

Haryana School Education Rules, 2003

HARYANA GOVT. GAZ. (EXTRA),

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(English version page 459 to 579)

HARYANA GOVERNMENT

EDUCATION DEPARTMENT

Notification

The 30th April, 2003

No. GSR. 7/H.A.12/99. S. 24(1)/2003 dated 30.04.2003-

In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 24 of the Haryana School Education Act, 1995 (Act 12 of 1999), and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules, to regulate education in all non-Government schools, to promote better organization and development of school education, the manner of admission to recognized schools, fee structure, uniform code of service conditions for employees, adequate infrastructural facilities to be provided to pupils and to follow approved course of studies, in the State of Haryana, namely:—

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CHAPTER 1

Short title and commencement.

1. (1) These rules may be called the Haryana School Education Rules, 2003.

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

Definitions.

2. In these rules, unless the context otherwise requires,—

- (a) “Act” means the Haryana School Education Act, 1995 (Act 12 of 1999);
- (b) “appellate authority” means an authority to whom an appeal against orders of appropriate authority may be preferred, namely:—
 - (i) where Director is appropriate authority, to the secretary;
 - (ii) where District Education Officer is appropriate authority, to Director Secondary Education;
 - (iii) where District Primary Education Officer is appropriate authority, to Director Primary Education;
- (c) “Affiliating Board” means the concerned Board referred to in clause (a) of section 2 of the Act;
- (d) “Administrator”- means a Government officer of suitable rank authorized by the Director to take over the managing committee of an aided school;
- (e) “Appendix” means the Appendix appended to these rules;
- [(ee) ‘Appropriate authority’ means the authority declared by the central/state

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Government under any law for the time being in force to register or issue a certificate for particular purpose;]***

- (f) “Department” means the Director Secondary Education, Haryana and Director Primary Education, Haryana, as the case may be;
- (g) “Form” means a Form annexed to these rules;
- (h) “inspecting officer” means the officer authorized to inspect the school by Director/ District Education Officer/ District Primary Education Officer;
- (i) “section” means a section of the Act;
- (j) (i) “pre-primary stage” means a stage of school education prior to the primary Stage;
- (ii) “primary stage” means a stage of education from class I to V (both inclusive);
- (iii) “middle stage” means stage of school education from class VI to VIII (both inclusive);
- (iv) “secondary stage” means a stage of a school education from class IX to class X (both inclusive);
- (v) “senior secondary stage” means a stage of school education from class XI to XII (both inclusive);
- (k) “Nationalized Bank” means the State Bank of India constituted under section 3 of the State Bank of India Act, 1955(23 of 1955) or a subsidiary bank constituted under section 3 of the State

***Inserted vide notification
No. S.O.3/H.A.12/1999/S.24/
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Bank of India (Subsidiary Banks) Act, 1959(38 of 1959), or a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, (40 of 1980);

- (l) “Prescribed” means prescribed by rules made under this Act;
- (m) “public examination” means an examination conducted by Board of School Education, Haryana, the Central Board of School Education, Council for Indian School Certificate Examinations, or any other Board;
- (n) “Schedule bank” means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934);
- (o) words and expressions used in these rules but not defined, shall have the same meaning as assigned in the Act;—
- [(p) the words “Director Primary Education” and “District Primary Education Officer”, wherever occurring, the words and signs, “Director Elementary Education” and “Additional District Education Officer”, as the case may be, shall respectively be substituted.]***

***Inserted vide notification
No. S.O.3/H.A.12/1999/S.24/
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CHAPTER II

**ESTABLISHMENT, RECOGNITION, MANAGING
COMMITTEE AND GRANT-IN-AID TO
SCHOOLS**

[3. (1) No school in the State can function, establish or start classes without the prior approval or permission of the Director. Every school established by any individual or association of individuals or firm or society or trust or company, shall follow the norms specified under these rules. Any act or disobedience on the part of the school managing committee contrary to the provisions of these rules shall make it liable,—

- (i) to discontinue the functioning of such schools;
- (ii) to be prosecuted under the relevant law if such disobedience or act causes or tends to cause danger to the life, health, and safety of the students;
- (iii) for the imposition of penalty not exceeding Rs.15000 in the case of primary schools, Rs.20,000 in the case of middle schools and Rs.25,000 in the case of secondary and senior secondary school for each such violation.

(2) Before taking any such action under sub-rule (1), a fifteen days notice shall be given to the managing committee to explain their position regarding the aforesaid notice. On receipt of reply and after giving a personal hearing, if required, Director shall be competent to take any of the action against the managing committee under these rules.]***

Regulation of
education in schools.
sections 3 and 24(2) (a).

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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Classification
of schools.
sections 3 and 24 (2) (a).

4. The schools shall be classified into any of the following categories, namely:—

- (a) (i) Pre-Primary schools, that is to say, schools imparting education below the primary stage;
 - (ii) Primary Schools, that is to say, schools imparting primary stage of education, having classes I -V;
 - (iii) Middle schools, that is to say, schools imparting middle stage of education, having classes I-VIII or VI -VIII;
 - (iv) Secondary schools, that is to say, schools imparting secondary stage of education, having classes upto X with or without primary classes;
 - (v) Senior secondary schools, that is to say, schools imparting senior secondary stage of education, having classes upto XII with or without primary classes.
 - [(vi) Boys school, that is to say, a school in which admission is open to boys;
 - (vii) Girls school, that is to say, a school in which only girls are admitted;***
 - (viii) Co-educational school, that is to say, a school in which boys and girls can be admitted without any distinction and follow the same courses of study.]***
- (b) District Institutes of Educational Training and Government Elementary Teachers Training Institutes, Private Teachers Training Institutes imparting teachers training below degree level.

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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[5. Hindi shall be the preferred medium of instructions in all schools. However the institution shall be at liberty to adopt other medium of instruction under intimation to the appropriate authority.]***

6. In teaching of languages in classes VI to VIII, the three language formula as adopted by the Government, shall be followed.

7. Any linguistic minority which intends to set up school with the object of imparting education in the mother tongue of such linguistic minority, shall be permitted to do so.

8. The School may also provide for the cause of literacy the following facilities, namely:-

- (a) Adult Education Centres;
- (b) Bal Kendras; Balwadis;
- (c) Education of children who have discontinued studies;
- (d) Literacy centers.

9. (1) The courses of study in primary and middle stages shall be such as may be specified or recommended by the Director in consultation with the Curriculum Committee.

(2) The courses of studies for the secondary stage and senior secondary stage shall be such as may be specified or recommended by the Affiliating Board.

10. The Director or Affiliating Board as the case may be, shall, while specifying the syllabi (for the primary, middle, secondary and senior secondary stage) shall decide about the contents to be laid down. However, recognized un-aided schools may adopt any text books based upon such contents.

Medium of instructions.
sections 3 and 24 (2) (a).

Three language formula.
sections 3 and 24 (2) (a).

Right of linguistic minorities to set up school.
sections 3 and 24 (2) (a).

Other facilities.
sections 3 and 24 (2) (a).

Course of study.
sections 3 and 24 (2) (a).

Matter to be provided in the syllabi.
sections 3 and 24 (2) (a)

***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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Power of Director to specify co-curricular activities.
sections 3 and 24 (2) (a).

11. The Director may, in consultation with the Curriculum Committee, provide for co-curricular activities in recognized schools.

Power of Director to specify courses of study.
sections 3 and 24 (2) (a).

12. (a) There shall be a committee constituted by the Director, to be called the Curriculum Committee, to advise the Government on syllabi and the specification or recommendation of books for the primary and middle stages of education. The Curriculum Committee may advise the Government with regard to co-curricular and extra-curricular activities to be undertaken in a recognized school and also with regard to non formal education to persons who are unable to obtain formal education.

(b) The Curriculum Committee shall consist of the following members:-

- (i) Director State Council of Education and Research Training, as the ex-officio Chairman of the Committee;
- (ii) One member from Central Board of Secondary Education or National Council of Education and Research Training;
- (iii) One representative of the Board of School Education, Haryana to be nominated by the Chairman of the Board;
- (iv) One Head of private school and one Head of Government school to be nominated by Director;
- (v) Five experts of different subjects from State Council of Education and Research Training.;
- (vi) Officer Incharge, Textbook Cell of State Council of Education and

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Research Training shall be the member Secretary of the Committee.

13. Every member of the Curriculum Committee shall hold office for a period of three years from the date of his nomination 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 until his successor is nominated. However, the Director have the right to remove / replace any member before completion of his tenure, if the work and conduct of the member is not satisfactory.

14. (1) The Curriculum Committee shall meet atleast once in six months;

Provided that such meeting shall not be held later than the 30th September every year for deciding curriculum for next session:

Provided further that the Chairman of the Curriculum Committee may call a special meeting of the Curriculum Committee to consider any matter within the purview of the Curriculum Committee.

(2) Six members of the Curriculum Committee present at a meeting shall forum quorum for the meeting of the Committee:

Provided that where the meeting of the Curriculum Committee is adjourned due to the absence of quorum it shall be necessary to hold subsequent meetings where atleast three members shall forum a quorum.

(3) A member of the Curriculum Committee who has any financial or other interest in any book which is under the consideration of the Curriculum Committee for approval as a text book, shall not participate in the deliberations of the Curriculum Committee with regard to the approval of that book as a text book.

Term of office.
sections 3 and 24 (2) (a).

Meeting and
quorum.
sections 3 and 24 (2) (a).

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Procedure of the committee.

sections 3 and 24 (2) (a).

15. (1) The Curriculum Committee shall regulate its own procedure;

(2) The Curriculum Committee may appoint such subject panels as it may deem necessary consisting of its own members or specialists who are not members of the Curriculum Committee.

Traveling and daily allowances.

sections 3 and 24 (2) (a).

16. The members of the Curriculum Committee or any panel constituted by it, shall be entitled to such traveling and daily allowances as are admissible to the non-official members of Curriculum Committees and Boards in accordance with the orders issued by the Government from time to time.

Physical education.

sections 3 and 24(2)(a) (b).

17. (1) In every school, suitable provision shall be made for social services, physical, cultural, environmental, moral and recreational activities.

(2) The head of school shall organize 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.

School hours.

sections 3 and 24 (2) (a) (b).

18. (1) The Director shall, by order, specify the time at which all schools, (including 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 (irrespective of affiliation to any Education Board):

Provided that the total school hours in a year for the middle, secondary and senior secondary stage of education shall not, ordinarily, be less than 1000 hours:

Provided further that in addition to 1000 school hours, a teacher may not be required to devote more than 200 hours in a year for remedial or other teaching.

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(2) The head of school with prior permission of District Education Officer / District Primary Education Officer concerned can change the time.

19. (1) The starting and closing of academic session and school timings shall be made as per the directions issued by the Director from time to time.

(2) It shall be obligatory for all the schools to arrange appropriate functions in the school to celebrate Independence day and Republic Day as declared by the State.

(3) The terminal examination and the final examination will be held so as to ensure uniformity in all the schools in a particular academic year.

20. (1) Save as otherwise provided in sub rule (1) of rule 18, the total number of working days including examination days, for the Middle, Secondary and Senior Secondary stage of education shall not be less than 220 in a year.

(2) Subject to the provision of sub-rule (1) of rule 18, the following shall be the authorized holidays for recognized schools, namely:-

- (a) all holidays notified by the Government for schools;
- (b) summer vacation: 6 weeks as per instructions of the Director from time to time;
- (c) festival: 6 days as per instructions of the Director from time to time;
- (d) winter vacation: 10 days as per instructions of the Director from time to time;
- (e) The local holidays: 4 days should be observed by the school with the approval of the Block Education Officer in case of Primary schools,

Academic session and school timings.
sections 3 and 24 (2) (a) (b).

Vacation and holidays.
sections 3 and 24(2)(a)(b).

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Sub-Divisional Education Officer in case of Secondary Schools and District Education Officer, in case of Senior Secondary Schools.

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

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

School hours and number of working days not to apply to non-formal education. sections 3 and 24(2) (a) (b).

21. School hours specified in rule 18 and the number of working days specified in rule 20 shall not apply in the case of in-formal, or drop out, or adult education..

Discipline and punishment etc. sections 3 and 24 (2) (a) (b).

22. The observance of rules of discipline and good behaviour shall be a condition essential to a student's continuance in a school. In such cases the decision of Head of school shall be final.

Forms of disciplinary measures. sections 3 and 24(2)(a) (b).

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

- (a) all students - fine and/ or detention during the break, for neglect of class work, but no detention shall be made after the school hours;
- (b) students who have attained the age of fourteen years regarding -
 - (i) expulsion,
 - (ii) rustication,

(2) For the avoidance of doubts, it is hereby declared that the disciplinary measures specified in

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clause(b) of sub-rule (1) shall not be imposed on any student upto 8th class.

(3) Fine may be imposed on a student in the following cases namely:

- (a) late attendance;
- (b) absence from class without proper application from the parent or guardian;
- (c) truancy;
- (d) willful damage to school property;
- (e) delay in payment of school fees and dues,

(4) Expulsion shall debar a student from being re-admitted to the school from where he is expelled but shall not preclude his admission.

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

(6) No student shall be expelled or rusticated from a school except after giving the parent or guardian of the students a reasonable opportunity of showing cause against the proposed action.

Note:

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

24. (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 for 10 days after the last day for payment;
- (b) continued absence without leave for six consecutive days by a student of

Striking off the name
from the rolls.
sections 3 and 24(2)(a)(b).

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class IX to XII and ten consecutive days for a student of class VIII or below.

(2) In the case of absence of any student from a school without leave for four consecutive days, the head of school shall intimate such absence to the parent or guardian of such student.

(3) In respect of payment of fees, however the head of school may grant not more than 10 days of grace in deserving cases on application by the parent or guardian.

Forbidden practice.
sections 3 and 24(2)(a)(b).

25. No student shall indulge in any of the forbidden practices such as smoking, gambling, rowdyism and rude behaviour, use of violence in any form etc.. or such forbidden practices as per directions issued by the Director from time to time.

Maintenance of hostel,
hostel fee and security.
sections 3 and 24 (2) (a) (b).

26. Recognized schools may if consider necessary to establish hostel for students shall provide facility and accommodation, furniture, hostel superintendent, warden, medical and other care of the hostels. The schools shall notify the fees and security to be charged from the pupils and shall submit the detail of minimum facilities being provided and the rate of fee proposed to the Director before the commencement of each academic session.

School libraries.-
sections 3 and 24 (2)(a)(b)

27. The Department may issue detailed instructions regarding the maintenance and use of school libraries. The school libraries must be well equipped with sufficient number of library books. The school library shall have minimum of :-

Primary School	-	1000 books
Middle School	-	2000 books
Secondary School	-	3000 books
Senior Secondary School	-	5000 books

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Provided that 25% of books mentioned above shall be made available at the initial stage and remaining books be made available within two years after the date of the recognition.

In addition to above, library may have :-

- (a) Text books alongwith syllabus of each class.
- (b) Sufficient number of daily newspapers and magazines/journals.

28. Every recognised school shall maintain the following records:-

- (i) Stage wise admission and withdrawal
- (ii) Daily attendance of pupils
- (iii) Cash book showing all receipts and expenditure
- (iv) Statistical register
- (v) An acquaintance roll of teachers
- (vi) An acquaintance roll of scholarships
- (vii) Pay bill register
- (viii) Movement register
- (ix) Time table adjustment register
- (x) Log book
- (xi) A visitors' book
- (xii) A fee and fund register
- (xiii) An order book
- (xiv) Hostel register only where Hostels are there
- (xv) Catalogue of library books and book issue.
- (xvi) Registers showing results of home examination and other examinations

Records.
sections 3 and 24(2)(a)(b).

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- (xvii) Property and stock
- (xviii) Diary and dispatch register
- (xix) Contributory Provident Fund (CPF)
- (xx) Pupils progress
- (xxi) Any other record prescribed by the Director from time to time.

Opening and establishment of new school in the State. sections 3 and 24(2)(a)(c).

[29. (1) Every individual or association of individuals or firm or society registered under Societies Registration Act, 1860 (21 of 1860), or trust created under the Indian Trusts Act, 1882 (2 of 1882), or company registered under the Companies Act, 1956 (1 of 1956), shall apply to the appropriate authority in Form-I alongwith demand draft of Rs.1,000/- for primary school, Rs.2,500/- for middle school, Rs.5,000/- for high school and Rs.10,000/- for senior secondary school as processing fee in favour of Director expressing their intention to establish such school.]***

(2) The applicant in addition to the application referred to in sub-rule (1), shall give an undertaking containing the following particulars, namely:-

- (a) the area in which the new school is proposed to be established, and the approximate number of students likely to be enrolled in that school;
- (b) the stage of education intended to be imparted in the new school;
- (c) the particulars including measurements of the building or other structures in which the school is proposed to be run;
- (d) the financial resources from which the expenses for the establishment

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and running of the school shall be met;

(e) the composition of the managing committee of the proposed new school until the new school is recognized and a new managing committee is constituted in accordance with the scheme of managing committee made under these rules;

(f) the proposed procedure, until its recognition under these rules, for the selection of the head of the school and other teachers and non-teaching staff and the minimum qualifications for their recruitment;

[(g) the proposed salary of the staff to be notified. The salary so notified shall not be less than minimum wage policy of the state, if notified by Labour Department for the classes covered under minimum Wages Act, and for teaching staff any minimum salary standards specified by Education Department/ Deputy Commissioner;]***

(h) admission, tuition and other fees and funds which would be levied and collected until its recognition under these rules, from the student of the proposed new school;

(i) any other facility which is proposed to be provided for the students of the proposed new school.

(3) The [appropriate Authority]* may, after considering the particulars specified in the application sub-rule (1) and after making such

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S.24/2004 dated : 20-02-2004

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inquiries as deemed fit inform the person or persons by whom the application was given to him whether or not opening of the proposed new school would be, in the public interest, within 90 days from the receipt of this application. If no decision is taken within such period, it will be deemed to have been permitted. However, such permission does not enable school to get recognition automatically for which the applicant shall have to fulfill all the required conditions;

[(4) The permission granted to establish a new school shall be effective from the date decided upon by the appropriate authority and ordinarily it shall be granted from the date of commencement of next academic session. The permission shall be valid for two academic sessions only.]^{1***}

RECOGNITION OF SCHOOLS

30. (1) No private school shall be recognized, or continue to be recognized, by the appropriate authority unless the school fulfils the following conditions, namely:-

[(a) (i) the school is run by an individual or association of individuals or firm or society registered under the Societies Registration Act, 1860 (21 of 1860), or trust created under the Indian Trusts Act, 1882 (2 of 1882), or company registered under the Companies Act, 1956 (1 of 1956), and is managed in accordance with a scheme of management made under these rules alongwith a certificate of appropriate authority regarding area of operation in the State of Haryana;]^{2***}

Conditions for recognition.
sections 3,4 and 24(2)(d)(e).

^{1***}added vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

^{2***}Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
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- (ii) the prior approval from the [appropriate Authority]* for opening of new school has been obtained and copy of such approval is attached with the form of application as referred to rule 29;
- (iii) no admission beyond Class-III shall be made by any school before the sanction of its recognition or in its anticipation;
- (iv) that all the teachers are suitably trained with minimum qualifications as per Appendix A and are academically and otherwise suitable to teach in these schools and the rate of salary being paid to the staff as notified;
- (v) that the terms on which the teachers are engaged are reflected in the written agreement between the managing committee and each teacher as per Appendix B and the same are attached;
- (vi) that the school follows approved courses of instructions as provided in these rules;
- (vii) that the admission to the school is open to all without any discrimination based on religion, caste, race, place of birth or any other whimsical or for extraneous reasons, except in the case of minority schools, however, which shall maintain transparency in admissions;
- (viii) that the managing committee observes the provisions of these rules;

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S.24/2004 dated : 20-02-2004

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(ix) that minimum norms for land and building in which school is carried on are in accordance with sub-rule 30 (b).

[(x) that the managing committee has submitted the owner's deed of the land - school building as well as play ground in the name of individual or association of individuals or society or firm or trust or company from the Revenue Department. In case the land is more than one patch, the size of land duly countersigned by the Tehsildar or Sub Divisional Magistrate concerned that the patches of land are adjacent to each other, if not at one place the distance between the buildings/patches be specified;]***

(xi) that the school building is properly planned, ventilated and spacious as per architectural norms approved by district town planner / municipality / registered architect;

(xii) that a building safety certificate has been obtained from Public Works Department/municipality/registered engineer;

(xiii) that if there is any business premises in any part of the building in which school is run, the portion in which the school is run is separate from such business premises. A certificate to this effect should be attached with the application form.

(xiv) that furniture and equipment are adequate and suitable for an educational institution;

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- (xv) that the salaries of teachers and non-teaching staff are paid regularly;
- (xvi) that the pledge money as per sub rule 30(2) has been deposited in the name of District Education Officer/ District Primary Education Officer concerned (by designation);
- (xvii) that the school buildings or other structures or the grounds are not used during the day or night for commercial or residential purposes (except separate residence of any employee of the school away from academic wing) or for communal, political or non-educational activity of any kind whatsoever;
- (xviii) that there is no thoroughfare or public passage through any part of the school premises;
- [(xix) that the sanitary arrangements at the school are adequate and are kept in good order. A hygienic certificate shall be obtained from Chief Medical Officer/Local Medical Authority;]***
- (xx) that drinking water arrangements are adequate;
- (xxi) that there is a provision of electricity fitting and electric fans in each classroom;
- (xxii) that no teacher or student of the school is compelled to attend a class in which religious instruction is given or take part in any religious activity. No teacher or student absenting himself from religious

***Substituted vide notification
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instruction or religious activity is made to suffer any disability on that account and student is refused admission to the school because exemption from attendance at religious exercises or religious instruction has been claimed by him or his parent or guardians:

Provided this provision shall not be applicable to minority school.

(xxiii) that there should be no complaint/ inquiry pending against school building / managing committee seeking recognition. An undertaking to this effect that land / building is free from litigation shall be submitted;

(xxiv) that facilities are provided for teaching of languages in accordance with the three language formula, adopted by the Government;

(xxv) that the school is open to inspection by any officer authorized by appropriate authority/ Director;

(xxvi) that the school furnishes such reports and information as may be required by the Director from time to time and complies with such instructions of the appropriate authority or the Director as may be issued to ensure the continued fulfillment of the condition of recognition or the removal of deficiencies in the working of the school;

(xxvii) that the school shall maintain all records as per rule 28. All records of the school are open to inspection

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by any officer authorized by the Director or the appropriate authority at any time, and the school furnishes such information as may be necessary to enable the Government or the Director to discharge its or his obligations to the affiliated board, as the case may be;

[(xxviii) that the school shall not be in operation from residential buildings or building not ear-marked for school in the State of Haryana;

(xxix) that a fire certificate shall be obtained from local fire authority;

(xxx) that schools shall provide atleast one computer with modem and internet connectivity.]***

[(b) Minimum norms for land and buildings

(i) Land

School	Rural/Urban/Controlled areas
Primary	0.5 Acre
Middle	1.0 Acre
Secondary	2.0 Acre
Senior Secondary	2.0 Acre

Provided that the norms of land for the schools running recognized/unrecognized before commencement of Haryana School Education Rules, 2003, shall be as under:-

School	Rural/Urban/Controlled areas (for single storey building)	Rural/ Urban/Controlled areas (for double storey building)
Primary	500 Sq. meters	350 Sq. meters
Middle	800 Sq. meters	600 Sq. meters
Secondary	2000 Sq. meters	1500 Sq. meters

***added vide notification
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Senior Secondary		
(i) Arts & Commerce	3000 Sq.meters	2250 Sq. meters
(ii) Arts/ Commerce & Science	4000 Sq.meters	3000 Sq. meters

In addition to above, these schools shall provide or make arrangement for adequate play ground within the radius of 500 meter according to the number of students.

The covered area and open area shall be in the ratio of 35/65%:

Provided further that the schools mentioned in the first proviso shall continue upto the stage according to these norms, but if they desire to add or start higher classes or up-grade the school or change of building or change of name, they shall have to fulfill and to provide land and building as per norms required for the establishment of new school.

Note: - A private school can be run in a rented building/ land on lease hold basis with a minimum period of twenty years irrevocable lease deed provided such school fulfills the norms of land and building as specified under these rules;

(ii) Building-

- (a) classroom: Minimum size - 24' x 18' or equivalent area. Height of classroom shall be atleast 10 feet:

Provided that the school running as recognized/unrecognized before the commencement of the Haryana School Education Rules, 2003, the minimum size of classroom shall be fixed keeping in view the per square feet gross area/ requirement per student;

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- (b) number of classrooms shall be equal to the number of sections in the school. The classroom shall have two doors, requisite number of windows and proper ventilation;
- (c) number of students in a section shall not be more than fifty. It is further subject to the condition that number of students in the classroom shall not be more than the students calculated on the basis of 10 square feet per student for secondary and senior secondary schools and 9 square feet per student for elementary stage/nursery stage;

(d) veranda

There shall be veranda with every class room:

8 feet in width for single loaded;

10 feet in width for double loaded;

Provided that the school running as recognized/ unrecognized before commencement of the Haryana School Education Rules, 2003, the norms for veranda shall be as under:-

6 feet in width for single loaded;

8 feet in width for double loaded;

(e) the school shall provide the following facilities:—

- Toilet and urinals (staff, boys and separate for girls at a far off distance). Additional toilet to be added after every 200 students
- Electricity facility
- Drinking water facility
- Boundary wall
- Proper space for morning assembly

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- (f) in case of middle, high and senior secondary school, the following rooms in addition to class-rooms shall be provided:-
- Room for head of the school
 - Office room
 - Staff room
 - Library room
 - Laboratory for practical subject (according to the stream/each subject)
 - One room for Computer Laboratory. The school shall have atleast one computer with modem and internet connectivity for official and school management purpose;
- (g) every school shall provide ramp at plinth level.
- (h) the school building having more than one storey shall provide one ramp and one staircase of atleast 6' width:

Provided that the school running before commencement of the Haryana School Education Rules, 2003, the norms for stairs and ramp shall be as under:—

Stair: 4.6 feet additional stairs after
in width distance of 40 feet

Ramp:6 feet If the school do not provide
in width ramp than they shall arrange the
classes of handicapped students at
the ground floor.

The appropriate authority shall be competent to relax the size of land and building upto ten percent and also allow minor variations which would otherwise not affect health and safety of students and staff;

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(2) Pledge money atleast equal to six months basic pay of the staff but in no case less than the amount as mentioned below, shall be deposited in the name of Director School Education (by designation), in the shape of fixed deposit or bank guarantee not less than a period of three years:—

Stage	Class	Rs.
Primary	I-V	50,000
Middle	I-VIII	1,00,000
Secondary	I-X	1,50,000
Senior Secondary	I-XII	2,00,000

The pledge money shall be utilized in case of non-payment of salary to the staff or to redeem any unforeseen liabilities of the school.]***

(3) Every private school should provide the following facilities:-

(i) Physical education:

Suitable playground for the purposes of games, sports, and materials for such games and sports;

(ii) Laboratory work:

Each school shall have a well equipped laboratory for each practical subject with at least five sets of equipments for each practical as per syllabus.

(iii) Workshop practice:

Well equipped workshops shall be provided by school as per requirement.

(iv) Co-curricular activities:

As many co-curricular activities, as may be possible, so as to give to every

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
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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) mock / youth parliament;
- (g) house system;
- (h) prefectorial system;
- (i) class competition;
- (j) National Cadet Corps / National Social Service;
- (k) scouts and guides / cubs and bulbul;
- (l) Science clubs;
- (m) Eco labs / clubs;
- (n) activities providing for social services; and
- (o) any other co-curricular activity.

[(4) The accounts of the school applied for recognition, shall be audited by the department. The department shall take in consideration the audit observation for the recognition of the school.]***

Procedure for application.
sections 3, 4 and 24(2)(d).

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
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[31. (1) Every private school seeking recognition shall make an application, in Form II, to the appropriate authority alongwith Rs. 1000/- for primary school, Rs. 2500/- for middle school, Rs. 5000/- for high school and Rs. 10000/- for senior secondary school as processing fee in the form of demand draft in favour of Director. The application shall be supported with certificates

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issued by appropriate authority given below. Such application shall either be delivered to the appropriate authority through any individual or sent to that authority by a registered post acknowledgment due six months before starting of academic session i.e. before 30 September of preceding year. The appropriate authority granting recognition shall inform the managing committee by 30th December of preceding year.

Appropriate authority to issue certificates.

Sr. No.	Item	Authority
1.	Ownership of Land	Sub Divisional Magistrate.
2.	Construction of Building	District town planner/ municipality/registered architect/ empanelled architect
3.	Safety of Building	Public works Department/ Municipality/Registered Engineer/empanelled Engineer
4.	Fire Safety	Fire Officer, authorized agency by Central Government or State Government
5.	Hygienic	Chief Medical Officer, Senior Medical Officer,empanelled Medical Officer
6.	No Objection Certificate regarding land use	Municipal area: municipality/ municipal council/local authority
	Out side municipality area like urban area/ controlled area/rural area:	As notified under relevant laws.

(2) Omitted***

(3) If recognition is refused, managing committee may file an appeal against it to appellate authority within thirty days from date of communication to it of such refusal alongwith fee of appeal as laid down in rule 192. The appellate authority shall decide the case and inform the managing committee within two months. The decision of the appellate authority shall be final.]***

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
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	<p>(4) The detailed procedure regarding dealing of the application for recognition shall be issued by the Government separately.</p>
Scheme of management.	32. (1) The scheme of management in relation to a recognized school shall provide that.
sections 3 and 24 (2) (i)	<ul style="list-style-type: none">(a) the managing committee running the school duly approved by the appropriate authority shall consist of not less than seven members;(b) subject to the total number of members specified in clause (a), every managing committee shall include the following members, namely:<ul style="list-style-type: none">(i) the head of the school as an ex-officio member with the right to vote;(ii) one parent, who is a member of the Parent Teacher' Association of the school, constituted in accordance with such instructions as may be issued by the Director, and is elected by that Association;(iii) one teacher for every twenty teachers of that school, to be elected by the teachers of the school from amongst themselves;(iv) two other persons of whom one shall be a woman;(v) in the case of Aided school member nominated by Director.(vi) the remaining members to be nominated or elected, as the case may be, in accordance with the rules and regulations of the society or trust by which the school is run. <p>[(c) In case a school authority runs more than one institutions, the said authority</p>

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shall constitute a separate managing committee for each school under these rules.]***

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

- (a) the term of office of the members of the managing committee and the manner of its reconstitution or filling of any vacancy occurring therein;
- (b) in the case of society/ firm, the dates of holding elections shall be notified at least 30days before the date of election. It will be made through public notices in at least two News papers one of which must be in vernacular of wide circulation;

[Provided that where the number of members is less than fifty the society or firm may send the notice of election atleast fifteen days before the date of election through Under Postal Certificate letters.]***

- (c) the purpose of elections to the managing committee, the head of the school shall be the returning officer and shall conduct, and be incharge of, the elections;
- (d) in the case of aided schools the election shall be held under the observation of nominee of the Director;
- (e) the composition of the managing committee during the tenure of the members referred to in sub-clauses (ii) and (iii) of clause (b) of sub-rule (1) shall be communicated to the Director/ District Education Officer/ District Primary Education Officer, as the case

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may be, within seven days from the date when such change takes place;

- (f) the duties, powers and responsibilities of the managing committee, which shall include control over appointments, disciplinary action, and control on staff, and shall also provide that no financial irregularity is committed or any irregular procedure is followed;
- (g) the expiry of term of managing committee or any change in the managing committee should be notified to the appropriate authority. In case of aided schools the approval of the appropriate authority is required as and when a new managing committee is constituted or there is any change in the managing committee;
- (h) the managing committee shall ensure that the school gets furniture, science equipment, library books and other teaching aids, and requisite sports materials;

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

- (i) function as the head of the school of the school under his charge and carry out all administrative duties required of institution;
- (ii) be the drawing and disbursing officer for the employees of the school;
- (iii) be responsible for the proper maintenance of accounts of the school, school records, service books of teachers, and such other

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registers, returns and statistics as may be specified by the Department from time to time;

- (iv) handle official correspondence relating to the school and furnish within the specified dates, the returns and information required by the Department;
- (v) make, in the case of recognised schools, all payments (including salaries and allowances of teachers and other non-teaching staff) in time and according to the instructions governing such payments:

Provided that where head of the school is so authorized by the Department, in the case of an aided school, all such payments according to the instructions governing such payments;

- (vi) ensure that the tuition fees, where levied, are realised and appropriately accounted for and duly appropriated for the purpose for which they were levied;
- (vii) make purchases of 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 scrutinize the bills and make payments;
- (viii) conduct physical verification of school property and stocks atleast once a year and ensure the maintenance of stock registers neatly and accurately;
- (ix) be responsible for proper utilization of the pupils' fund;

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- (x) make satisfactory arrangements for the supply of goods, 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 admissions in the school, preparation of school timetable, allocation of duties and teaching load to the teachers, 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 Department from time to time, and he shall discharge these duties in consultation with his colleagues;
- (xiii) plan the year's academic work in advance in consultation with his colleagues and hold staff meeting at least once a month, review the 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

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- encourage them to undertake experiments which are educationally sound;
- (xvi) supervise class room teaching and secure co-operation and co-ordination amongst teachers of the same subject area as well as inter-subject co-ordination;
 - (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;
 - (xviii) arrange for informal and non-class room teaching;
 - (xix) plan and specify a regular timetable 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 organizing special instructions for the pupils according to their needs;
 - (xxi) organize and co-ordinate various co-curricular activities through the house system and~ in such other effective way as he may think fit;
 - (xxii) develop and organize 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) send regularly the progress report of the students to their parents or guardians;

- (xxiv) promote the physical well-being of the pupils, secure high standards of cleanliness and health habits, and arrange periodical medical examinations of the students and send medical report to parents or guardians;
- (xxv) devote atleast twelve periods in a week to the teaching of the pupils;
- (i) appointment of the manager; the terms and conditions of his appointment his educational and social status, removal of the manager; filling up of casual vacancy in the office of the manager;
- (j) Duties and responsibilities of the manager:**
 - (i) no employee of a school shall be appointed as the manager;
 - (ii) 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;
 - (iii) the administration and academic work of the school shall be attended to by the head of school. The manager shall not interfere with the day-to-day administration and academic work of the school;
 - (iv) the members of the managing committee of a recognised schools shall not be entitled to any remuneration, honorarium or allowance but may be permitted to draw allowances for attending the meeting of the managing

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committee at a rate of daily allowances or travelling allowances admissible to the non-official members of the committees, boards as fixed by the managing committee from time to time;

- (v) no members of the managing committee shall be entitled to participate in any meeting at which his personal conduct is under discussion;
- (vi) the managing committee shall be subject to the control and supervision of the trust or society by which such school is run;
- (vii) 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 the managing committee and the manager;

(3) The managing committee of an existing school [including schools where Administrator has been appointed under section 10]*** shall make the draft of scheme of managing committee after the commencement of these rules and shall submit such draft to the appropriate authority within 90 days from such commencement:

Provided that the appropriate authority may, after giving to the managing committee a reasonable opportunity of being heard, make such alterations or modifications in the draft scheme of managing committee as the circumstance 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 managing committee by the appropriate authority the composition thereof in conformity with the scheme of managing committee as approved by the appropriate authority.

***Inserted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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- [(5) (i) Where the Administrator has been appointed under section 10, it is the duty of the Administrator to constitute the managing committee before the expiry of the period specified in section 10. The Administrator shall issue notice to the members of the society regarding holding of elections as per provisions laid down in these rules.
- (ii) In case, the Administrator fails to constitute a managing committee, he shall send a status report to the Director well before the expiry of the tenure of Administrator. The Director shall take appropriate decision to constitute the managing committee or to continue the Administrator for next one year.
- (iii) In no case Administrator shall continue after three years.]***

Procedure of
affiliation.
sections 3 and 24(2)(V).

33. (1) If any institution wants to seek affiliation to any Board/ Council other than the Haryana Board of School Education it will seek recognition first. After this it may apply for the issuance of No Objection Certificate (NOC) for affiliation to the concerned Board./ Council with a processing fee of Rs.1000/- for Primary school, Rs. 2500/- for Middle school, Rs. 5000/- for High school and Rs. 10000/- for Senior Secondary school in the form of Demand Draft in favour of Director. However, the provision of the Act and these rules shall continue to apply as before even on those schools which have been issued NOC for pursuing different courses of studies from Boards / Council other than the Haryana Education Department./ Board of School Education Bhiwani.

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

(2) Any school which is already affiliated to any Board other than Haryana School Education

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Board Bhiwani but has not been recognised, shall apply for the same within three months after the publication of these rules in the official gazette.

(3) The schools affiliated to different affiliating Boards shall not be run in the same premises.

[(4) No Objection Certificate (NOC) granted to a school for affiliation with any Board shall be effective from the date decided upon by the appropriate authority and ordinarily NOC shall be granted from the commencement of next academic session. The NOC shall lapse if not utilized within two academic sessions. A fresh NOC is to be obtained by the school from the appropriate authority. NOC shall be applicable only for the stage for which it was granted and in no case be accepted by Affiliating Board for any other stage.]***

34. (1) The appropriate authority to grant permanent recognition to the schools, which seek recognition, is as under:-

Class	Appropriate authority
[I-V	Director Elementary Education.
I-VIII (I-VIII or VI to VIII)	Director Elementary Education] ^{2***}
I -X (VI -X or VIII-X)	Joint Director Head Quarter office of Director Secondary Education
I-XII (VI- XII or VIII - XII or X-XII)	Director Secondary Education.

[(2) There shall be a committee as constituted by the Director School Education for physical verification of private schools for recognition.]***

Competent authority to grant recognition to schools. sections 3 and 24 (2) (d).

^{1***}added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

^{2***}Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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(3) The committee constituted above shall screen the cases of recognition and give their recommendation after inspecting the schools to the appropriate authority within thirty days on receipt of the case.

(4) The appropriate authority shall take decision on the recommendation of the committee to grant recognition accordingly.

Note:- 1. The schools established under the provisions of these rules can apply for recognition and the permanent recognition shall be granted in the first instance.

2. In case of recognition of school stagewise recognition shall be considered only i.e if the school has got permanent recognition for primary school (I to V) only then it can apply for the recognition of middle school (VI-VIII) and so on.

3. If a school is in a position to provide infrastructural facilities upto any stage in the first instance, the school may be considered for recognition to that stage and not stage-wise by the appropriate authority.

[(5) The school which has already been recognized for 10+2 stage and intends to commence a new stream of commerce and science, shall apply to the Director in Form-II. There shall be a committee for processing and recommending the case for the commencement of new stream consisting of following members, namely:-

(i) Joint Director	: Chairmen
(ii) District Education Officer	: Member
(iii) Member of recognized school	: Member

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The committee shall submit its report within a period of one month after visiting personally in the concerned school.]***

35. The recognition given to a school shall be effective from the date decided upon by the appropriate authority and ordinarily recognition shall be given from the date of commencement of the next academic year.

36. No recognized school without giving full justification and without prior approval of the appropriate authority, shall open any new class other than which have received approval from the appropriate authority.

37. No managing committee shall close down a recognized school or an existing class in such school during the academic session without giving full justification and without the prior approval of the appropriate authority.

[38. (1) All existing recognized schools shall be required to submit application in Form II prescribed for recognition alongwith demand draft of Rs. 1,000/- for primary/middle schools and Rs. 2,000/- for high/senior secondary in favour of Director within a period of three months from the commencement of these amended rules. Each school shall submit its plan for improving its infrastructure where it does not conform to the provisions of these rules alongwith application spread over a period of one year where specific milestone shall be fixed for every six months.

(2) Every existing recognized school or schools which are already affiliated with Boards or Council of Indian School Certificate Examination other than Board of School Education after obtaining 'No Objection Certificate (NOC)' from the Government shall be deemed to have been recognized

Date of
recognition.

sections 3 and 24 (2)(d).

Opening of new
classes in schools.

sections 3 and 24 (2)(a).

Closing down of a
school or any class in a
school.

sections 3 and 24(2)(a)(c).

Existing recognized
schools to apply to the
appropriate authority.

section 3 and 24(2) (a),
(b) and (d).

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
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	<p>under section 4 and shall be subject to the provisions of the Act and these rules:</p> <p>Provided that the norms for size of classrooms and number of classrooms and others requirements of such schools shall be the same as prescribed for unrecognized schools running in the State before the commencement of the Haryana School Education Rules, 2003.</p> <p>(3) The Department shall constitute a committee for each District consisting of two members to be selected by the Director from local reputed recognized school of respective District and one nominee of the Department to process such applications.]***</p>
Review of recognition after every five years. sections 3 and 24 (2) (a) (b) and (d).	39. The recognition granted to schools affiliated to any board shall be reviewed after every [ten years].* If the managing committee fails to comply with any of the conditions and facilities specified in these rules, the appropriate authority can withdraw its recognition after giving a reasonable opportunity and one months time to show cause of the proposed action.
Financial aid. sections 3 and 24 (2) (a) (b) and (d).	40. Recognition granted under these rules shall not entitle for financial aid or any other benefit from Government.
Recognition to lapse if not availed of within a year. sections 3 and 24 (2) (a) (b) and (d).	41. 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.
Lapse of recognition in other cases. sections 3 and 24 (2)(a)(b) and (d).	[42. (1) The appropriate authority may withdraw recognition/NOC of a school after giving a written notice, drawing the attention of acts of omission and commission contrary to the Acts/rules or directions issued thereunder to the managing committee either directly or through Principal/ Head of the institution.
***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007	
*added vide notification No. S.O.22/H.A.12/1999/S.24/2004 dated : 20-02-2004	

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(2) The recognition/NOC of the school shall lapse if the school,—

- (a) ceased to exist; or
- (b) where the recognition/NOC has not been used within two academic sessions; or
- (c) without the approval of appropriate authority—
 - (i) transferred to a different building or locality;
 - (ii) transferred to a managing committee or trust or individual or association of individuals or company;
 - (iii) changes its name;
- (d) where two or more schools running in the same building/premises affiliated with two different boards/council.
- (e) has not complied with one or more of the conditions of recognition, specified in these rules.

(3) Branches opened by the managing committee of a school already recognized shall be treated as new schools for the purpose of recognition i.e. no managing committee is allowed to run two schools affiliated with different Boards/Council in the same building/premises.

(4) If the school authority fails to satisfy the appropriate authority of the lapse within thirty days from the date of service of such notice the recognition/NOC shall stand lapsed.

(5) The schools referred to in sub-rule (2)(c) above shall apply to the appropriate authority in an application alongwith documents such as resolution of managing committee, ownership of land, approved plan and an undertaking regarding any consequent liability/dispute.

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- (6) (a) There shall be a committee for processing and recommending the case consisting of following members, namely: -

(i)	Joint Director school	- Chairman
(ii)	District Education Officer	- Member
(iii)	Member of Recognized	- Schools
		Member

- (b) The committee shall submit its report within a period of one month and may visit the concerned school and inspect/call for any record relevant for making recommendations.]***

Suspension or withdrawal of recognition/NOC. sections 3 and 24 (2) (a) (b) and (d).

43. (1) The appropriate authority may withdraw/suspend the recognition/NOC of a school after giving a reasonable opportunity against the proposed action to be taken against the school in the following circumstances:-

- (a) if a school ceases to fulfill any requirement of the Act or any of the conditions of these rules;
- (b) if a school is found involved in malpractices such as mass copying in public examination conducted by any Board or bogus enrolment or tempering of records or non co-operation to appropriate authority [or moral turpitude etc.]*** its recognition/NOC shall be withdrawn without any notice and the concerned Board shall be intimated (be asked to withdraw its affiliation);
- (c) if the managing committee of the school obtains recognition/NOC by fraud, mis-representing or suppressing any particulars or after obtaining recognition/NOC fails to continue to

***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

***Inserted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated:19-01-2007

/NOC Inserted after recognition wherever occurring No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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comply with any of the conditions specified in these rules the appropriate authority after giving a reasonable opportunity and one month notice to show cause against proposed action can withdraw recognition/NOC;

- (d) a recognized school which provides for hostel facilities shall comply with the provisions of these rules and the instructions made there-under, and in case of any default in complying with such provisions or instructions, the appropriate authority may for reasons to be recorded in writing, withdraw the recognition/NOC in relation to the school itself.

Provided that where the appropriate authority is satisfied that the deficiencies or defects are capable of immediate or early removal, it may, instead of withdrawing the recognition suspend the recognition/NOC for such period as it may deem fit and direct the managing committee of the school to remedy the deficiencies or defects to the satisfaction of the appropriate authority during such period:

Provided further that where the recognition/NOC of a school has been withdrawn or suspended, no appropriate authority shall grant recognition to 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/NOC has been withdrawn or suspended.

(2) The withdrawal / suspension of recognition/NOC of a school shall be effective from first day of new academic session.

(3) Where recognition/NOC of any school is withdrawn, the reasons for withdrawal of such recognition/NOC shall be communicated to the

/NOC Inserted after
recognition wherever occurring
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	<p>managing committee within seven days from the date on which the recognition/NOC is withdrawn.</p> <p>(4) Any managing committee aggrieved by the withdrawal of recognition/NOC of the school managed by it may, within thirty days from the date of communication to it of the withdrawal of recognition/NOC prefer an appeal against such withdrawal to the appellate authority. [The appeal fee shall be attached in the form of bank draft in favour of Director, as laid down in rule 192,]***</p>
Restoration of recognition/NOC. sections 3 and 24 (2) (a) (b) and (d).	<p>44. Recognition/NOC once withdrawn or lapsed shall not be restored until the appellate authority is satisfied that the reasons which led to the withdrawal or lapse of recognition/NOC have been removed and the school complies with the provisions of these rules.</p>
Authorities to which appeals may be preferred. sections 3 and 24 (2) (a) (b), (c),(d)and (g).	<p>45. (1) Every appeal against refusal by the appropriate authority to open a new school or accord recognition to a school or withdrawing recognition/NOC from an existing school shall be made to the appellate authority.</p> <p>[(2)Every such appeal shall be made in writing and shall be accompanied by a copy of the reasons for the refusal to establish a new school or to accord recognition/NOC or withdrawal of recognition/NOC, within a period of thirty days from the date of receipt of such communication. The appeal fee shall be attached in form of bank draft in favour of Director as laid down in rule 192.]***</p> <p>(3) The appellate authority shall dispose of the appeal within six months from the date of presentation of the appeal and if the appeal is not disposed of within that period, the order for the withdrawal for recognition/NOC shall stand cancelled.</p> <p>(4) On hearing an appeal under sub rule (3), the appellate authority may after giving the appellant reasonable opportunity of being heard, confirm, modify or reverse an order appealed against.</p>
¹ ***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007	
² ***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007	
/NOC Inserted after recognition wherever occurring No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007	

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GRANT-IN-AID

46. The sole objective behind the grant-in-aid by the Government for a limited number of posts is to promote expansion of education without interfering with day to day managing committee and running of these private institutions in the State. Grant-in-aid are sums of money which are annually set apart from the general revenues. Such grants are given only for purposes connected with secular instructions without reference to any religious instructions and under the rules given hereafter.

47. Wherever, under these rules, the approval/sanction of the Department is required, the same may be obtained from Director through the District Education Officer/ District Primary Education Officer. The Director have the right to review/ revoke the sanction/ orders issued by the District Education Officer / District Primary Education Officer as the case may be.

48. No grant from Government funds may be made, increased or withdrawn otherwise than as provided in this chapter, except with the previous sanction of Government.

49. Grants awarded under the rules of this Chapter are payable out of State revenues to :-

- (a) primary schools and primary stage of Middle, Secondary and Senior Secondary Schools.
- (b) Middle schools or Middle stage of Secondary/ Senior Secondary Schools;
- (c) Secondary / Senior Secondary Schools;
- (d) Special grant to special schools.

50. All correspondence with the Department on the subject of grant-in-aid must be addressed to the District Education Officer/ District Primary Education Officer by the manager of the school.

Objects of grant.
sections 24 (2) (a) and 3.

Sanction of the Department.
sections 24 (2) (a) and 3.

Sanction of Government required in cases not provided for.
sections 24 (2) (a) and 3.

Source of grants and to whom payable.
sections 24(2)(a)(b) and 3.

Correspondence with the Department.
sections 24 (2) (a) and 3.

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Conditions of grant.
sections 24(2)(a)(b) and 3.

51. (1) The managing committee of the schools seeking grant-in-aid have to give following undertaking :-

- (a) that it shall comply with the provisions of the Act and these rules;
- (b) that it shall fill in the posts in the school with the Scheduled Castes and the Scheduled Tribes candidates in accordance with the instructions issued by the Department from time to time and also maintain the roster and other connected returns in this behalf;
- (c) that it shall pay the pay and allowances, pension, gratuity, of the staff within first week of every month. Failing which, Director may pay such sum of money as is found to be due to any employee from such school, out of the aid payable to the aided school.
- (d) that it shall fill in for such number of posts in the school as have been approved by the Department without any discrimination or delay and strictly as per the recruitment rules, prescribed for such posts;
- (e) that it shall ensure that the head of the school possesses the necessary record of an employee who is due to retire from service after attaining the age of superannuation or otherwise, with a view to avoid any delay in sanctioning the pension, gratuity, provident fund to such employee of his family, as the case may be; and

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(f) that it shall attend to all the claims of the service matter of the employees of its school as and when they become due, promptly without any delay or discriminations, strictly in accordance with the recruitment rules or the instructions issued by the Department from time to time on the subject.

(2) The breach of any condition specified in sub-rule (1) shall render such school liable to be removed from the grant-in-aid list.

(3) Any replacement consequent upon resignation and retirement shall be notified to the Department and the pay of the new incumbent shall be fixed with the approval of the Department.

(4) No teacher in position shall be removed by the managing committee without prior approval of the Department;

(5) The posts filled in by superannuated teachers shall not admissible for grant.

52. Existing aided schools on the grant-in-aid list of the Department, so long as they fulfil the conditions for receiving grant-in-aid, shall continue in the aid list and no fresh school shall be brought on the list of grant-in-aid in future.

53. The existing system of Kothari grant and Maintenance grant shall cease to exist from the date of publication of these rules in the Official Gazette. Under the new scheme the **salary grant** alone will be paid by the Government to the existing aided schools in the State under these rules.

54. (1) The salary grant shall be calculated @ 75% or the amount fixed by the Government from time to time on the basis of the difference between the approved expenditure and the approved income

Aid to existing schools.
sections 24(2)(a)(k) and 3.

Form of grants.
sections 24 (2) (a) (k) and 3.

Salary grant.
sections 24(2)(a)(k) and 3.

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made during the previous year by the school as detailed below :-

(a) approved expenditure shall include salaries of teaching and non-teaching staff appointed on the sanctioned posts approved by the Department including Dearness Allowance, House Rent allowance, City Compensatory Allowance, Gratuity etc. etc. as given below:-

(i) salary of teaching staff including Dearness Allowance, House Rent allowance, City Compensatory Allowance;

(ii) salary of Non-teaching staff including Dearness Allowance, House Rent allowance, City Compensatory Allowance;

(iii) salary of Class-IV (Group D Employee,) including Dearness Allowance, House Rent allowance, City Compensatory Allowance;

(iv) death-cum-retirement-gratuity sanctioned by the Department;

(b) approved income shall include,-

(i) tuition fee and admission fee;

(ii) late fee fine;

(iii) grant-in-aid in lieu of free-ship to Scheduled Caste and Backward Class students;

(iv) any other income/ grant received by the school from any other source.

(2) The head of the school shall maintain account of income and expenditure which shall be subject to the audit.

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55. (1) The managing committee of the school shall submit the claims of salary grant on the basis of deficit of actual expenditure and income during the previous year ending 31st March, in the prescribed proforma appended as Form III to the District Education Officer/ District Primary Education Officer before the 31st May positively in triplicate along with certificates required by the Department. The school authority shall also append the audit report of Chartered Accountant or qualified auditor approved by the Department.

(2) The claims so received from the schools shall be scrutinized and checked with the original documents of the school by the Section Officer (SAS) of Finance Department within one month from the date of receipt.

(3) The District Education Officer/ District Primary Education Officer after making such enquiry into the matter, shall forward all the claims indicating the actual deficit of the school of the preceding year along with recommendation to the Director before 30th June, every year.

[(4) The grant shall be sanctioned and issued preferably in four installments on actual basis. The first installment shall be issued provisionally on the basis of the actual grant released in the previous year. The grant shall be paid by the concerned branch dealing with the matters of aided schools by cheque quarterly in favour of 'School Staff Account' jointly operated by authorized officer of the Director and the representative of the approved managing committee of the concerned school after verifying the claims of payment to the beneficiary school.

(5) The existing system to claim Death-cum-Retirement Gratuity (DCRG) through salary grant shall be discontinued. The managing committee shall pay the DCRG to the beneficiary within a period of one month from the date of receipt of sanction from

Procedure of grant-
in-aid.
sections 24 (2) (a) (h)
and 3.

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the Director. The managing committee shall submit its claim (75% Government Share) in the same year. The Director shall reimburse the claim to the managing committee in the next quarter of the year from the receipt of claim.]***

Conditions of
inadmissibility of
grant. sections 24 (2)
(a) (k) and 3.

56. (1) In order to be eligible to receive grant-in-aid, a school shall employ adequate number of qualified teaching and other staff as approved by the Department under the norms of post fixation or as has been specified by him from time to time.

(2) The pay of unqualified teachers shall not be admissible charge for the assessment of grant-in-aid for the school.

(3) The Department may exclude from employment in any recognised school a teacher whose certificate has been withdrawn or who has after due enquiry been declared unfit to be a teacher by the Department.

(4) No aid shall be admissible on any special increment, allowance or financial benefit given to the employees by the managing committee at its own level.

(5) No aid shall be granted in respect of any employee who is retained in service subsequent to the attainment of the age of superannuation, except where a teacher, head of the school has obtained National or State award for rendering meritorious service with prior approval of the Department in accordance with the general instructions issued by the Department from time to time.

(6) No aid shall be admissible in the case of an employee appointed by the managing committee on part time basis.

(7) The minimum number of weekly period of actual secular instruction required to qualify a teacher for full staff, grant shall not be less than that laid down by the Department from time to time.

***Substituted vide notification
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Provided that the staff grant may be reduced or disallowed if this condition is not fulfilled.

(8) No grant shall be calculated more than the prescribed scale of the post sanctioned by the Department.

(9) No grant shall be allowed for the post filled by the managing committee where appointment procedure has not been adopted.

(10) The rate of dearness allowance, house Rent allowance, compensatory allowance shall be a claim as allowed by the Department from time to time.

57. The number of students on the rolls of an aided school shall not fall below the number on the basis of which aid was initially granted to such school, and the number of working days of such school shall not fall below 220 in a year; and where the number of students fall, below seventy-five percent of the first mentioned number or the number of working days falls below 220, a proportionate reduction of post shall be made in the grant-in-aid payable to such schools.

58. The managing committee of the school shall maintain a bill register showing exact amount of payment to the employee such as basic pay, dearness allowance, house rent allowance, city compensatory allowance etc. and also the deductions/ subscriptions made by the managing committee, failing which the grant payable to the school shall not be assessed/ released by the Department.

[59. (1) No grant shall be admissible to the managing committee for the teachers found surplus by the inspecting officer on the basis of student teacher ratio below the norms as fixed by the Department from time to time, after giving reasonable opportunity to the managing committee.

Enrolment and attendance.
sections 24(2)(a)(b) and 3.

Maintenance of acquittance roll.
sections 24 (2) (a) (b) and 3.

Maintenance of acquittance roll.
sections 24 (2) (a) (b) and 3.

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	<p>(2) Rationalization of posts shall be done after every five years.</p> <p>(3) The Director shall be competent to transfer the surplus post to another school as per requirement in the same district or outside district in the State.]***</p>
Grant not admissible on the salary of manager. sections 24 (2) (a) (b) and 3.	60. If the manager of a school is working on a salaried basis, no grant shall be admissible in relation to the salary to such manager.
Audit. sections 24 (2) (a) and 3.	61. (1) The grant released by the Department shall be audited annually by such agency as may be specified by the Department. (2) Any recovery pointed out in the audit shall be taken into account in the next year's claim/grants in case no representation against such recovery is received from the school authority within one month from the date of receipt of the audit report.
Stoppage, reduction or suspension of grant-in-aid. Section 24 (2) (a) and 3.	62. (1) The Director is competent to stop, reduce or suspend the grant-in-aid at any time subject to provisions of these rules and due to following reasons:- (a) if any or more of the conditions for the recognition, discipline, organization or instructions in school are unsatisfactory; or (b) if the managing committee of the school fails, without any sufficient cause, to comply with any provisions of the Act or these rules; 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 school or the grant
***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007	

of any aid to a school has/have been violated;

- (e) if the managing committee of the school fails to initiate or finalize disciplinary action against an employee who has been placed under suspension, pending contemplation of such disciplinary action, in accordance with the provisions of these rule within a period of one year of the date of suspension; or
- (f) if the procedure as laid down under sub-sections (2) and (3) of section 8 of the Act and of these rules have not been followed in the case of termination or dismissal from service of an employee or reduction in rank of an employee, notwithstanding that any or such employee is reinstated in service or restored to his original position as a result of the decision of the court of law or any competent authority:

Provided that no aid shall be stopped, reduced or suspended except after giving to the managing committee of the school a reasonable opportunity of showing cause against any of the proposed action.

(2) In case any managing committee of an existing aided schools desires to get it de-aided he will have the liberty to do so after observing the following conditions, namely :-

- (a) the managing committee shall pass a resolution to this effect with at least two-third majority of the general body in the meeting convened for this purpose.
- (b) it will be the responsibility of the such managing committee to meet

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the liabilities of staff for which they were getting grant-in-aid and the liability of the State shall be limited to the extent the benefits are admissible under the pension scheme as applicable from time to time.

[(3) After observing the conditions as laid down in sub-rule (2) the managing committee shall move an application with the proposal of setting up of claims of the employees working in the school for de-aiding its school to the Director. The Director shall pass order of de-aiding the school after verifying the application as per rule. If the decision is not conveyed by the Director to the managing committee within a period of six months, it shall be deemed to have been de-aided. The grant-in-aid of the school shall be ceased from the date of application or any date specified by the managing committee.]***

Powers of
Department regarding
grants.
sections 24 (2) and 3.

63. Government may review or modify the entire grant-in-aid scheme at any time without assigning any reason at its discretion depending on its state of finance.

Procedure of
payment of
salaries and deposits.
sections 24 (2), 3 and 8.

64. (1) The managing committee of the schools shall pay the salary and allowances to the school staff by the 7th of the following month.

(2) The managing committee of the school shall open apart from the school fund account an account to be called "School Staff Account" in a Nationalized or a Schedule bank for the payment of salary to the staff.

[(3) The 'school staff's account' shall be operated jointly by authorized officer of the Director and the manager or head of the school or in his absence by a member of the staff authorized by managing committee to act as head of the school. The managing committee of the school shall not be competent to cease the 'staff salary account'.]***

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
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(4) Every employee working in the aided school on the sanctioned post, shall also operate a saving account in the same bank where the “school staff account” of the managing committee are in operation.

(5) A separate account of each employee for contributory provident fund shall be operated by the managing committee and the employees share of contributory provident fund be deposited in the respective account of the employee every month.

(6) The managing committee of the school shall deposit the required amount in the “school staff account” with the advice to transfer the amount to the account of the concerned employees.

65. (1) 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 obligation referred to in sub-section (2) of section 10.

(2) Non-payment of salary, gratuity, pension etc. by the managing committee to their employees for which the grant-in-aid was released to the concerned managing committee. It shall be lawful for the Director to pay, out of the aid payable to the aided school such sum of money as is found to be due to any employee from such school.

CHAPTER – III

SCHOOL PROPERTY

66. School property means all movable and immovable property belonging to or in the possession of a school and all the rights and interests in or arising out of such property, building and its appurtenance, play grounds, hostel, furniture, books, apparatus, maps equipment, utensils, cash, reserve funds, investment and bank balances.

Managing committee
to pay salary and
allowances.
sections 24 (2), 3 and 8.

School property.
sections 24 (2), 3 and 7.

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Particulars of school property to be furnished to the appropriate authority. sections 24 (2), 3 and 7.

67. Manager or the managing committee of every recognized school shall furnish to the appropriate authority, in Form IV, statements (in triplicate) of all movable and immovable properties of the school.

Transfer of school property. sections 24 (2), 3 and 7.

68. In case if the land/ building etc. allotted by the Government/local authority to a school, such moveable/ immovable property shall not be transferred without the prior approval of the appropriate authority. In other case a managing committee may dispose off such property with the specific resolution passed by the 2/3rd majority of the General Body meeting convened for this purpose.

Time for appeal. sections 24 (2), 3 and 7.

69. Any person aggrieved by the grant or refusal of permission under these rules may prefer an appeal to the Director within thirty days from the date of communication of the grant or refusal or permission to transfer school property and every such appeal shall be preferred in an application and contain the particulars of the school property proposed to be transferred: Provided that the Director may, if he is so satisfied that the appellent 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 -IV

**TERMS AND CONDITIONS OF SERVICE OF
EMPLOYEES WORKING ON AIDED
SANCTIONED POST IN AIDED SCHOOLS,
CONTRIBUTORY PROVIDENT FUND AND
TAKING OVER THE MANAGING
COMMITTEE THEREOF**

70. These rules shall be applicable to the employees working on aided sanctioned posts only in the aided school.

Application.

section 20 (1) and 8.

71. The managing committee of every recognized private aided school shall enter into a written contract of service with every employee of such school in Appendix B. A passport size photo of each employee shall be affixed on the proforma of contract of service, duly filled in.

Contract of service.

sections 20 (1) and 8.

72. Recruitment of all employees in each aided school shall be made by the managing committee on the recommendation of the selection committee.

Recruitment.

sections 24 (2) and 8.

73. Every vacancy in an aided school shall be filled in by promotion, transfer or by direct recruitment under these rules with prior approval of the Department.

Filling of vacancies.

sections 24 (2) and 8.

74. Every managing committee shall constitute a selection committee for the selection of employees on aided sanctioned post consisting of :

Selection

committee.

sections 24 (2) and 8.

(a) in case of recruitment of the head of the school :

- (i) the chairman/president of the managing committee of the particular school;
- (ii) an educationist nominated by the managing committee;
- (iii) an educationist having experience of school education nominated by the Department;

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(iv) a person having experience of the administration of schools nominated by the managing committee.

(b) in the case of an appointment of a teacher (other than the head 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 school;

(iii) in the case of a primary school, a female educationist having atleast 10 years experience of school education ;

(iv) an educationist with atleast 10 years experience to be nominated by the Department;

(v) an expert on the subject in relation to which the teacher is proposed to be appointed;

(c) in the case of an appointment of any other employee (non teaching), not being an employee belonging to Group D:

(i) the chairman of the managing committee or a member of the managing committee, to be nominated by the chairman ;

(ii) head of school;

(iii) seniormost member of the staff ;

(iv) a nominee of the Department;

(d) in the case of an appointment of a Group D employee:

(i) the chairman of the managing committee or a member of the managing committee nominated by the chairman;

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- (ii) the head of school;
- (iii) seniormost staff member of the school.
- (e) In the case of minority aided school the recruitment procedure shall be in accordance with the rules referred to Chapter V.

[74A. The Director shall be competent to grant expostfacto approval or relaxation in the procedure of recruitment.]^{1***}

[75. As and when a vacancy of the head of school or a teacher arises due to dismissal or any other reason thereof and managing committee advertises to fill that vacancy, intimation to this effect shall also be given to the appropriate authority. The managing committee may give first preference in the selection to the employees working in the school on unsanctioned post where the procedure of selection has already been adopted under the rules.]^{2***}

76. The chairman of the managing committee, or, where he is not a member of the selection committee, the member of the managing committee who is nominated by the chairman to be a member of the selection committee, shall be the chairman to the selection committee.

77. The selection committee shall regulate its own procedure for the selection of school staff.

78. Where a candidate for recruitment to any post in an aided school is related to any member of the selection committee, the member to whom he is related shall not be made the member of committee.

79. If a teacher resigns from his job he shall not be relieved of his duties except after the expiry of a period of –

Expostfacto approval.
sections 24 (2) and 8.

Intimation to
appropriate
authority.
sections 24 (2) and 8.

Chairman of
selection committee.
sections 24 (2) and 8.

Selection of
school staff.
sections 24 (2) and 8.

Relation with member
of selection committee.
sections 24 (2) and 8.

Relieving of duties.
sections 24 (2) and 8.

^{1***}Inserted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

^{2***}Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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- (i) three months, in the case of a permanent teacher, from the date on which notice of intimation to leave the school is given or by depositing three months salary in advance; and
- (ii) one month, in the case of a teacher who is not permanent, from the date on which notice of intimation to leave the school is given or by depositing one months salary in advance:

Provided that where the managing committee is in a position to provide for a substitute for such teacher earlier than the respective period specified in the foregoing provisions, the managing committee may relieve the teacher of his duties on the expiry of such earlier period.

Appointing authority.
sections 24 (2) and 8.

80. (1) The appointment of every employee of an aided school shall be made by its managing committee with the prior approval of the Department.

(2) An appointment letter on the Appendix C, shall be issued by the managing committee to every employee appointed under sub rule (1).

(3) A copy of such appointment letter of every employee shall be sent to the District Education Officer/ District Primary Education Officer for record;

Prohibition against
the employment of
dismissed employees.
sections 24 (2) and 8.

81. No aided school shall employ, except with the prior approval of the Director an employee who has been dismissed from service by another recognised or Government school.

Minimum
qualifications.
sections 24 (2) and 8.

[82. (1) The minimum qualification for appointment of head of school and other categories of teachers and also non teaching staff in an aided school shall be as per Appendix A. These appointments shall be made by advertising at least in two leading newspapers (Hindi and English).

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(2) The managing committee may appoint a person having higher qualification than prescribed for the post. The department shall only pay the salary grant for the scale of the post as specified in column 4 of Appendix A to these rules. Additional payment, if any, on account of higher qualifications shall be borne by the managing committee of aided schools at their own.]***

83. (1) The scales of pay of the employees shall be such as specified in column 4 of Appendix A to these rules and modified / revised by the Government from time to time.

[(2)The rate of dearness allowance, House Rent Allowance and City Compensatory Allowance payable to these employees shall be such as may be allowed by the department from time to time to the aided schools.]***

84. (1) The initial pay of an employee, on first appointment, shall be fixed ordinarily at the minimum of the scale of pay:

Provided that a higher initial pay, in the specified scale of pay, may be given to a person by the appointing authority.

(2) The pay of an employee on promotion to a higher grade or post shall be determined by the same rules as prescribed by the Department from time to time.

85. The minimum and maximum of age limit for recruitment of teaching and nonteaching staff of an aided school, shall be such as may be specified by the Department from time to time.

86. (1) Every appointment in an aided school shall be subject to the physical fitness and good character of the candidate.

(2) A candidate selected for appointment shall be required to produce a medical certificate of

Scale of pay,
dearness allowance.
sections 24 (2) and 8.

Fixation of pay.
sections 24 (2) and 8.

Age limit.
sections 24 (2) and 8.

Medical certificate and
character certificate.
sections 24 (2) and 8.

***Substituted vide notification
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fitness from a hospital established or maintained by Government or any local authority and two certificates from two different members of Parliament or members of State Legislative Assembly or Gazetted Officers or member of local authority, not related to the candidate, certifying the character of the candidate.

(3) A copy of the medical certificate and a copy each of the certificates of character shall be enclosed with the grantinaid papers claiming from the Department for the first time.

Probation.
sections 24 (2) and 8.

87. (1) Every employee shall on initial appointment, be on probation for a period of one year which may be extended by the appointing authority for another one year and services of an employee may be terminated during the period of probation if the work and conduct of the employee, during the said period, is not in the opinion of the appointing authority, satisfactory. In such cases speaking orders shall be made by the appointing authority:

Provided that no termination from the service of an employee on probation shall be made by a school, except with the prior approval of the Department.

(2) If the work and conduct of an employee during the 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.

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

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88. (1) There shall be a seniority roster for each cadre and the names of the employees appointed to the posts in each cadre shall be arranged in the roster in accordance with this rule.

(2) Seniority of employees shall be determined by the order of merit in which they were selected for appointment to the concerned post, those selected on an earlier occasion being ranked senior a selected later:

Provided that in a case where a joint seniority roster of employees of each cadre common to all schools in Haryana used to be maintained by society or trust running such schools prior to the commencement of these rules, interseniority of all employees of such schools shall continue to be maintained jointly.

(3) Interseniority between direct recruitment and promotees shall be determined according to the rotation of vacancies between direct recruities and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules.

(4) Interseniority of the employees of any cadre shall be determined by the managing committee:

Provided that in a case where a joint seniority roster of employees of each cadre common to all schools in State used to be maintained by the society or trust running such schools prior to the commencement of these rules, such interseniority shall be determined by managing committee.

89. (1) For every employee, there shall be maintained a service book in the following manner:

- (i) It shall be kept in custody of head of the school.
- (ii) Every step in employees' official service must be recorded in the

Seniority.
sections 24 (2) and 8.

Service record.
sections 24 (2) and 8.

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service book and each entry must be attested by the head of the school or, if he or she himself is head of the school by the manager of the school.

- (iii) All entries are duly made and attested and correction being neatly made and properly attested.
- (iv) Every period of suspension from employment and every other interruption shall be noted with full detail of its duration.
- (v) The persons' certificate of character, reduction for efficiency, reversion, promotion etc. must be entered in the service book.

(2) For every employee, there shall be maintained personal file containing appointment letter, academic certificates, annual confidential report and other important documents in relation there to.

(3) The head of the school shall be responsible to produce the service book and personal file before the inspecting officer.

Confidential
reports.
sections 24 (2) and 8.

90. (1) Confidential reports of head of the school and other employees shall be completed by the end of September every year.

(2) Confidential reports in relation to the head of the school and other employees of aided schools, shall be maintained in form specified by the Department in this behalf.

(3) The form referred to in sub rule (2) shall be the same as applicable in Government schools at that time:

Provided that if the head of the school or other employee refuses to affix his signature to the factual assessment of his work, the authority recording the

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confidential report shall make a record of such refusal and complete the confidential report.

(4) 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 managing committee.

(5) The confidential report in respect of the head of the School shall be recorded, every year, by the chairman of the managing committee and every such confidential report shall be reviewed by the managing committee.

(6) 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 Department.

(7) Any employee of an aided school who is aggrieved by any adverse entry in his confidential report may, within fortyfive days from the date on which such adverse entry is communicated to him, prefer an appeal against such entry to the appropriate authority and the appropriate authority may, after giving to the recording authority a reasonable opportunity of showing cause, make such alterations in the entries in the confidential report.

(8) 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 confidential reports in relation to the other employees of the school shall be kept in the safe custody of the head of the school.

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Sanction of leave.
sections 24 (2) and 8.

91. (1) The employees shall be entitled casual leave as under:

- | | |
|---------------------------------|---------|
| (a) Upto ten years service | 10 days |
| (b) Ten to twenty years service | 15 days |
| (c) Above twenty years service | 20 days |
| (d) All female employees | 20 days |

(2) The head of school shall be competent to grant casual leave to the employees and in the case of head of the school, the managing committee.

(3) The employees (teaching) shall also be entitled to ten days earned leave in lieu of half pay leave on completion of one year.

(4) The employees (nonteaching) shall be entitled to earned leave as under:

- | | |
|---|-------------|
| (i) Upto the service of ten years | @ 1/24 days |
| (ii) Above ten years upto twenty years of service | @ 1/18 days |
| (iii) Above twenty years of service | @ 1/12 days |

These employees shall also be entitled to twenty half pay leave on completion of one year.

[(5) The benefit of leave encashment, facilities of leave travel concession, bonus and medical reimbursement etc. shall be at the discretion of the managing committee. No grant in aid on this account shall be reimbursed by the Department.]*

(6) The competent authority to sanction the leave other than casual leave shall be as under:

- | | |
|---------------------------------------|--------------------|
| (i) Upto 30 days in case of employees | head of the school |
| (ii) Beyond 30 days upto any extent | managing committee |
| (iii) In case of head of the school | managing committee |

(7) Application shall be sent to the managing committee by the head of the school with his remarks regarding the admissibility thereof and if the

*Substituted vide notification
No. S.O.22/H.A.12/1999/
S.24/2004 dated : 20-02-2004

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application for leave is made by the himself no such remarks shall be required.

[(8) The maternity leave and miscarriage leave shall also be available to the female employees as per instructions issued by the Government from time to time.]*

92. If an employee is deputed by the managing committee or head of school for the business of the aided school, he shall be entitled to get traveling allowances in accordance with the rates fixed by managing committee from time to time. No grantinaid on this account shall be reimbursed by the Department.

[93. (1) No teacher shall undertake private tuition or private employment.]***

(2) Every teacher shall devote in a year not less than 1000 hours to the teaching of students, out of which not more than 200 hours may be devoted to for the coaching, in the school premises, of weak or gifted students, whether before or after the school hours.

94. Every employee of an aided school shall be governed by a code of conduct and on the violation of any provision of such code of conduct the employee shall be liable to such disciplinary action as prescribed under these rules.

95. No employee shall, except with the previous sanction of the managing committee engage directly or indirectly in any trade or business or undertake any other employment:

Provided that a teacher may with permission undertake honorary work of a purely social or charitable nature or occasional work of a literacy, artistic nature or scientific nature subject to the condition that his official duties do not suffer and the head of the school or the managing committee does not object thereto.

Travelling allowance and daily allowance.
sections 24 (2) and 8.

Private tuition and teaching hours.
sections 24 (2) and 8.

Code of conduct.
sections 24 (2), 8 and 9.

Private trade or employment.
sections 24 (2), 8 and 9.

*Inserted vide notification No. S.O.22/H.A.12/1999/S.24/2004 dated : 20-02-2004

***Substituted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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Insolvency and habitual indebtedness. sections 24 (2), 8 and 9.

96. An employee shall so manage his private affairs as to avoid habitual indebtedness or insolvency. Any such employee against whom any legal proceedings are instituted for the recovery of any sum due from him or for adjudging him as insolvent shall forthwith report the full facts of the legal proceedings, to the head of the school or the managing committee.

Appearance in examinations. sections 24 (2), 8 and 9.

97. No employee shall, except with the permission of the head of the school or the managing committee, appear in any examination.

Participation in activities. sections 24 (2), 8 and 9.

98. No employee shall take part in, subscribe to or assist in any way, any movement which tends to promote feelings of hatred or enmity between different classes of subjects of India or to disturb public peace.

Connection with the press sections 24 (2), 8 and 9.

99. No employee shall, except with the prior permission of the managing committee, wholly or in part conduct or participate in the editing or managing committee of any newspaper or other periodical publication.

Taking part in elections. sections 24 (2), 8 and 9.

100. No employee shall, except with the prior permission of the managing committee, stand for elections to Parliament, State Legislative Assembly or any local body.

Joining of association by employees. sections 24 (2), 8 and 9.

101. No employee shall join or continue to be a member of an association unless such association satisfies the following conditions, namely:

- (i) its membership is confined to a district class of employees and is open to all employees of that class;
- (ii) it is not in any way connected with any political party or any organisation or engaged in any political activity.

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102. (1) Every employee shall –

- (i) serve efficiently, act in a disciplined manner and maintain absolute integrity and devotion to duty;
- (ii) maintain cordial relations with the pupils and their parents, the need of the Institution, other employees, the managing committee and the Government officer concerned; and
- (iii) accept invigilation and answer books evaluation duties assigned by the Board from time to time.

(2) No employee shall –

- (i) without sufficient ground, refuse to undergo a course of training whenever required to do so; and
- (ii) take part in any activity, which in the opinion of the head of institution, is calculated to lead to indiscipline in the aided school.

(3) Unless otherwise expressly provided, an employee shall, at all times, be at the disposal of the aided school and shall serve the school in such capacity and at such places as he may, from time to time be deputed by the head of the school or the managing committee.

(4) Save in exceptional circumstances, no employee shall absent himself from his duty without the prior permission of the head of the school or the managing committee.

(5) No employee shall –

- (i) accept or permit any member of his family or any other person acting on his behalf or 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.

General.
sections 24 (2), 8 and 9.

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Note: A casual meal, gift or other social hospitality of a casual nature shall not include gift.

Explanation 1: The expression “gift” shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by the person other than a near relation or personal friend having no dealings with him in connection with the school.

Explanation 2: On occasions, such as weddings, anniversaries, funerals or religious functions when the making of a gift is in conformity with the prevailing religious or social practice, a teacher may accept a gift.

- (ii) practice or invite any student to practice casteism, communalism or untouchability;
- (iii) cause or invite any other person to cause any damage to school property;
- (iv) be guilty of or encourage violence or any conduct which involves moral turpitude.

Retirement age.
sections 24 (2) and 8.

103. (1) Every employee of a aided school, shall hold office until he attains the age of 58 years. In case of Group D employees, retirement age shall be sixty years.

[(2) Notwithstanding anything contained in subrule (1) where a teacher, head of the school has obtained National or State award for rendering meritorious service as a teacher, head of the school or where he has received the National or State awards, the period of service of such teacher, may be extended by two years or such period as per State policy. In no case an employee shall go beyond sixty years. No employee shall be entitled to promotion

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during such extension period. The managing committee shall forward the case to the Director for such extension with the specific resolution. The Director is competent to grant such extension.]***

104. The resignation submitted by a temporary employee of an aided school shall be accepted within a period of thirty days and that by permanent employee within a period of ninety days from the date of receipt of the resignation by the managing committee with the approval of the appropriate authority:

Provided that if no approval is received from appropriate authority within thirty days, then such approval shall be deemed to have been received after the expiry of the said period.

105.(1) Managing committee may place an employee of an aided school, under suspension:

- (a) where disciplinary proceedings against such employee are contemplated or pending; or
- (b) where a case against him in respect of any criminal offence is under investigation or trial; or
- (c) where he is charged with embezzlement; or
- (d) where he is charged with cruelty towards any student or other employee of the school; or
- (e) where he is charged with misbehaviour towards any parents, guardian or employee of the school; or
- (f) where he is charged with the breach of any other code of conduct.

(2) No order for suspension shall remain in force for more than six months unless the managing committee, for reasons to be recorded in writing,

Resignation.

sections 24 (2) and 8.

Suspension.

sections 24 (2), 8 and 9.

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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directs the continuation of the suspension beyond the period of six months:

Provided that where a suspension is continued beyond the period of six months the Director may, if he is of opinion that the suspension is being unreasonably prolonged, revoke the order of suspension.

(3) An employee of an aided school, shall be deemed to have been placed under suspension by an order of the appointing authority :

- (a) with effect from the date of his detention, if he is detained in Police custody for a period exceeding forty eight hours on a charge of an offence which in the opinion of the managing committee involves moral turpitude;
- (b) with effect from the date of his conviction, if in the event of a conviction for an offence involving, in the opinion of the managing committee, moral turpitude, he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed from service consequent on such conviction.

Explanation: The period of forty eight hours referred to in this rule shall be computed from the date of commencement of the detention or conviction, as the case may be, and for this purpose, intermittent periods of detention shall be taken into account.

(4) Where a penalty of dismissal, removal from service imposed upon an employee is set aside or rendered void, in consequence of or by, a decision of a court of law or of the Tribunal ; and the disciplinary authority on a consideration of the circumstances of the case decides to hold further

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inquiry against such employee on the same allegations on which the penalty of dismissal, removal was originally imposed, such employee shall be deemed to have been placed under suspension by the managing committee from the date of original order of dismissal, removal and shall continue to remain under suspension until further orders :

Provided that no such further enquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

- (5) (a) An order of suspension made or deemed to have been made in these rules shall continue to remain in force until it is modified or revoked by the managing committee.
- (b) Where an employee is suspended or is deemed to have been suspended and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the managing committee may for reasons to be recorded in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceeding.
- (c) An order of suspension made or deemed to have been made under these rules may, at any time be modified or revoked by the managing committee.

[(6) Resignation of employee under suspension shall not be accepted before taking final decision of suspension.]***

106. (1) An employee, under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely:

- (a) Subsistence allowance as an amount equal to one half of the pay last

Subsistence allowance.
sections 24 (2),8 and 9.

***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

drawn by him and in addition to such pay, dearness allowances at the appropriate rate to be paid in the same manner as salary:

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

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

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- (c) No payment of subsistence allowance shall be made unless the employee furnishes a certificate to the effect that he is not engaged in any other employment, business, profession or vacation:

Provided that in the case of an employee dismissed, removed 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 which would have otherwise been admissible to him.

- (d) Where the subsistence and other allowances admissible to him are equal to or less than the amount earned by him, nothing under this rule shall apply to him.

(2) Where a suspended employee is exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal, 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.

107. The following penalties may, for good and sufficient reasons, including the breach of one or more of the provisions of the code of conduct, be imposed upon an employee of an aided school whether recognised or not, namely :

(a) Minor penalties :

- (i) censure;
(ii) recovery from pay of the whole or

Penalties and
disciplinary authority.
sections 24 (2), 8 and 9.

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any part of any pecuniary loss caused to the school by negligence or breach of orders;

(iii) withholding of increments of pay without cumulative effect;

(iv) withholding of promotion.

(b) Major penalties:

(i) reduction in rank ;

(ii) withholding of increments of pay with cumulative effect;

(iii) compulsory retirement ;

(iv) removal from service, which shall not be a disqualification for future employment in any other aided school ;

(v) dismissal from service, which shall ordinarily be a disqualification for future employment in any aided school.

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 the superannuation on retirement;

(c) discharge of an employee appointed on shortterm officiating vacancy caused by the grant of leave, suspension or the like.

Disciplinary
authorities in respect
of employees.
sections 24 (2),8 and 9.

108. The disciplinary authority in respect of every aided school shall be the managing committee of the school.

Compulsory
retirement.
sections 8 and 24.

[108A. (1) If managing committee is of the opinion that it is in public interest to retire an employee for the reasons to be recorded in writing, it shall have the right by giving the employee concerned, a prior notice, in writing, of not less than

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three months, to retire him on the date on which he completes twenty years of qualifying service or on any other dates thereafter to be specified in the notice.

(2) If the retirement of the employee made under sub rule(1) is set aside by a court of law, all pecuniary liabilities consequent thereto from the date of compulsory retirement upto the date of his rejoining the post, shall devolve on the managing committee.]

109. No order imposing a minor penalty shall be made except after informing the employee in writing of the proposed 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 against the proposed action.

110. 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 allegations on which the inquiry is proposed to be held and a copy of the charge together with the statement of the allegations and list of witnesses 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

Procedure for imposing minor penalties.
sections 24 (2),8 and 9.

Procedure for imposing major penalty.
sections 24 (2), 8 and 9.

***Inserted vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

disciplinary authority may itself make inquiry into such of the charges as are not admitted or if considers it necessary so to do, managing committee shall appoint an inquiry officer for the purpose, who will submit his report within three months. In case enquiry is not completed within three months, the inquiry officer will have to take permission from the managing committee for the extension of time;

- (c) At the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry regarding his findings on each of the charges together with the reasons therefor;
- (d) The disciplinary authority shall consider the record of the inquiry officer and record its findings on each charge and if the disciplinary authority is of opinion that any major penalty should be imposed, it shall :
 - (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 against him and calling upon to submit his representation within the specified time of not less than 30 days;
 - [(iii) on receipt of the representation, if any, made by the employee, determine what penalty, if any, shall be imposed on him before communicate its final decision to him it shall be referred to the appropriate authority for approval. The appropriate authority shall

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convey the approval/disapproval to the managing committee within thirty days. If no decision is taken within such period, it shall be treated as approved. The managing committee thereafter communicates its final decision to the employee with a copy to the appropriate authority.]^{1***}

- 111.(a) After receipt of the decision of the disciplinary authority the employee concerned may present his appeal against the order of the disciplinary authority to the District Education Officer/ District Primary Education Officer within 30 days of the receipt of the order.
- (b) After going through the facts and other relevant records relating to the case and hearing both the parties in person, the District Education Officer/ District Primary Education Officer shall convey the decision to the managing committee within 60 days from the date of receipt of the such appeal.
- (c) The decision shall be binding for both the parties, however, the aggrieved party may appeal to the Director within 30 days from the date of receipt of the decision.
- (d) On receipt of the appeal from the aggrieved party i.e. disciplinary authority/ employee, Director may require the disciplinary authority to furnish relevant record of the case.
- (e) After examining the record and giving hearing to the parties if requested, the Director shall decide the appeal by upheld or remand or reduce/ enhance penalty.

Appeal against the
penalty.^{2***}

sections 24 (2), 8 and 9.

¹***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

²***word proposed omitted
vide notification No. S.O.3/
H.A. 12/1999/S. 24/2007
dated : 19-01-2007

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- (f) The decision of the Director shall be final and binding for both the parties:

Provided in the case of minority aided schools the above provisions regarding appeal shall be voluntary for the said school whose managing committee may either adopt this provision of appeal or may devise their own method and remedy for appeal, failing which the aggrieved party will have its remedy under the court of law.

- [(g) The appellate authority may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time. Where an appeal is preferred under clause (a) and (d), the first/second appellate authority, as the case may be, may stay the enforcement of the relevant order for such period and on such conditions, as it deems fit.

- (h) The Director may himself or on an application made by the aggrieved party review its own decision, if he considers that some points of facts were left from his view or ignorance of any material fact or any error apparent on the face of the record and pass fresh order as he deems fit.]***

Pay and allowances on reinstatement. sections 24 (2), 8 and 9.

112. (1) When an employee who has been dismissed or removed 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 or removal, as the case may be, the managing committee shall consider and make a specified order :

- (a) with regard to the salary and allowances to be paid to the employee for the period of his absence from duty, including the period of suspension

***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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preceding his dismissal or removal, as the case may be; and

- (b) whether or not the said period shall be treated as the period spent on duty. Whether qualifying for pay and allowance or pension.

(2) Where the managing committee is of opinion that the employee who had been dismissed or removed from service has been fully, exonerated, the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed or removed from service or suspended prior to such dismissal or removal from service, as the case may be:

Provided that where the managing committee is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons 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.

(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 provision to sub rule (2) shall not be less than the subsistence allowance and other admissible allowances.

CONTRIBUTORY PROVIDENT FUND

113. In this Chapter unless the context otherwise requires

- (a) “emoluments” mean basic pay, leave salary or subsistence allowance;
- (b) “family” means,

Definitions.

sections 24 (2) and 8.

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- (i) in the case of a male subscriber', the wife and children of the subscriber, and the widow and children of a deceased son of the subscriber; and
- (ii) in the case of a female subscriber the husband and children of the subscriber and widow and children of a deceased son of the subscriber.

Explanation: For the purposes of this clause children mean legitimate or adopted children, provided that in the case of adopted children it is proved to the satisfaction of the District Education Officer / District Primary Education Officer that under the personal law of the subscriber adoption is legally recognized as conferring the status of a natural child.

- (c) "fund" means the contributory provident fund;
- (d) "interest" means the interest which is paid by the bank or post office on the balance at the credit of the subscriber in his account.
- (e) "leave" means any kind of leave admissible to employees under the provisions of these rules;
- (f) "subscriber" means an employee who subscribes to the fund;
- (g) "year" means the financial year beginning with the first day of April and ending on the 31 March.

Application of the provisions.
sections 24 (2) and 8.

114. The provisions contained in this chapter shall apply to all employees working on the sanctioned aided posts in the aided school. The said provisions shall not apply to the employees appointed on probation on permanent post in an aided school unless they complete their probation period successfully. After the completion of the period of

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probation successfully they shall have the option to subscribe to the fund for the probation period also;

[Provided that the employee/retiree who has not availed of the option till now, may give fresh option to deposit the subscription to fund alongwith interest at the prevailing rate as worked out by Director within 90 days from the date of commencement of these rules.]***

115.(1) The fund shall be maintained by the concerned school, duly pledged in the name of District Education Officer/ District Primary Education concerned.

(2) The fund shall be maintained in Indian rupees.

(3) Every employee shall be a subscriber to the fund. If an employee, who has become a subscriber to the fund and entitled to the benefits thereof had been a member of any provident fund previously, the balance at his credit in the previous fund shall be transferred to the fund together with the contribution and interest, if any, thereon. The balance so carried forward shall be at the same rate of interest as for the new subscription.

116. Every subscriber shall, on joining the fund, sign a certificate in Form V.

117. The employee shall contribute towards the fund @ 10% per cent of basic pay or any other rate specified by the Department from time to time. An employee may, however, subscribe voluntarily at higher rate than that specified by the Department.

118. (1) A subscriber, shall, at the time of joining the fund, furnish to the head of the school and District Education Officer/District Primary Education Officer concerned a nomination conferring on one or more persons the right to receive the amount at his credit in the fund, in the

Maintenance of fund.
sections 24 (2) and 8.

Signing of certificate.
sections 24 (2) and 8.

Rate of contribution.
sections 24 (2) and 8.

Nomination.
sections 24 (2) and 8.

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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event of his death before that amount has become payable or having become payable has not been paid:

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be made in the favour of any person other than the members of his family:

Provided further that the nomination made by the subscriber in respect of any other provident fund to which he was subscribing before joining the fund, shall, if the amount to his credit in such other fund has been transferred to his credit in the fund, be deemed to be a nomination duly made under these rules, until he makes a nomination in accordance with these rules.

Note: The application for admission to the fund shall not be forwarded to the head of the school unless it is accompanied by nomination form duly completed by the subscriber.

(2) If subscriber nominates more than one person, he shall specify in the nomination a sum, or share in the amount of credit, in the fund payable to each of the nominees.

(3) A subscriber may, at any time, cancel the nomination by signing a notice in writing to the District Education Officer/ District Primary Education Officer through school. On receiving the notice the nomination shall be cancelled and returned to the subscriber.

(4) A subscriber shall, within a reasonable time, send fresh nomination in accordance with the foregoing provision. If the subscriber fails to furnish fresh nomination in accordance with these rules and the sum at his credit in the fund becomes payable as a result of his death, the payment thereof shall be made in accordance with these rules as if no valid nomination subsists.

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(5) A subscriber any provide in his nomination :

- (a) That in respect of any specified nominee predeceasing the subscriber, the right conferred upon that nominee shall pass on to such other person or persons as may be specified in the nomination:

Provided that such other persons or person shall, if the subscriber has other members of his family, be such other member or members;

- (b) that the nomination shall become invalid in the event of happening of a contingency specified therein:

Provided that if at the time of making nomination, the subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family:

Provided further that if at the time of making the nomination, a subscriber has only one member of his family he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or member in his family.

(6) In the event of death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of subrule (5) shall on the occurrence of such event by reasons of which the nomination becomes invalid in pursuance of clause (b) of this subrule, the subscriber shall send to the District Education Officer/ District Primary Education Officer a notice in writing cancelling the said nomination together with a fresh nomination in accordance with the provisions of this rule.

119. The accounts shall be maintained in the name of each subscriber by the head of the school concerned.

Subscriber's account.
sections 24 (2) and 8.

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Realization of
subscription.
sections 24 (2) and 8.

120. (1) The subscription shall be realized from the pay of the employee at the time of disbursement of his pay and shall be deposited in the respective fund account by the head of the school before the 7th day of every following month.

(2) A subscriber may, at his option, not subscribe during the period he remains on leave.

(3) The subscriber shall intimate his option not to subscribe in the following manner, namely :

- (a) If he is not the head of the school by writing to the head of school before proceeding on leave.
- (b) If he is the head of the school, then by writing to the managing committee before proceeding on leave.

(4) The failure to make due and timely intimation shall be deemed to constitute an option to subscribe. The option of the subscriber intimated under this subrule shall be final.

(5) The subscription shall be fixed by the subscriber in round figure which shall not less than 10% per cent of his emoluments.

Note: For the purpose of this rule, the emoluments of a subscriber shall be in the case of a subscriber who was in service on the 31st March of the preceding year, the emoluments to which he was entitled on that date, provided that

- (a) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be such as he would draw on the first date after his return to duty; or

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(b) if the subscriber was on leave on the said date, and continues to be on leave and has elected to subscribe during such leave his emoluments shall be such as he was drawing immediately, before proceeding on leave.

(6) If a subscriber elects to subscribe during leave, his leave salary shall, for the purposes of this rule be deemed to be emoluments drawn on duty unless otherwise directed by District Education Officer/ District Primary Education Officer.

121. The rate of interest on the amount, at the credit of the subscriber in the fund account shall be allowed by the concerned bank/post office from time to time, in which the amount is deposited.

122. A temporary advance may be granted to a subscriber from the amount subscribed by him to the fund and interest earned thereon at the discretion of the District Education Officer/District Primary Education Officer subject to the condition that no advance shall be granted unless the District Education Officer/District Primary Education Officer is satisfied about the genuineness of the claim which should normally be

- (i) to pay expenses in connection with the prolonged illness of the subscriber or any other person wholly dependent upon him and such expenses are beyond the ordinary means of the subscriber;
- (ii) to meet the expenses of education or courses of studies, specified below, of the subscriber or any person wholly dependent upon him,
 - (a) medical, engineering and other technical education or specialized courses in India beyond the High

Interest.
sections 24 (2) and 8.

Advance from fund.
sections 24 (2) and 8.

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school stage; provided that the courses of study is not less than three years;

- (b) academic, medical, engineering, vocational or any other specified course outside India;
- (c) to meet obligatory expenses.

Permanent advance.
sections 24 (2) and 8.

123. The permanent advance from fund may be allowed for the following purposes, namely:

- (1) for the purchase of plot and construction of house @ 90% at his credit after completion of ten years service;
- (2) to meet the marriage expenses for daughter and son @ 70% at his credit;
- (3) to meet the expenses of education or course of higher studies such as, medical, engineering, technical education etc. upto 3 months basic pay or the actual fee of the above courses whichever is less.

Transfer of fund
and other moneys of
the employee.
sections 24 (2) and 8.

124. Where an employee leaves an aided school and joins any other aided school within the State, it shall be lawful for the managing committee of the school left by such employee to transfer to the aided school joined by such employee, the moneys standing in the fund to the credit of such employee on the date when he had left the school and any other amount due to him. It shall be lawful for the managing committee of the aided school so joined by the employee to credit the said amounts to the fund and other accounts of the employee and to take into account the period of approved service rendered by the employee in the first mentioned school for the purpose of counting of his pension and other retirement benefits.

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125. When a subscriber retires or expires or resigns or dismissed from his services shall become entitled for final payment of fund.

Final payment.
sections 24 (2) and 8.

[126. Where the managing committee of the aided school is taken over in accordance with the provisions of section 10, the grantinaid in respect of salary, gratuity, pension etc. (Government share only) shall be made through the Administrator. The Administrator shall operate 'staff salary account' as referred to in rule 64. The Administrator shall submit his demand to the Director for the payment of salary in advance. The advance shall be adjusted/ recouped through salary grant payable to the school. Liability of the salary to the staff (Government share) shall be from the date of taking over the management of school under section 10. As it is a stop gap arrangement for the smooth running and functioning of the school, therefore, the responsibility to pay salary to the staff is restricted to the extent of 75% (Government share) of salary. The remaining 25% (management share) shall be paid by the managing committee on its reconstitution:

Power to take over
the managing
committee of aided
school.
sections 24(2) and 10

Provided that the Administrator shall take the charge of school building and its premises from the managing committee and all the income from such building or its premises shall be taken as income of the said school.]***

127. (1) Where the managing committee omits or fails to deposit its share of the salaries and other allowances of the employees of the school, the Director may authorize draw of such amount from the reserve fund as would be sufficient to meet the managing committee's share of the salaries and allowances of the employees.

Power of Department
to withdraw from
the reserve fund.
sections 24 (2) and 10.

(2) The Director may authorize to draw any sum from the reserve fund where such withdrawal from the reserve fund becomes necessary to make

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
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any emergent repairs in the buildings of the school or for any other emergent purpose.

CHAPTER V

PROVISIONS APPLICABLE TO MINORITY SCHOOLS

Application to open a minority school.
sections 24 (2).

[128. (1) The managing committee of a minority school desired to open a minority school under this category shall apply to Director alongwith certificate of minority community issued by appropriate authority of the State. The Director shall decide whether it falls within that minority category and shall pass orders as he deems fit.]***

(2) minimum qualifications for the employees of minority schools shall be as given in Appendix A.

(3) managing committee shall prescribe a code of conduct for its employees.

Recruitment.
sections 24 (2) and 12.

129.(1) Recruitment of the employees in recognised minority school whether aided or unaided shall be made 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 President 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 teacher other than head of the school –

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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- (i) the President of the managing committee;
 - (ii) the head of the school; and
 - (iii) an educationist, nominated by the managing committee; and
- (c) in the case of recruitment of any other employee–
- (i) the President of the managing committee or any member of the managing committee nominated by the President; and
 - (ii) the head of the school.

(3) The Selection Committee shall regulate its own procedure regarding recruitment of employees and, in the case of any difference of opinion amongst the members of the Selection Committee on any matter, the same shall be decided by the managing committee of the school.

(4) Where a candidate for recruitment to any post in an unaided/ aided 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.

CHAPTER VI

ADMISSION TO SCHOOLS AND FEES

A. Admission to recognised schools (aided or unaided)

130. The Department may regulate admissions to recognised schools or to class thereof in terms of age limit, minimum level of competencies or in order to comply with various provisions of the State/ Central Act/laws.

Power of Department
to regulate
admissions to
recognised schools.
sections 24 (2) and 15.

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Age limit.
sections 24 (2) and 15.

131.(1) Children between the age of 3 to 5 years shall be admitted in pre primary / nursery schools.

(2) The minimum age for admission in a primary school shall be five years for class I., No pupil, who has attained the age of 20 years up to the 10th class and 22 years upto XII class, may be retained in recognised school;

[Provided that the Director shall be competent for relaxation in the maximum age of admission.]***

(3) The admission of a child of the specified age group shall be made effective with effect from the first day of the academic year.

Admission test not to
be held by schools.
sections 24 (2) and 15.

132. Save as otherwise provided in this Chapter, no school shall hold any test for admission to class I.

Admission to be made
without any
discrimination.
sections 24 (2) and 15.

133. (1) Admission of students in recognized school shall be made without any discrimination regarding religion, race, caste, place of birth, or any other consideration which may amount to prejudice or bias. A minority school may have its own procedure and method of admission as well as selection of students, but such a procedure must be fair and transparent and on the basis of merit.

(2) In case of aided minority schools students other than the minority communities will be admitted to the extent of available seats after fulfilling all the seats from the particular minority.

Admission to
handicapped children.
sections 24 (2) and 15.

134. No recognised school shall refuse admission to any handicapped child upto 3% of the total seats available/filled in that school.

Reservation for poor
meritorious students.
sections 24(2) and 15

[134A. The recognized private schools shall reserve 25% seats for meritorious poor students. The school shall charge fee from these students at the rate as charged in Government schools. The deficit of difference of fee shall be charged from the other students of the school.]***

***added vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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135.(1) A student who fails in final examination first time shall not be refused readmission in the school or class by the school from which he had appeared at such examination.

Admission of failed students not to be refused.
sections 24 (2) and 15.

(2) No school shall be allowed to compel the child to leave the school forcibly on the basis of poor performance in the internal/ annual examination during academic session.

136. (1) No student shall be admitted to a recognised school unless an application is signed by his parent or guardian, has been submitted to such school.

Manner of admission.
sections 24 (2) and 15.

(2) The parent or guardian shall state the exact date of birth of his child or ward in the application for admission and shall be supported by a certificate of birth issued by a local authority.

(3) Admission to out station transfer cases of wards of Central/State employees may be considered even by relaxing the norms fixed by the school.

(4) Every application for admission to a recognised school shall be kept in a separate file and form part of the permanent record of the school.

(5) There shall be no admission above class IV stage without school leaving certificate (SLC) of a recognised school;

[Provided that the students studying in an unrecognized school running before the commencement of these rules may be admitted to the recognized schools on the basis of test during the academic session 200708.]***

137. 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.

Entry on the rolls.
sections 24 (2) and 15.

***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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Admission to be made once a year. sections 24 (2) and 15.

138. Admission shall ordinarily be made once a year and shall not be made after 31st day of August of the year. However there shall be no restriction on admission to first class which will go round the year and also to outstation transfer cases of wards of central/State Government employees;

[Provided that the Director shall be competent for relaxation of admission in exceptional circumstances.]***

Admission on transfer certificate. sections 24 (2) and 15.

139. (1) No student who had previously attended any recognised school be admitted to any school unless he produces a transfer or school leaving certificate from the school which was last attended by him. In case of any doubt, head of institution may verify such school leaving certificate from the authority which issued such certificate.

(2) Where a student seeks admission to a school on the basis of a transfer certificate granted by a school in any State or Union Territory, other than Haryana, such transfer certificate shall 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. However, the student may be admitted provisionally pending the verification of the transfer certificate and his admission shall be confirmed only on the receipt of the verified transfer certificate from the State or Union Territory concerned.

Regulation of admission to class IX. sections 24 (2) and 15

140. (1) No student shall be admitted to class IX unless he has passed class VIII of a school as per affiliation conditions of the Board.

(2) Student who has appeared as private candidate in class VIII at any public examination, and has failed to pass such examination, shall not be admitted to class VIII or IX in a recognised school.

***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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B. Fee, Fines and Funds in Aided Schools.

141. Fee includes tuition fee, admission fee, late fee and fine, absent fine and school leaving certificate (SLC) fee.

142.(1) Admission fee upto class VIII shall be charged by an aided school keeping in view, Government instructions issued from time to time.

(2) Admission fee from students of classes IX to XII shall be charged by an aided school keeping in view Government instructions issued from time to time.

(3) Admission fee prescribed per student shall be charged and collected by the aided schools for admission to the class mentioned in subrule (1) or (2) above but where a student has already paid an admission fee, no admission fee shall be charged on his promotion to any higher class in the same school, but if he joins any other aided school, the other school may charge and collect admission fee from him.

(4) Every aided school shall issue school leaving certificate in case of transfer from one school to another school and shall charge school leaving certificate fee according to Government instructions issued from time to time.

(5) Absent fine, fine for late payment of fees etc. shall be charged from the student as per Government instructions issued from time to time.

143. Parents Teacher Association fund (PTA fund) from each student upto class VIII and from class IX to XII shall be charged according to the Government instructions issued from time to time.

144. Tuition fee shall be charged from the students by an aided school keeping in view Government instructions issued from time to time, but no capitation fee shall be charged.

Fee and fines.
sections 24 (2),15 and 16.

Admission fees.
sections 24 (2), 15 and 16.

Parents Teacher
Association fund.
sections 24 (2),15, 16
and 17.

Tuition fees.
sections 24 (2),15 and 16.

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Puip'l's fund.
sections 24 (2), 15, 16
and 17.

145. (1) Pupils fund will be charged from the student by an aided school according to the Government instructions issued from time to time.

(2) Each aided school shall send the amount as share money out of pupils fund to the concerned District Education Officer/ District Primary Education Officer as per Government instructions issued from time to time.

(3) The head of school may incur various expenditure out of the pupils fund at one time as per Government instructions issued from time to time.

(4) If any aided school does not deposit share money of pupils funds by 30th September a penalty shall be charged per day as per Government instructions issued from time to time.

(5) In case of Senior Secondary stage, for practical subjects such as Physics, Chemistry, Biology, Typing, Geography, Music, Home Science etc., as practical subject fee shall be charged as per Government instructions issued from time to time.

(6) 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 cocurricular activities of the school or for purposes as specified by the Government instructions issued from time to time.

(7) The pupils funds account shall be maintained and operated by the head of the school. The funds collected shall be deposited in a post office saving bank account or with a Cooperative Bank/Nationalized Bank.

(8) The pupils funds account shall be got audited like other accounts of the school by Department/ Director local fund and the audit fees shall be paid out of the pupil's fund.

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(9) To incur any expenditure out of pupil's fund a committee comprising the following members shall be formed:-

- ♦ Head of School
- ♦ Senior most teacher
- ♦ Head of parents teacher association.
- ♦ Fund Incharge

(10) The committee is authorised to spend pupil's fund on any item as it deems fit as per norms given in sub rule (6) for the welfare of the students.

(11) Travelling allowance for pupils and teachers participating in sports / science and other competitions, actual bus fare and various expenses pertaining to meals of the participants and teachers shall be charged by an aided school to take part in various activities such as Sports / Science exhibition/ other competitions as fixed by the managing committee from time to time.

146. A detailed and printed receipt shall be issued for every fee and charges taken from the students.

147. All fees and funds shall be charged for a full period of twelve months, from the students at the rates specified in these rules except in the following cases, namely:-

- (a) a student, who has been expelled or rusticated during a session shall not be required to pay fees and fund beyond the month in which he was expelled or rusticated;
- (b) in case of readmission of a student to the school last attended or in any other school, fee shall be payable from the month from which he had left school in the same session;
- (c) a second fee for the same month shall not be charged from a student on

Printed receipt of fee
and funds.
sections 24(2),15,16 and 17.

Fee payable for twelve
months.
sections 24 (2), 15, 16 and 17.

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transfer from one aided school to another aided school, provided that he gives proof of payment of fees and funds in the former school.

Last date of payment of fees and funds. sections 24 (2),15,16 and 17.

148. All fees and funds payable to a school by a students shall be payable by the 10th of day of the month in which these are due:

Provided that where the school remains closed on the 10th of day of the month, such fees and funds shall be payable on the date following the 10th of day on which the school reopens:

Provided further that where the school remains closed due to long vacation, fees and contributions shall be payable within ten days from the day on which the school reopens after the long vacation.

Fine for late payment of fees and struck of the name of the student. sections 24 (2), 15, 16 and 17.

149.(1) A fine for late payment of the fee and funds due to school shall be charged from the student at the rate as per Government instructions issued from time to time for every day for maximum of ten days, after 10th day of the month. The name of the student shall be struck off on the 21st day of the month or on the next working day if 21st day happens to be a holiday:

Provided that in the case of nonpayment of fee for the month of May in which the school closes in the middle of the month for long vacation, the name of the student shall be struck off on the last working day of the month of July, if the fees remains unpaid upto that day.

(2) If a student whose name has been struck off seeks readmission fee in the same month no readmission fee will be charged otherwise readmission fee shall be charged as per Government instructions issued from time to time.

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150. (1) Every employee collecting any fee and funds shall deposit the amount collected by him with the cashier of the school by whatever name called, on the same day on which the collections are made and it shall be the duty of the cashier to enter the amount so received, immediately in the fee collection register and thereafter in the cash book and to append his initials thereto for the amount received.

(2) The attendance register, fee collection register and the cash book shall be submitted by the cashier to the head of the school for reconciliation and the head of the school shall after verification, countersign the entries in those registers.

151. No fee, fund or contribution, other than those specified in these rules, or permitted by the Department in writing, shall be charged by any aided school.

152. (1) No aided school shall levy or collect any donation compulsorily from any student or any parent or guardian of any student.

(2) No aided school shall collect any donation through its students for the aid of teachers or for any fund for the aid of teachers.

(3) Voluntary donations collected by the managing committee of an aided school shall be accounted for separately and may, at the discretion of managing committee, be utilised for meeting the managing committee's share of the expenses referred to in sub section (2) of section 17.

(4) In computing the grantinaid, voluntary donations collected by the managing committee of an aided school shall not be taken into account.

153.(1) The head of the school may exempt deserving students, whose parents or guardians are not financially solvent to pay the fees specified in these rules, from payment of the whole or one half of such fees for a period of twelve months

Collected amount to be deposited on the same day.
sections 24 (2),15,16 and 17.

Ban on levy of unauthorised fees or fund.
sections 24(2),15,16 and 17.

Donations not be levied compulsory.
sections 24(2),15,16 and 17.

Fee concessions in aided schools.
sections 24 (2), 15, 16 and 17.

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commencing from the 1st day of May of each year or from the date of admission of the child or ward, whichever is later, and such exemption shall be regulated in the manner specified in these rules.

(2) Exemption made to any student under subrule (1) shall, so long as the conditions for eligibility for exemption are fulfilled and the student continues in the school, be renewed from year to year.

(3) In the aided schools upto a limit of twenty per cent of the total number of students on the rolls of the school in all the classes in the secondary and senior secondary stage as on the 7th day of May of the year may be exempted from the payment of the whole or one half of the fees, and where any student is admitted after the 7th day of May but before the 31st day of August of that year, upto a limit of twenty percent of the students so admitted may be exempted from the payment of the whole or one half of the fees.

(4) The proportion of the students receiving exemption from the payment of the whole or onehalf of the fees may be varied in any of classes in the secondary or senior secondary stage at the discretion of the head of the school, so however, that the number of students enjoying exemption from payment of the whole of the fee shall not exceed fifteen percent of the students at any time of the year.

(5) The percentage of the students receiving exemption from payment of the fee shall be calculated on the total number of students in all the classes in the secondary and senior secondary stage reduced by the number of students granted exemption from payment of fee under the provision relating to:-

- (a) the concessions to students belonging to the Scheduled Castes or Scheduled Tribes;

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(b) students having brother or sisters studying in the same school or a school under the same managing committee;

(c) students who are wards of teachers.

(6) In calculating the number of exemptions from payment of fee, the number shall not be altered during the year except where, owing to the departure from the school of any student enjoying exemption, a vacancy arises and it is deemed necessary to pass on the exemption enjoyed by the student so departing, to any other deserving student of the school.

(7) Where the number of students eligible for receiving exemption from payment of fee is in excess or the number of students to whom exemption is admissible under these rules exceeds the exemption shall be made in order of merit on the basis of the results of the immediately previous annual examination or, if necessary, on the basis of a special competitive examination to be held to determine the order of merit of the eligible students.

(8) When two brothers or sisters are studying in the same school, the brother or sister, as the case may be, in the higher class shall pay the specified fee at the full rates and other brother shall pay fees at onehalf of the specified rates.

Explanation : If two brothers and sisters are studying in the same class, the specified fee shall be paid by the elder brother or sister at full rates, and at onehalf of the rates by the other.

(9) No fee shall be charged from the children or wards of the employees of an aided school.

(10) No fee shall be charged from the children of the employees of the aided school who have retired from service or have died.

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Withdrawal of exemption.
sections 24(2),15, and 16.

154. An exemption from the payment of fee granted to a student under these rules may be withdrawn on the ground of his misconduct, irregular attendance or failure at the annual examination.

Contributions to pupils Fund not to be exempted.
sections 24(2),15,16 and 17.

155. Any student, who is exempted from payment of any fee, whether in full or in part, shall not be exempted from contributing to the pupil's fund.

Scholarship holders also eligible for fee concession.
sections 24(2),15, and 16.

156. Students who hold scholarships shall also be eligible for exemption from the payment of any fee.

Filing of returns.
sections 24 (2) and 17.

157. The managing committee of every aided school shall file every year with the appropriate authority such duly audited financial and other returns as may be specified by the appropriate authority and every such return shall be audited by such authority as may be specified by the appropriate authority.

C. Fees and Funds in Unaided Schools.

Notifying fees and funds.
sections 24 (2), 15, 16 and 17.

158.(1) The fees and funds to be charged from the pupils shall be notified by every recognized school.

(2) The manager of every recognised school shall submit the detail of minimum facilities being provided and the maximum fee charged in Form VI. He shall before the commencement of each academic session, file with the Department a full statement of the fees and all types of funds levied by such school during the ensuing academic session justifying it. No such school shall charge any fee in excess of the fee/ funds specified by the manager in the said statement during the academic session. Each school shall submit proforma duly filled in by 1st January of every year to the appropriate authority which shall publicly display these details. Such charges can only be levied after these have been displayed in its wamper.

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(3) No other charges such as capitation fee shall be taken from the children/ parents.

[(4) No school shall be allowed to charge admission fee, tuition fee, pupil's fund in advance before the commencement of the academic session. However a token registration fee can be charged.

(5) No admission fee, tuition fee except school leaving certificate (SLC) fee be charged from the pupil who apply for SLC within 15 days of start of new academic session.

(6) Admission fee shall only be charged from a student at the time of admission in class 1st, 6th, 9th and 11th or fresh entry in the school.

(7) The fees shall preferably be taken from the students through bank].***

159. (1) A detailed and printed receipt shall be issued for every fee and funds collected by the school.

(2) The head of every recognised school shall authorize one or more of the employees of the school to collect fees and funds from the students and the receipt referred to in subrule (1) shall be given or duly signed by the person so authorised.

(3) Every employee collecting any fee and funds from a student shall, immediately after such collection, enter the particulars of such collection in the attendance register of the class.

[(4) In case of any complaint regarding overcharging or misappropriation of funds by the managing committee, the Director shall competent to check the accounts of that school and take appropriate action in this regard.]***

[160. The recognized school shall not charge any fund from students except Red Cross Fund, Child Welfare Fund and Sports Fund as per instruction issued by the department from time to time. These

Receipt for fees and funds.
sections 24 (2), 15, 16 and 17.

Pupils fund share.
sections 24 (2) and 17

***added vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

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funds shall be collected and specified share shall be deposited with the concerned District Education Officer/Additional District Education Officer before 30th September every year.]***

CHAPTER VII

MISCELLANEOUS

A. Contract of service.

Signing of contract.
Sections 20.

161. The managing committee of every recognised private school shall enter into a written contract of service in appendix B with every employee of such school. A passport size photo of each employee shall be affixed on the filled in proforma of contract of his service.

B. Service rules for employees of unaided recognised schools and employees working in aided schools on unaided posts.

Service conditions

[162. (I) Every managing committee of recognized school i.e. running under self finance scheme shall frame the rules and regulations of their employees in relation to:—

- (i) Service conditions of the employees;
- (ii) Recruitment procedure;
- (iii) Salary to the teachers (not less than minimum wage policy of the state);
- (iv) Service Benefits i.e. Contributory Provident Fund, Medical, Leave, Increments etc.;
- (v) Qualifications of teaching and non teaching (not less than prescribed under AppendixA to these rule);
- (vi) Code of conduct and penalties;
- (vii) Constitution of disciplinary committee etc.;
- (viii) The school authority shall pay the salary to the staff through Cheque/Bank.

***Substituted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

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(2) The copies of rules and regulations referred to in subrule (I) shall be supplied to the Department at the time of application for recognition.]***

C. General*

186. 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 daytoday affairs of the school.

187.(1) The Director shall be competent to authorize to any officer (s) for inspection of all or any of the functions and activities of the recognized school. The school authority shall allow the inspection of record as required by the inspecting officer.

(2) The Advance intimation of the inspection of recognized school shall be given to the head of the school.

(3) The Director may also carry out surprise inspection himself or through any authorized officer.

188. (1) Every inspection shall be as objective as possible and shall be aimed at bringing about improvements in the standards of teaching in the school.

(2) In making the inspection special emphasis shall be given to the following works, namely:—

- (i) academic work, that is to say, actual teaching and its different aspects;
- (ii) library and its service to students and teachers;
- (iii) games and sports and their organization;

Managing committee not to create adverse situations.
section 24 (2).

Inspection of recognized schools.
section 24 (2).

Inspection how to be made.
section 24 (2).

***Substituted against rules 162-185 vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007

*added vide notification No. S.O.22/H.A.12/1999/S.24/2004 dated : 20-02-2004

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- (iv) cocurricular activities;
- (v) cordiality or otherwise of the teachers of the school with the parents of the students and the community in general;
- (vi) administration of the school;
- (vii) accounts of the school and their maintenance;
- (viii) the school plant and physical needs of the schools;
- (ix) discipline, tone and tenor of the school; observation by the school of the rules and instructions;
- (x) Observation by the school of the rules and instructions.

(3) The inspecting officer shall go to each class and watch the teaching by each teacher in atleast two classes and shall specifically note the matters specified in Form VII.

Inspection report.
sections 24 (2).

189. The report of every inspection shall be made in Form VII and shall contain information with regard to each matter specified in the Form.

Rectifying defects
and deficiency.
section 24 (2)

190. The Director may give directions to the managing committee requiring it to rectify the defects or deficiencies found at the time of inspection or otherwise in the working of the school.

Failure to comply
with directions.
section 24 (2).

191. If the managing committee fails to comply with the directions given under rule 189 the Director may, after considering the explanation or report, if any, given or made by the managing committee, take such action as he may deem fit, including:—

- (a) stoppage of aid (in case of aided schools);
- (b) withdrawal of recognition; or
- (c) taking over the managing committee in case of aided school.

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[191.A. Any act done by any individual or association of individuals or society or trust or firm or company in contravention of these rules, shall be treated as an offence under these rules and shall be punishable under relevant laws.]***

Penal action

192. Every appeal to the appellate authority shall be filed along with a fee of Rs.250/ for primary school, Rs. 500/ for Middle school and Rs. 1000/ for High and Senior Secondary School in form of demand draft in favour of Director.

Fees for appeal.
section 24 (2).

193. The provision of these rules shall not apply to the schools run by Government or Central Government in the State.

Provision of rules not
to apply to Government
schools.
section 24 (2).

[193A. If any question or doubt arises as to the interpretation of these rules, Government shall decide the same.]***

Interpretation.

194.(1) The Government may delegate all or any of its powers, duties and functions under these rule to the Director or any other officer.

Delegation of powers.
section 24 (2).

(2) Every person to whom any power is delegated under these rules may exercise that power in the same manner and with the effect as if such power had been conferred on him directly by these rules and not by way of delegation.

[194A. Notwithstanding anything contained in these rules, the Government may by general or special order, after recording its reasons and subject to such conditions, if any, as it may impose, exempt any individual, firm, society/trust or institution or a class of such individuals, firms, societies/trusts or institutions running or desirous of running a school from any of the provisions of these Rules.]**

Saving Clause.

***Inserted vide notification
No. S.O.3/H.A.12/1999/S.24/
2007 dated : 19-01-2007

**Inserted vide notification
No. S.O.67/H.A.12/1999/
S.24/2004 dated : 11-08-2004

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Repeal and saving.
section 24 (2).

195. The Haryana Aided Schools (Security of Service) Rules, 1974, are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

M.L. Tayal
Commissioner & Secretary to
Government of Haryana,
Education Department, Haryana
