

Amendment in Haryana School Education Act, 1995

(Amendment in Haryana School Education Act, 1995)

**HARYANA GOVT. GAZ. (EXTRA), DEC 14, 2000
(AGHN 23, 1922 SAKA)**

(English version page 1102)

**HARYANA GOVERNMENT
EDUCATION DEPARTMENT**

Notification

The 14th December, 2000

No. S.O. 141/H.A. 12/1999/S. -In exercise of the powers conferred by Sub-section (3) of the Section 1 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 appoints the date of publication of this notification in the official Gazette to be the date on which provisions of Sections 8 and 24 shall come into force.

**PREM PRASHANT,
Financial Commissioner and
Secretary to Government,
Haryana, Education Department**

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(Amendment in Haryana School Education Act, 1995)

HARYANA GOVT. GAZ. (EXTRA), JULY 20, 2001

(ASAR 29, 1923 SAKA)

(English Version Page 598)

HARYANA GOVERNMENT

EDUCATION DEPARTMENT

Notification

The 20th July, 2001

No. S.O. 97/H.A. 12/1999/S. -In exercise of the powers conferred by Sub-section (3) of the Section 1 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 appoints the date of publication of this notification in the official Gazette to be the date on which provisions of all Sections of the said Act, except Section 8 and 24 (which have already come into force vide Haryana Government, Education Department, notification Bi, S,I, 141/H.A. 12/1999/S.I./2000, dated the 14th December, 2000) shall come into force.

P.K. CHAUDHARY,
Commissioner and Secretary
to Government,
Haryana, Education Department

Amendment in Haryana School Education Rules, 2003

*(1st Amendment of Haryana School
Education Rules, 2003)*

**HARYANA GOVT. GAZ. (EXTRA),
FEB. 20, 2004
(PHGN. 1, 1925 SAKA)**

(English Version Page 172 to 174)

**HARYANA GOVERNMENT
EDUCATION DEPARTMENT
NOTIFICATION**

The 20th Feb., 2004

No. SO 22/HA.12/1999/S.24/2004- 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 further to amend the Haryana School Education Rules, 2003, namely:-

1. (1) These rules may be called the Haryana School Education (Amendment) Rules, 2004.

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

2. In the Haryana School Education Rules, 2003 (hereinafter called the said rules), in rule 29, in sub-rule (3), for the word "Department", the words "appropriate authority" shall be substituted.

3. In the said rules, in rule 30,-

(i) in sub-rule (1)-

(I) in clause (a), in sub-clause (ii), for

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the word “Director”, the words “ appropriate authority” shall be substituted;

(II) In clause (b), to sub-clause (i), the following notes shall be added, namely:-

“Note-I:-

A private school can be run in a rented building on lease hold basis with minimum of twenty years irrevocable lease deed provided such building fulfills the norms of land and building as prescribed under these rules.”

(ii) In sub-rule (2) the words “ or Bank Guarantee” after the word “ pledge money” shall be inserted.

4. In the said rules, in rule 31, in sub-rule (1),-

(i) for the words “ten months” the words “six months” shall be substituted;

(ii) the figures, letters and words “30th June to” shall be omitted.

5. In the said rules, in rule 34,-

A. in sub-rule (1) against figures I-V, under heading “Appropriate authority”, the word “primary” shall be omitted;

B. in sub-rule (2), under heading “For I-VIII class “ for the existing clauses (a), (b) , (c) and (d) and entries there against, the following clauses and entries there against shall be substituted, namely:-

“(a) Sub Divisional Officer (Civil) Chairman

(b) District Education Officer Member-Secretary

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- (c) Executive Engineer of the Public Works Department
(Building and Roads)
or
his representative not below
the rank of Sub-Divisional
Engineer.”

6. In the said rules, in rule 38,-

- (i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) All existing schools shall be required to submit application in Form-II prescribed for recognition alongwith demand draft of Rs.1000/- for Primary / Middle School and Rs.2000/- for High/ Senior Secondary School in favour of Director upto 31st March, 2004. 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 two years where specific milestone shall be fixed for every six months.”;

- (ii) in sub-rule (2), for the existing proviso, the following provisos shall be substituted, namely:-

“Provided that when any such school does not satisfy any of the conditions of recognition, the appropriate authority may require the school to satisfy such conditions within two years and if any such condition is not satisfied the recognition shall be withdrawn from such school:

Provided further that the norms for size of class rooms and number of class rooms of such schools shall be the same as used to be prescribed by the Education Department for various categories in

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Government schools before the commencement of the Haryana School Education Rules, 2003.”

7. In the said rules, in rule 39, for the words” five years” , the words” ten years” shall be substituted.

8. In the said rules, in rule 91,-

(i) for sub-rule (5), the following sub-rule shall be substituted, namely:-

“(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.”;

(ii) after sub-rule (7), the following sub-rule shall be added, namely:-

“(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.”

9. In the said rules, in Chapter VII, after rule 185, the following heading shall be inserted, namely:-

“C- GENERAL.”

M.L.TAYAL
Financial Commissioner and
Secretary to Government,
Haryana, Education Department.

(2nd Amendment of Haryana School Education Rules, 2003)

HARYANA GOVT. GAZ. (EXTRA),
AUG 11, 2004

(SRVN. 20, 1926 SAKA)

(English version page 442)

**HARYANA GOVERNMENT
EDUCATION DEPARTMENT**

Notification

The 11th August, 2004

No.S.O.67/H.A.12/1999/S.24/2004-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 further to amend the Haryana School Education Rules, 2003, namely:-

1 (1) These rules may be called the Haryana School Education (Second amendment) Rules, 2004.

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

2. In the Haryana School Education Rules, 2003, after rule 194, the following rule shall be inserted, namely –

“194 A. Saving Clause.- Notwithstanding anything contained in these rules, the Government may by general or special order, after recording its reasons and

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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.”

M.L. Tayal
Financial Commissioner & Principal Secretary,
Govt. of Haryana, Education Department,
Haryana, Chandigarh

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(3rd Amendment of Haryana School Education Rules, 2003)

HARYANA GOVT. GAZ. (EXTRA),
JAN 19, 2007

(PAUS. 29, 1928 SAKA)

(English version page 115 to 132)

**HARYANA GOVERNMENT
EDUCATION DEPARTMENT**

Notification

The 19th January, 2007

No.S.O.3/H.A. 12/1999/S.24/2007 - 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), the Governor of Haryana hereby makes the following rules, further to amend the Haryana School Education Rules, 2003, namely:—

1. (1) These rules may be called the Haryana School Education (Amendment) Rules, 2007.

(2) They shall come into force with effect from 1st April, 2007.

2. In the Haryana School Education Rules, 2003 (hereinafter called the said rules), in rule 2, after clause (e), the following clause shall be inserted, namely:—

“(ee) ‘appropriate authority’ means the authority declared by the central/state Government under any law for the time being in force to register or issue a certificate for particular purpose;”.

3. In the said rules, for the words “Director Primary Education” and “District Primary

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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.

4. In the said rules, for rule 3, the following rule shall be substituted, namely:—

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

(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

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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.”.

5. In the said rules, in rule 4, in clause (a), after sub-clause (v), the following sub-clauses shall be added, namely:—

- “(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.”.

6. In the said rules, for rule 5, the following rule shall be substituted, namely:—

“5 Medium of instructions. sections 3 and 24 (2) (a)— 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.”.

7. In the said rules, in rule 29,—

- (i) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(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

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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.”;

- (ii) in sub-rule (2), for clause (g), the following clause shall be substituted, namely:—

“(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.”;

- (iii) after sub-rule (3), the following sub-rule shall be added, namely:—

“(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.”.

8. In the said rules, in rule 30,—

I. in sub rule (1)—

(A) in clause (a)—

- (i) for sub-clause (i), the following sub-clause shall be substituted, namely:—

“(i) the school is run by an individual or association of individuals or firm or society registered under the

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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;

- (ii) for sub-clause (x), the following sub-clause shall be substituted, namely:—

“(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 sizera 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;

- (iii) for sub-clause (xix), the following sub-clause shall be substituted, namely:-

“(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,

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(iv) in clause (xxvii), for sign “ . ” existing at the end, the sign “ ; ” shall be substituted;

(v) after sub-clause (xxvii), the following sub-clause shall be added, namely:—

“(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) for clause (b), the following clause shall be substituted, namely:—

“(b)Minimum norms for land and buildings,—

(i) Land

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

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

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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;

- (b) number of classrooms shall be equal to the number of sections in the school. The classroom shall have two doors, requisite number of

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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

(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

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- 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 in width

additional stairs after distance of 40 feet

Ramp : 6 feet in width

If the school do not provide 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;”;

- II. for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(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

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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.”;

III. after sub-rule (3), the following sub-rule shall be added, namely:—

“(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.”.

9. In the said rules, in rule 31,

(i) for sub-rule (1), following shall be substituted, namely:—

“(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 issued by appropriate authority given below. Such application shall either be delivered to the

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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	As notified under relevant laws.”;

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like urban area/
controlled area/rural
area:

- (ii) sub-rule (2), shall be omitted;
- (iii) for sub-rule (3), the following shall be substituted, namely:—

“(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.”.

10. In the said rules, in rule 32,—

- (i) in sub-rule (1), after clause (b), the following clause shall be added, namely:—

“(c) In case a school authority runs more than one institutions, the said authority shall constitute a separate managing committee for each school under these rules.”;

- (ii) in sub-rule (2), after clause (b), the following proviso shall be added, namely:—

“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.”.

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- (iii) in sub-rule (3), after the words “existing schools”, the words and figures “including schools where Administrator has been appointed under section 10” shall be inserted.
 - (iv) after sub-rule (4), the following sub-rule shall be added at the end, namely:—
 - “(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.”.
11. In the said rules, in rule 33,—
- (i) after sub-rule (3), the following sub-rule shall be added at the end, namely:—
 - “(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

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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.”.

12. In the said rules, in rule 34,—

(i) in sub-rule (1), against clause I-V and I-VIII, under heading “Appropriate authority”, for the words “District Education Officer” existing twice, the words “Director Elementary Education”, shall be substituted;

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2)There shall be a committee as constituted by the Director School Education for physical verification of private schools for recognition.”;

(iii) in sub-rule (4), after note 3, the following sub-rule shall be added, namely:—

“(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

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commencement of new stream consisting of following members, namely:—

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

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

13. In the said rules, for rule 38, the following rule shall be substituted, namely:—

“38 Existing recognized schools to apply to the appropriate authority. section 3 and 24(2) (a),(b) and (d).— (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 under

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section 4 and shall be subject to the provisions of the Act and these rules:

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.

- (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.”.

14. In the said rules, for rule 42, the following rule shall be substituted, namely:—

“42. Lapse of recognition in other cases. sections 3 and 24 (2) (a) (b) and (d)—

(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.

- (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;

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- (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.
- (6) (a) There shall be a committee for processing and recommending the case consisting

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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.”.

15. In the said rules, in rule 43,—

- I. in sub-rule (i), after the word “recognition”, wherever occurring, the sign and letters “/NOC”, shall be added;
- II. in sub-rule (i), in clause (b), in the fourth line, after the words “appropriate authority”, the words and sign “or moral turpitude etc.,” shall be inserted;
- III. in sub-rules (2) and (3), after the word recognition, the sign and letters “/NOC” shall be added;
- IV. in sub-rule (4)—
 - (i) after the word “recognition”, the sign and letters “/NOC” shall be added;
 - (ii) the words, signs and figures “The appeal fee shall be attached in the form of bank draft in favour of Director, as laid down in rule 192,” shall be added at the end.

16. In rule 44, after the word recognition, the sign and letters “/NOC” shall be added.

17. In the said rules, in rule 45,—

- (i) in sub-rule (1), after the word “recognition”, the sign and letters “/NOC” shall be added;

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(ii) for sub-rule (2), the following sub-rule shall be substituted, namely:—

(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.”.

(iii) in sub-rule (3), after the word “recognition”, the sign and letters “/NOC” shall be added.

18. In the said rules, in rule 55, for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(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)

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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 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.”.

19. In the said-rules, for rule 59, the following rule shall be substituted, namely:—

“59.(1) No grant of teachers of uneconomically small class sections 24(2)(a),(b) and (c).— (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.

(2) Rationalization of posts shall be done after every five years.

(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.”

20. In the said rules, in rule 62, for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3)After observing the conditions as laid down in sub-rule (2) the

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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.

21. In the said rules, in rule 64, for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(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.’

22. In the said rules, after rule 74, the following rule shall be inserted, namely:—

“74 A. Ex-post-facto approval. sections 24 (2) and 8.- The Director shall be competent to grant ex-post-facto approval or relaxation in the procedure of recruitment.”.

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23. In the said rules, for rule 75, the following shall be substituted, namely:—

“75. Intimation to appropriate authority. sections 24 (2) and 8.— 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.”.

24. In the said rules, for rule 82, the following rule shall be substituted, namely:—

“82. Minimum qualifications. sections 24 (2) and 8.— (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).

(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

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account of higher qualifications shall be borne by the managing committee of aided schools at their own.”.

25. In the said rules, in rule 83, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(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.”

26. In the said rules, in rule 93, for sub-rule (1), the following sub-rule shall be substituted, namely: —

“(1) No teacher shall undertake private tuition or private employment.”.

27. In the said rules, in rule 103, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) Notwithstanding anything contained in sub-rule (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 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.”.

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28. In the said rules, in rule 105, after sub-rule (5), the following sub-rule shall be added, namely:—

“(6) Resignation of employee under suspension shall not be accepted before taking final decision of suspension.”.

29. In the said rules, after rule 108, the following rule shall be inserted, namely:—

“108 A. Compulsory retirement. sections 8 and 24.— (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 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.”.

30. In the said rules, in rule 110, in clause (d), for sub-clause (iii), the following sub-clause shall be substituted, namely:—

“(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 convey the approval/disapproval to the managing

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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.”.

31. In the said rules, in rule 111,—
- (i) in the marginal heading, the word “proposed” shall be omitted;
 - (ii) after clause (f), the following clauses shall be added at the end, namely:—
 - “(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.”.
32. In the said rules, in rule 114,—
- (i) for sign “. “ existing at the end, the sign “ ; “ shall be substituted;

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(ii) the following proviso shall be added, namely:—

“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.”.

33. In the said rules, for rule 126, the following rule shall be substituted, namely:—

“126. Power to take over the managing committee of aided school. sections 24(2) and 10.— Where the managing committee of the aided school is taken over in accordance with the provisions of section 10, the grant-in-aid 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.

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The remaining 25% (management share) shall be paid by the managing committee on its reconstitution:

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.”.

34. In the said rules, in rule 128, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(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.”.

35. In the said rules, in rule 131,—

- (i) in sub rule (2), for sign “. ” existing at the end, the sign “ ; ” shall be substituted;
- (ii) the following proviso shall be added, namely:-

“Provided that the Director shall be competent for relaxation in the maximum age of admission.”

36. In the said rules, after rule 134, the following rule shall be inserted, namely:—

“134A. Reservation for poor meritorious students. sections 24(2) and 15.—
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

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schools. The deficit of difference of fee shall be charged from the other students of the school.”

37. In the said rules, in rule 136,—

- (i) in sub rule (5), for sign “ . ” existing at the end, the sign “ ; ” shall be substituted;
- (ii) the following proviso shall be added, namely:—

“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 2007-08.”.

38. In the said rules, in rule 138,

- (i) in sub rule (2), for sign “ . ” existing at the end, the sign “ ; ” shall be substituted;
- (ii) the following proviso shall be substituted, namely:-

“Provided that the Director shall be competent for relaxation of admission in exceptional circumstances.”.

39. In the said rules, in rule 158, after sub-rule (3), the following sub-rules shall be added at the end, namely:—

- “(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

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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.”.

40. In the said rules, in rule 159, after sub-rule (3), the following sub-rule shall be added, namely:—

“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.”.

41. In the said rules, for rule 160, the following shall be substituted, namely:—

“160. Pupils fund share. sections 24 (2) and 17— 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 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.”.

42. In the said rules, for rule 162 to 185 the

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following rule shall be substituted, namely:-

“162. Service conditions.— (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 Appendix-A 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.

(2) The copies of rules and regulations referred to in sub-rule (I) shall be supplied to the Department at the time of application for recognition.”.

43. In the said rules, after rule 191, the following rule shall be inserted, namely:—

“191.A. Penal action.— Any act done by any individual or association of individuals or society or trust or firm or company in contravention of

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these rules, shall be treated as an offence under these rules and shall be punishable under relevant laws.”.

44. In the said rules, after rule 193, the following rules shall be inserted, namely:—

“193 A. Interpretation.- If any question or doubt arises as to the interpretation of these rules, Government shall decide the same.”.

45. In the said rules, in Appendix-A against serial number 6 under column 3 in the existing entries, the following entries shall be substituted, namely:-

Column 3

- “(i) B.A/B.Sc. with English as one of the optional/elective subjects;
- (ii) Passed two years Junior Basic Training Course or Diploma-in-Education from Haryana Education Department or its equivalent recognized by the Haryana Government with special training in child psychology and behavior of child upto the age of twelve years.
- (iii) Knowledge of Hindi upto Matric standard.

Note: (i) Preference shall be given to candidates who possess knowledge of Urdu upto Middle Standard for posts of Junior Basic Trained Teachers for Mewat area. Such candidate, if selected, shall serve only in Mewat area.

- (ii) Professional Training Diploma or

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Certificate awarded by any State, Board or University other than Haryana Education Department shall be recognized only if this degree or diploma or certificate has been recognized by the Haryana Government.”

R.S. GUJRAL
Financial Commissioner and Principal
Secretary to Government, Haryana,
Education Department.