead Stock.
  - 2) Register of consumable articles
  - 3) Inward Register.
  - 4) Despatch Register.
  - 5) Guard file.
- 6) Daily cash book for the maintenance grant.
- 7) Daily cash book for the term fee account:
- 8) Ledge showing Receipt and Expenditure.
- 9) Register of caution Money deposit received and refunded.
- 10) Fees Account Book.
- 11) Provident Fund Account Book.

- 12) File of Vouchers.
- 13) Monthly pay bills.
- 14) Acquittance Register.
- 14) File containing Govt. circulars.
- 15) Register of Registers
- 16) Register of Files.
- 18) Register showing the dates due and of submission of returns statements to be submitted to the Government or any other authority.
- 19) Any other specify.

g) Miscellaneous. Registers, Records:

1) Head-master's Log Book 2) Supervisors log Book.

3) Registers of Teaching Aids (Map & Charts). 4) File of Monthly returns if any. 5) Teacher's Log Book.



6) Annual plan of Instruction.

7) Any other (Specify).

23) Teaching *Staff*. • -

- a) Number of Permanent Teachers. ...
  - b) Number of Teachers on probation. ...
  - c) Number of Temporary Teachers.
  - d) Number of Teachers under Training.
  - e) Number of Teachers in the Graduate Scale.
  - f) Number of Teachers in the undergraduate scale.
  - g) Number of special teachers and for which subject.
- Changes in the staff since last Inspection.



24 (c) None of Teachers teaching Subjects classwise

Standard Division- wise	1st lan- guage	2nd lan- guage	3rd lan- guage	Science			Mathe- matics		Social Science		Physical Education	Drawing	Work Expe- rience/ /craft/ /S. U. P. W.	Music	Another Specify
				Physics	Chemistry	Biology	Algebra	Geography	History Civics	Geography					
1	2	3	4	5	6	7	8	9	10	11	12				
V															
VI															
VII															
VIII															
IX															
X															

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EDUCATION DEPARTMENT

**Directorate of Education**

**Addendum**

DE/ Acad.I/Misc./1122/86-87/618

*Read: 1) Govt. Order No. DE/A.cad.I/Misc/1122/83-84/2339 dated 17/8/83.*

*2) Govt. Order No. DE/Acad. I/Misc/1122/83-84/1984 dated 25/7/84.*

In Government orders quoted above on the award of Selection Grade pay scales to teachers of Non-Govt. Aided Schools and Primary Teachers Training Colleges, the following guidelines shall be added to the Annexure to the said order dated 17/8/83 after serial number XIV.

"XV Selection Grade once given shall be with-drawn when there is subsequent reduction in number of permanent posts in a particular school in a particular category due to reduction of strength of staff on account of closing of divisions and the existing selection grade posts shall be proportionately reduced and the juniormost incumbent holding selection grade post shall be reverted, to his original post."

By the virtue of this addendum, para 5 of Circular No. 31. of No. DE/GIA-17/Sel-Grade/73, dated 16/2/1974, stands amended.

This is issued with the concurrence of the Finance Department vide their U. O. No. FS/280/86 dated 12-8-1986.

S. V Kurade, Director of Education and Ex-Officio Additional Secretary to Govt. of Goa, Daman and Diu.

Panaji, 17th March, 1987.

(Published in Official Gazette, Series I No. 1 dated 2-4-1987)

**ORDER**

**DE/ACCTS/CPF/5/73/244**

Whereas it **was** felt necessary to amend certain Rules In the Union Territory Teachers Contributory Provident Fund-Cum

Pension Rules 1965 with a view to removing certain anomalies and provide better relief to the teacher pensioners.

And whereas, the Govt. of India, Ministry of Human Resource Development (Dept. of Education) New Delhi have conveyed their approval to the proposed amendments to the said rules with concurrence of Integrated Finance Division vide their letter *Nor F 6-7/82-U.T.I. dt. 27-11-1986.*

Now therefore, following amendments are hereby ordered;

1. Dearness relief shall be paid to the pensioners at the rate applicable under the C. C. S. (Pension) Rules 1972 and revised from time to time.

2. The amount of Rs. 20/- and 75/- mentioned in the sub-paragraph (ii) of Rule 22. Family Pension may be read respectively as Rs. 60/- and Rs. 160/-.

3. The sub-paragraph (i) of the Rule 22 shall be substituted by the following sub-paragraph. "A family pension, not exceeding the amount specified in sub-paragraph, (ii) may be granted to the family of a teacher who dies, whether while in service or after retirement after completion of not less than 20 years qualifying service for the periods prescribed under the Rule 54 of C. C. S. (Pension) Rule 1972.

The above amendments shall be effective from the, date of

approval of the Govt. of India viz. from 27-11-1986.

By order and in the name of the Administrator of Goa, Daman and Diu.

*S. V Kurade*, Director of Education & Additional Secretary to the Government of Goa, Daman and Diu.

Panaji, 22nd April, 1987.

**(Published in the Official Gazette, Series I No. 6, dated 7-5-1987)**

**Addendum**

**DE/PLG/Col/26/86/III/772**

Read:-1) Govt, order No. DE/ Acad. I/Misc/1122/83-84/2339 dated 17-8-1983.,

" 2) Govt' order No. DE/Acad. I/Misc/1122/83-84/1778 dated 5-7-1.984.

3) Addendum No., DE/ Acad. I/Misc/1122/84.85/1984 dated 25-7-1984.

Government is pleased to extend the facilities of selection Grade pay scales to the teachers Grade I (Post Graduate, teachers) working in the Higher Secondary Schools and Higher Secondary Units of the Colleges as made applicable to the teacher Grade 'I/Sr.'" Instructors of the aided Primary Teachers/Training Colleges in Goa vide Addendum quoted at Sr. No. 3 above on the same terms and conditions specified therein.

However this *benefit* shall be granted to those incumbents who are eligible for the selection Grade pay scales w.e.f.

"10-6-1983 to 31-12-1985;x, This issues with the concurrence of Finance Department vide their U.O.R. No. 7701 dated 20-11-1987.

By order and in the name of the Governor of Goa.

*S. V Kurade*, Director of Education and Ex-Officio Addl. Secretary to Govt. of Goa.

Panaji, 17th December, 1987.

(Published. in the Official Gazette, Series I, No. 40 dated 31-12-,987)

**Office Memorandum 7/4/85/EDN**

*Sub:* Pension and retirement benefits for employees of recognised aided Schools (not being an unaided minority School).

*Ref.:* Chapter X-Additional benefits Rule 102 and 103 of Goa School Education Rules, 1986.

The question of giving effect to the provision of Section 13 of Goa School Education Act, 1984, to give parity in the entitlement of Pension/Family Pension and other retirement Benefits to the employees of aided Schools, as applicable to their counterparts in Government Service, was under consideration of Government for sometime. After careful consideration of the matter, the Government is pleased to adopt the Pension/Family Pension Scheme contained in Central Civil Services (Pension) Rules, 1972, as amended from time to time for the employees of the recognised aided Schools (not being unaided minority Schools) in Goa with effect from 14th November, 1986 to the extent permissible.

Now, therefore, in pursuance of Rule 103 of Goa School Education Rules, 1986,

Government is also pleased to prescribe the following working procedure for effective implementation of the Pension/Family Pension Scheme in respect of the said employees except those who have specifically opted for retaining their existing Pensionary and retirement benefits contained in the Triple Benefit Scheme/Contributory Provident Fund Scheme, as the case may be.

For the purpose of administering the Central Civil Services "Pension" Rules, 1972, the concordance of various authorities specified in the Definition Section of the said Pension rules shall

be as follows, *in relation* to aided/recognised Schools covered by the Education Act and Rules framed thereunder: --

(a) "Account Officer" means the head of Accounts and Treasury organisation of the State Government of Goa, i. e. Director of Accounts or by whatever designation called from time to time and shall include other officers acting by order and on behalf of the Director of Accounts.

(b) "Appointing Authority" means Chairman of Managing Committee of the School as defined in Section 76 (1) of Goa Education Rules, 1986.

(c) "Head of Department" means Director of Education.

(d) "Head of Office" means the Zonal Education Officer or such other Government Officer as the Director of Education may appoint from time to time.

(e) "*Pension* Disbursing Authority" means State Government, Treasury including a. Sub-Treasury, and such other Agency as approved by Government.

Among other things, *following* are the important assignments of work of various authorities entrusted with the task of implementing the pension/family pension and retirement benefits Scheme.

(a) Head of School:

(i) Spade work for preparing pension papers

(ii) Obtaining relevant documents like Form 3, 5, photos and other material in prescribed forms from employees/or their families as the case may be.

(iii) Preparation and finalisation of pension papers complete in all respects and their eventual submission to

the Head of Office (Zonal Education Officer of the area) as per prescribed time Schedule.

(b) Zonal Education Officer: -  
(Head of Office)

(i) Sanction of provisional pension and its drawal,

(ii) Verification of pension papers/service records and calculation of entitlements.

(iii) Sanctioning of pensionary and other retirement benefits.

(iv) Timely forwarding of scrutinised pension papers to Accounts Officer (Director of Accounts).

(c) Director Accounts: -(Accounts Officer)

(i) Pre-check of provisional Pension claims presented by Head of Office (Zonal Education Officer).

(ii) Pre-check of pension papers submitted by Head of Office.

(iii) Authorisation of pension and other retirement benefits through Pension Payment orders.

(iv) Disbursement of pension and other retirement benefits through Pension Disbursing Authorities.

Where any doubt arises as to the interpretation of this Office Memorandum, it shall be referred to Government for decision.

This issues with the concurrence of Finance Department vide their U.O. No. FS/850/88 dated 31st August, 1988.

By order and in the name of the Governor of Goa. *D. N. Accawade,*

Under Secretary (Education). Panaji, 30th September, 1988.

(Published in the Official Gazette, Series I, No. 38 dated 22-12-1988)