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NOTIFICATION

No.F.23015/1/2024-EDN, the 14th January, 2025: In exercise of the power conferred by section 30 of the Mizoram Education Act, 2003 (Act No.5 of 2003), the Government of Mizoram is pleased to make the following rules with a view to placing the schools in Mizoram on sound financial base and for achieving better administrative control and uniform qualitative improvement in education, namely:-

1. Short title, extent and commencement:

- (1) These rules may be called the Mizoram Education (Provisional Adhoc Grant-in-Aid for General Maintenance of Private School) Rules, 2025.
- (2) They shall be applicable to the Private Higher Secondary Schools, Private High Schools and the Private Middle Schools in the whole State of Mizoram but shall not be applicable to private Elementary Schools in the areas of the Autonomous District Councils.
- (3) It shall come into force from the date of publication in the Official Gazette.

2. Definitions:

In these rules, unless the context otherwise requires,—

- (i) “Act” means Mizoram Education Act, 2003 (Act No.5 of 2003)
- (ii) “affiliation” means an affiliation of an institution to Mizoram Board of School Education.
- (iii) “Chairman” means Chairman of Managing Committee.
- (iv) “Committee” means the Managing Committee of the institution, duly constituted and approved by the Director of School Education.
- (v) “Department” means the Department of School Education.
- (vi) “Institution” means private higher secondary schools, private high school and private middle school in Mizoram recognized by the Government.
- (vii) “Secretary” means the Secretary of the Managing Committee.
- (viii) “Treasurer” means Treasurer of the Managing Committee.

3. Conditions of eligibility for payments of grants-in-aid —

- (1) An Institution shall have a Managing Committee duly constituted and approved by the Director

- (2) The School shall normally have its own buildings and lands, the ownership of which should be legally vested in its duly constituted Managing Committee and such lands and buildings being considered adequate by the Department for promoting education at various levels:

Provided that the Government may, in case the ownership of the land vested is in the Government, local authority such as village council or Local council, relax these conditions.

- (3) The School shall serve the real need of the locality/area where it is situated and it shall maintain a minimum enrolment of eighty students in urban areas and forty students in rural areas.
- (4) It shall not start functioning without prior approval of the Department.
- (5) An institution shall have an affiliation to Mizoram Board of School Education.
- (6) It shall follow courses, curriculum, syllabi and textbooks for the various stages of education as may be prescribed by the State Council of Educational Research and Training (SCERT) / National Council of Educational Research and Training (NCERT) / Mizoram Board of School Education (MBSE).
- (7) It shall not run for monetary or pecuniary profit to any individual or group of individuals.
- (8) It shall not make any discrimination in admitting students on grounds of religion, caste, creed, race, caste, sex or place of birth or any of them.
- (9) It shall admit certain proportion of children from disadvantaged background.
- (10) It shall make adequate arrangement for classroom accommodation, playfield and sanitation.
- (11) It shall take effective steps to promote discipline and orderly behaviours on the part of the students and the staff and maintain a high moral tone. Failure in this respect may result in suspension or withdrawal of the grant.
- (12) It shall be open to inspection by the Director or any other Officer duly authorized by him.
- (13) It shall maintain records such as cash register, incumbency, students enrolment, property register and such other records and registers as directed by the Director.
- (14) It shall promptly and accurately furnish such statistical reports, and information as may be called for by the Director or any other officer authorized by him.
- (15) It shall maintain full account of all its incomes and expenditure supported by duly maintained acquittance rolls or vouchers. This must be annually audited by the local audit. The annual audit report shall be examined by the Managing Committee of the Institution in a regular meeting soon after the submission of the report and attested copies of the audit report and Managing Committee's resolution adopting the same shall be submitted to the Director and copies thereof shall be forwarded to the District Education Officer or the Sub-Divisional Education Officer as the case may be.
- (16) It shall not employ any teaching and or other staff having qualification less than what has been prescribed for the Government's Schools:
- (17) It shall not normally levy tuition and other fees from the students at rates higher than those levied by their counterparts in a Government Institution:

Provided that such fees may be allowed to be raised by the Institution in exceptional circumstances to a limited extent on grounds considered reasonable by the Director subject to the approval of the Government.

Provided further that in addition to the approved fees, the Managing Committee of an

institution may levy fees for School development and building construction from the parent or guardian of each student.

- (18) The Government shall have the power to decide the number of Institutions to be brought under these rules keeping in view the eligibility and availability of funds.
- (19) The quantum of Grant-in-Aid to be given to schools shall be determined by the Government from time to time depending on availability of funds.
- (20) The amount of Grant-in-Aid shall be utilized for which it is sanctioned and no amount shall be diverted for other purpose without prior approval of the Government.
- (21) Within two years from the date of publication of these rules, the Managing Committee of the institution shall get registered under the Mizoram Societies Registration Act, 2005 or a Public Trust constituted under any law for the time being in force, unless it is already registered under any of these.

4. Other conditions of grant-in-aid for general maintenance —

- (1) In addition to the general conditions of eligibility under rule 3, any Institution brought under provisional adhoc Grant-in-Aid shall conform to the following other conditions, namely:-
 - (a) It shall not employ any unqualified staff.
 - (b) It shall not employ any staff beyond the age of sixty except with the prior approval of the Managing Committee in consultation with the Government.
 - (c) It shall ensure that no staff under its employment accepts an office not connected with the institution or indulges in active politics;
 - (d) It shall not appoint any of its staff on scale of pay and allowances higher than what is applicable in case of its counterpart in the Government's Schools nor shall it allow any higher start or grant any premature increment to any of its staff except with the prior approval of the Managing Committee in consultation with the Government.
 - (e) It shall not make appointment of any additional teaching staff except with the approval of the Managing Committee in consultation with the Government.
- (2) The Managing Committee duly constituted under these rules shall have power to appoint non-teaching and teaching staff including Head of the Institution recommended by the Selection Committee subject to the limit of the strength authorized and approved by the Government.
- (3) Recruitment on the recommendation of the Selection Committee in which Sub-Divisional Education Officer is the Chairman shall be subject to approval of the concerned District Education Officer, whereas the recommendation of the Selection Committee in which District Education Officer and Director of School Education are the Chairman shall be subject to approval of Director, School Education Department and Secretary to the Government of Mizoram, School Education Department respectively. In the event of the recommendation being rejected, reasons for such rejection should be recorded in writing.
- (4) The School shall follow the rules and orders laid down for the corresponding type of institution under the Government in respect of concession to Schedule Tribe or Schedule Caste students, management of hostels, disciplines, holidays and vacations and such other related matters.

- (5) The Managing Committee shall not dispose of any of its immovable properties without prior approval of the Director.
- (6) In the event of any disagreement between the Managing Committee on the one hand and the Sub-Divisional Education Officer or the District Education Officer on the other hand, the matter shall be referred to the Director whose decision shall be final and binding.
- (7) In the event of conflict of opinion with regard to interpretation of the provision of this rules, the decision of the Government shall be final and binding.
- (8) The Managing Committee of an institution brought under Grant-in-Aid shall pass a resolution binding itself collectively to observe all the rules and regulations for the same and to carry out all instructions and directions that may be issued by the Government from time to time.
- (9) It shall maintain a minimum reserve fund of Five thousand rupees for institutions up to Middle School level and ten thousand rupees for any institution up to High School level and fifteen thousand rupees for institution of Higher Secondary level. The managing Committee shall not draw any amount from the reserve funds without prior approval of the Director.

5. Constitution of Managing Committee —

- (1) The Managing Committee shall consist of a Chairman and a Secretary and not less than five other members, namely:-
 - a) **Chairman – The Chairman shall be nominated from a prominent leader of the locality**
 - b) President, Village Council or Local Council of the locality, if not already nominated as Chairman clause (a) above. In case he is already nominated as Chairman, another member of Village or local council duly elected as amongst themselves shall be a member of the Committee - **Member**
 - c) Teacher representative to be elected amongst themselves - **Member**
 - d) A donor representative - **Member**
 - e) Parent or Guardians' representatives elected by the parent or guardian of the students attending the Schools - **Member**
 - f) Prominent Citizen of the locality - **Member**
 - g) Head of School - **Member Secretary**
 - h) The Managing Committee may elect treasurer amongst the member or nominate separate treasurer who shall be automatically become a member of the Committee.
- (2) The managing Committee duly constituted shall be submitted to the Director through concern District Education Officer or Sub-Divisional Education Officer for approval.

- 6. Term of office of Managing Committee —** The term of office of the Managing Committee shall be for a period of two years from the date of its constitution. In case there is a vacancy in respect of any member, other than Chairman of the Managing Committee, before the expiry of the term of office, the Managing Committee shall fill the vacancy and no prior permission or approval shall be required for such action.

7. Recruitment and its procedure —

- (1) No recruitment shall be made without prior consultation and consent for filling up of the post from the Government.
- (2) The Managing Committee shall consult the Government through the Department for filling up of the vacant post and the proposal shall contain the following information —
 - a) Name of School
 - b) Name of post proposed to be filled up
 - c) Number of post to be filled up
 - d) Reasons of vacancy with documentary proof
 - e) Existing incumbency list
(prescribed Format may be issued by Director)
- (3) After consulting the Government for filling up of posts, advertisement may be floated and widely circulated. The advertisement shall contain all the prescribed qualification in detail. The prescribed educational qualification and other required qualifications and age-limit at the time of appointment applicable to the post for recruitment shall be same as what has been prescribed for the Government's schools. For the post of Headmaster and Principal, the required educational qualifications shall be not be lower than the teachers and lecturers of the concerned school respectively.
- (4) Relaxation of age limit other than five years relaxation above the upper age limit admissible to a candidate belonging to the Scheduled Caste or Tribe shall not be admissible for the recruitment under these rules. However, another five years may be relaxable for the candidates who are being employed under these rules with the prior consent of the Government at the time of recruitment.
- (5) The applicant who does not possess the prescribed qualifications shall not be placed before the Selection Committee. The Selection Committee may instantly reject the candidate not having the prescribed qualifications, if any, without further screening.
- (6) The recommendation of Selection Committee along with meeting minute, copy of advertisement shall be submitted to the Director for further necessary action. The recommendation shall contain the date of birth and qualifications of the recommended candidate.
- (7) No appointment of any new teaching and non-teaching staff including Head of the Institutions shall be made by the Managing Committee without recommendation of Selection Committees duly constituted and with prior consent of the Director under these rules.

8. Constitution of Selection Committee —

- (1) The following Selection Committees shall stand constituted with immediate effect.
 - a) **In case of teacher of Middle School:**
 - (i) Sub-Divisional Education Officer - Chairman
 - (ii) Concerned Circle Education Officer - Member Secretary
 - (iii) Chairman Managing Committee of the School - Member
 - (iv) Secretary of the Managing Committee - Member

b) In case of Headmaster of Middle School:

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| (i) District Education Officer | - Chairman |
| (ii) Sub-Divisional Education Officer | - Member Secretary |
| (iii) Chairman Managing Committee of the School | - Member |
| (iv) A representative of the Managing Committee to be nominated by them. | - Member |

c) In case of teacher of Higher Secondary or High School and other staff:

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| (i) District Education Officer | - Chairman |
| (ii) Sub-Divisional Education Officer | - Member Secretary |
| (iii) Chairman Managing Committee of the School | - Member |
| (iv) Secretary of the Managing Committee of the School | - Member |

d) In case of the Principal of Higher Secondary and Headmaster of High School:

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| (i) Director of School Education | - Chairman |
| (ii) Deputy Director, School Education Nominated by the Director of School Education | - Member |
| (iii) District Education Officer | - Member Secretary |
| (iv) A representative of the Managing Committee to be nominated by Chairman, Managing Committee of the School | - Member |

- (2) In the absence of Circle Education Officer or Sub-Divisional Education Officer due to the post being vacant with no officer in charge at the time of recruitment in case of clause (a), (b) and (c), Chairman of the Selection Committee may appoint responsible officer to act as Member Secretary.

9. Fixation of pay —

- 1) The staff of the Schools under these rules shall be entitled to receive half of the basic pay their counterpart in the Government's Schools plus half allowance calculated from such half basic pay.
- 2) The initial pay and allowances of all the members of the staff shall be fixed at the half of the minimum pay or the first cell in the level of the Pay Matrix, applicable to the post to which such member of the staff is appointed. Thereafter, regular annual increments shall be earned by them on due dates accordingly and in line with rule 10 of the '*The 7th Central Revision of Pay (as modified and extended to the employees under the Govt. of Mizoram) Rules, 2018*' as amended or any other separate orders issued by the Government from time to time for the purpose of fixation of pay under these rules except when such increments are withheld or deferred on valid grounds
- 3) It shall not get automatically extended to any rules of the Government other than those specified above for the purpose of fixation of pay to the staff under Provisional adhoc grant-in-aid School unless specifically approved by the Government.
- 4) Where the existing staff under provisional adhoc grant-in-aid school is appointed, subject to the fulfillment of the eligibility conditions as prescribed in the rules, to the post of Principal or Headmaster under the same school, his existing pay shall be protected and his initial pay

in the higher post shall be placed at a cell equal to the figure so arrived at in the level of the post to which appointed and if no such cell is available in the level to which appointed, he shall be placed at the next higher cell in that level:

Provided that the appointee can exercise an option to have his pay fixed from date of next increment within the time limit prescribed of one month in order to avoid loss of increment:

Provided further that the pay shall be calculated as per sub rule 1 of these rules.

10. Non functional promotion — Upgradation to Senior and Selection Grade shall not be admissible to the staff of provisional adhoc-grant-in-aid school. However, their services in the provisional adhoc grant-in aid school shall be counted as qualifying services if and when they are upgraded to adhoc -grant-in-aid.

11. Death-cum-retirement gratuity —

The Mizoram Aided Schools Employees (Death-cum-Retirement Gratuity) Rules,1990 and its amendments shall not be applicable to the staff of provisional adhoc grant-in-aid schools.

12. Transfer and posting —

No staff under its employment shall be transferred or deputed to any other agency – Government, Semi-Government or Non-Government. The service of such staff is confined to the institution to which he is initially appointed.

13. Limit of the grant-in-aid

- (1) The grant-in-aid payable to the institution shall normally be continued from year to year. The Institution shall submit attested copies of acquittance rolls in respect of authorized staff actually employed and paid during the period together with the number of students in each class.
- (2) The coverage of grant-in-aid shall be liable to stoppage, suspension or withdrawal, if any institution is found to have violated any of these rules, after giving one month's notice to the Managing Committee. The coverage shall also be liable for withdrawal if the performance of the institution is, in the opinion of the Government, found, unsatisfactory.

David Lalthantluanga
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