

RAJASTHAN NON-GOVERNMENT EDUCATIONAL INSTITUTIONS - RULES 1993

THE RAJASTHAN NON-GOVERNMENT EDUCATIONAL INSTITUTIONS (RECOGNITION, GRANT-IN-AID AND SERVICE CONDITIONS ETC.) RULES, 1993 [Notification No. F. 7(73) Edu 6/74, dated 01.01.1993, Published in Raj. Gaz, Pt. 1. 2. 3. 4. 5. 6. 7. IV-c, dated 18.02.1993] elfi) 1993 7(73) 6/74, 01.01.1993, IV-T(I), 18.02.1993 As amended by the following :— Notification No. F. 10(8) Edu. 5/93, dated 28.07.1993, Published in Raj. Gaz. Pt. IV-C(I), dated 05.08.1993; Notification No. F. 7(73) Edu. 5/74/ Pt. 111, dated 16.03.1996, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 10.05.1996; Notification No. F. 10(12) Edu. 5/93, dated 29.07.1998, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 30.07.1998, Notification No. F. 10(12) Edu. 5/93/Pt. 1, dated 26.03.1999, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 27.03.1999; Notification No. F. 11(35) Edu@ 5/82, dated 03.08.1999, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 28.08.1999; Notification No. F. 12(1) Edu. 5/93, dated 30.06.2004, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 30.06.2004. Notification No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011, Published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 21.06.2011. In exercise of the powers conferred by section 43 of the Rajasthan Non-Government Educational Institutions Act, 1989 and all other powers enabling it in this behalf, the State Government hereby makes the following rules regulating the Recognition Grant-in-Aid and Service conditions etc. of the Non-Government Educational Institutions. 1989 43 43 Raj. Non-Govt, Educational Institutions Rules, 1993 CHAPTER 1 1. Short title and commencement.- (a) These rules may be called The Rajasthan Non-Government Educational Institutions (Recognition, Grant_in_ aid and Service conditions etc.) Rules, 1993. (b) They shall extend to the whole of the State of Rajasthan. (c) They shall come into force from such date. I as the state Government may specify by a notification in the Official Gazette. OTTR) 1993 I 2. Definitions.— In these rules unless the context otherwise requires, — (a) "Act" means the Rajasthan Non-Government Educational Institutions Act, 1989; (b) "Affiliated Institutions" means a Non-Government educational institution affiliated to any University established by law in the State of Rajasthan; (c) "Aided Institution" means a recognised institutions, which is receiving regular aid in the form of maintenance grant from the State Government; Explanation — If any part of an institution, receives maintenance grant, the entire institution shall be treated as aided institution irrespective of whether any other part of the institution is or is not covered by the aid. (d) "Board" means the Board of Secondary Education, Rajasthan; (e) "Compensatory Allowance" means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed and shall include a travelling allowance but shall not include a sumptuary allowance nor the grant of a free-passage to or from any place outside India; (f) "Competent Authority" means any officer or authority, authorised by the State Government, by notification, to perform the functions of the competent authority under these Rules, for such area or in relation to such class of recogrlised Non-Government educational institution as may be specified in the notification; (g) "Director of Education" means — 1. Came into force w.e.f. 01.04.1993, vide Notfn. No. F. 7 (73) Edu/Gr-6/74, dated 27.03.1993, published in Raj. Gaz. Extordy. Pt. IV-C(I), dated 30.03.1993. Raj. Non-Govt. Educational Institutions Rules, 1993 44 (i) in relation to Degree and Post-Graduate Colleges and educational institutions of equal or higher studies other than institutions of Sanskrit and Technical Education, The Director of College Education, Rajasthan, (ii) in relation to the Institutions of Sanskrit Education the Director of Sanskrit Education, Rajasthan, (iii) in relation to the institutions of Technical Education, the Director of Technical Education, Rajasthan, (iv) in relation to schools and institutions other than those referred to in sub-clauses (i), (ii) and (iii) the Director of Primary and Secondary Education, Rajasthan; Explanation — The Director of Education shall include any other officer authorised by him to perform all or any of the functions of the Director of Education, under these Rules; (h) "District Education Officer" includes, in relation to Girls Institutions, the District Education Officer (Girls) and also any other officer authorised by the State Government to perform the functions of such an officer; (i) "Educational Society" or "Educational Agency" means any trust, person or body of persons permitted to establish or maintain a recognised non-Government Educational Institutions; (j) "Employee" includes a teacher and every other employee working in a recognised institution; (k) "Existing Institution" means any recognised institution established before the commencement of the Act and continuing as such at such commencement; (l) "Grant-in-Aid" means any aid granted to a recognised Non- Government Educational

Institution by the State Government; (m) "Head of an Institution" means the Principal Academic Officer, by whatever name called, of an institution; (n) "Institution" includes all movable and immovable properties pertaining to an educational institution; (o) "Joint Director" or "Dy. Director" includes an officer authorised by the State Government to perform the function of a Joint Director or Dy. Director; (p) "Maintenance Grant" means such recurring grant-in-aid to an institution, as the State Government may, by general or special order, direct to be treated as such grant; (q) "Management" or "Managing Committee" in relation to any institution, means the committee of management constituted under section 9 of the Act and includes the Secretary or any other person by whatever name designated, vested with the authority to manage and conduct the affairs of the institution; 45 Raj. Non-Govt. Educational Institutions Rules, 1993 (r) "Non-Government Educational Institution" means any college, school, training institute or any other institution, by whatever name designated, established and run with the object of imparting education or preparing or training students for obtaining any certificate, degree, diploma or any academic distinction recognised by the State or Central Government or functioning for the educational, cultural or physical development of the people in the State and which is neither owned nor managed by the State or Central Government or by any University or Local Authority or other authority owned or controlled by the State or Central Government; (s) "Recognised Institution" means a Non-Government Educational Institution affiliated to any University or recognised by the Board, Director of Education or any officer authorised by the State Government or the Director of Education in this behalf; (t) "Salary" means the aggregate of the emoluments of an employee including Dearness Allowance or any other allowance or relief for the time being payable to him but does not include compensatory allowance; (u) "Sanctioning Authority" means an officer authorised by the State Government to sanction aid to such recognised educational institutions as the State Government may specify from time to time, in accordance with the procedure to be prescribed; (v) "State Government" means the Government of the State of Rajasthan; (w) "Teacher" means a professor, Reader or Lecturer and any other person, by whatever name designated, imparting instructions or training or conducting and guiding a research or training programme in a non-Government educational institution and includes the Head of the institution; and (x) "University" means a University established by law in the State of Rajasthan. 2. — "Institution" 1989 46 Raj. Non-Govt. Educational Institutions Rules, 1993 (q) (i) (ii) (iii) (iv) (i), (ii) (iii) (d) gINT, 47 Raj. Non-Govt. Educational Institutions Rules, 1993 (UT) *q' (20 ZIT @ ql-é, Raj. Non-Govt. Educational Institutions Rules, 1993 48 (QI) fr) CHAPTER - 11 RECOGNITION, ITS REFUSAL AND WITHDRAWAL FOR INSTITUTIONS OTHER THAN THOSE IMPARTING ELEMENTARY EDUCATION (CLASSES I TO VIII) I - 11 VIII) 3. Recognition of Institutions.— (1) Every institution except those affiliated to a University or recognised by the Board. 2 (or imparting elementary the Rajasthan Societies Act, 1958. (2) Except in the case of institutions which are either affiliated a university or recognised by the Board, 3[or imparting elementary education may, on an application made to it in the prescribed Form (Appendix — I), recognize a Non-Government Educational Institution on fulfillment of such terms and conditions as prescribed hereafter. (3) Every application for recognition of an institution shall be entertained and considered by the competent authority and the decision thereon shall be communicated to the applicant within the period as prescribed hereafter. 43. — (1) 1 VIII 1958 1. Substituted by Notfn. No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011

2. Inserted by Notfn.No. F. 8(29) Edu, 5/EE/2009, dated 21.06.2011

3. Inserted by Notfn.No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011. : q. 3(4) @THT.5/94, 10.03.1995 (qRqa : 10) I ati, — 19(9) 20.05.1999 : 76) I (iii) ati - : q. 19(9) RTHT-5/2000, 30.04.2001 : 123) I : q. 18(1) @THT-5/2001, 28.09.2001 : 132) | - : q. 18(3) RTHT.5/2001, 15.02.2002 (qRqÄ : 134) I 49 Raj. Non-Govt. Educational Institutions Rules, 1993 (2) 1 VIII - 111 frlf@q (qRfQ1te - 1) fÄfÜiT fõ3Nfl aik 4. Kinds of Recognition.— Recognition may be of two kinds — (i) Temporary recognition; (ii) Permanent recognition. (i) Temporary Recognition — Any educational institution submitting an application for recognition of a school/college/library/research institute or training school supported by an affidavit verifying the correctness of the facts mentioned therein may be given temporary recognition. (ii) Permanent Recognition— A non-Government educational institution shall be eligible for permanent recognition, if it complies with the following conditions :— (a) After having been granted temporary recognition, the institution seeking permanent recognition, must have worked satisfactorily fulfilling the terms and conditions, as specified in Appendix-11, for atleast three years from the date of such temporary

recognition; (b) The management has promptly complied with the provisions of these rules and orders/directions or instructions issued by the Director of Education/State Government and in submitting all necessary information asked from it from time to time; (c) The student have shown satisfactory examination results; (d) The institution complies with the minimum physical/financial norms and other condition as laid down in Appendix-II. 14. — — : q. 10(9) 09.09.1997 (qftqa • 23) I (ii) — : q. 15(1) @THT-5/94-qé, 05.11.1997 : 26) I (iii) - : q. 10(9) 03.12.1997 (qRqa : 32) I : q. 19(9) Rr&T-5/93, 29.06.2000 (qRqa • 102) | : q. 19(9) 03.07.2000 (qRqa : 103) I Raj. Non-Govt. Educational Institutions Rules, 1993 (ii) I 50 (ii) ffg Ting - 11 (71) a, (q) - 11 5. Procedure for Recognition,— (1) The educational institutions, except those affiliated to any University or recognised by the Board, . 1 [or imparting submit an application in the prescribed Form (Appendix — I) to the competent authority as specified in Appendix — III, provided it fulfills all terms and conditions as laid down by the Government from time to time. (2) The institution shall submit its application to the Competent Authority latest by 28th February. (3) The Competent Authority shall maintain a register of all applications received in the following proforma :— S. 1 Date Name of Institution Date of 2 3 Inspection 4 Name and Designation of Inspection Officer 5 1. Inserted by Notfn. No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011. 51 Raj. Non-Govt. Educational Institutions Rules, 1993 Findings of Inspection report 6 Signature of the Decision of the competent authority 7 competent authority 8 Remarks 9 (4) The competent authority shall complete the scrutiny of all the applications so received latest by 31st March and arrange for inspection by a party comprising — (i) (a) Director of Education or its nominated gazetted officer, or (b) Competent authority as per Appendix — III; (ii) One Educationist having regard to the status of the institution; (iii) The Head of the Account Branch of the office of the competent authority. (5) The Inspecting Party shall inspect the institution keeping in mind the prescribed norms and conditions prescribed in Appendix — 11 and submit its report latest by 30th April to the competent authority, who shall, by 15th May, ask for the additional information, if any, required from the institution. (6) The Inspection Party shall record a clear recommendation with reference to each of the prescribed terms and conditions and give its recommendations for continuance of temporary recognition or permanent recognition as the case may be. (7) The Institution shall furnish the required information as envisaged in (5) above to the Competent Authority latest by 15th June. (8) The competent Authority shall inform the institution concerned of its final decision, under registered post latest by 30th June. (9) The Competent Authority shall also arrange for inspection of the institutions from time to time for supervision over the activities and functions of the institutions and record its findings on the file maintained for the purpose. 15. — (1) uT 1 VIII q. 15(1) Rl&TT-5/94 qré, 19.11.1997 (qftqa : 31) I — : q. 19(9) mar-5/93, 21.02.1998 (qRqa : 41) | (iii) 21.02.1998 — W. 19(9) NIKI-5/93, 11.12.1998 (gRqa • 66) | q. 18(3) RT&ff-5/2001, 09.05.2001 (qRqa : 127) I Raj. Non-Govt. Educational Institutions Rules, 1993 Ü, 111 (2) 28 52 m. 1 2 3 7 4 6 8 q--q-fir-«rq 5 9 (4) 31 *711, €4) - 111 (ii) (iii) I (5) - 11 Tr Rq-lé 30 *711, 15 (7) (5) aftfh 15 30 I 53 Non-Govt. Educational Institutions Rules, 1993 fäg aiH COMMENTS Right to establish an educational institution — Does not carry right to recognition or right to receive grant-in-aid — Grant of aid or Conferment of recognition is the prerogative of State and the State may control such rights by proper regulatory measures statutory or executive — Authorities entitled to grant recognition/affiliation are entitled to insist upon observance of such conditions as are appropriate to ensure education of requisite standard. G. D. Girls School & nmr. Vs. Education Tribunal & Ant.. 1995(1) WLC (Raj.) 99

6. Appeal against refusal of Recognition.— (1) Where recognition to an institution is refused .1 (under the provisions of this Chapter) any person aggrieved by such refusal may, prefer an appeal against such refusal to the appellate authority as stated below :— s. No. 1 2. 3. 4. 5. 6

7. Authority against whose orders appeal has been preferred 2 **Inspector, Physical Education District Education Officer Dy.** Director, Social Education Director of Primary & Secondary Education, Bikaner Director of Sanskrit Education Board of Secondary Education University Competent Appellate Authority 3 Director of Primary and Secondary Edu. Bikaner Joint/ Deputy Director Education Director of Primary and Secondary Education, Bikaner Special Secretary to Govt. in Edu. Deptt. Special Secy. to Govt. in Edu. Deptt. or his nominee, not below the rank of Dy. Secretary in case of Sanskrit School Education Secretary (P & S) or his nominee, not below the rank of Dy. Secretary Vice Chancellor 1. Inserted by Notfn. No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011. Raj. Non-Govt. Educational Institutions Rules, 1993 54 (2) The memorandum of appeal shall contain full facts of the case and shall be accompanied with attested copy of order appealed against and other relevant documents in support of the

appeal. (3) On receipt of an appeal, the appellate authority shall promptly call for the relevant records from the authority, who refused recognition and after examination of such record and giving an opportunity of being heard to the appellant the Appellate Authority shall confirm, modify or reverse the order appealed against and his decision thereon shall be final. The said decision shall forthwith be communicated to the appellant. 6. — (1) qvi ovi 30 fūq 2 3 1. 2. 3. 4. 5. 6

7. Raj. Non-Govt. Educational Institutions Rules, 1993 55 giufrBT I 7. Withdrawal of Recognition.— (1) The competent Authority granting the recognition may, after giving to the management a reasonable opportunity for showing-cause against the proposed action for withdrawal of recognition, withdraw its temporary or permanent recognition . 1 [granted under this Chapter] in the following circumstances •r (a) if the management of an institution has obtained recognition by suppression of material fraud/misrepresentation or particulars or if, after obtaining recognition, an institution fails to comply with any of the terms and conditions prescribed in Appendix — 11 of these rules; (b) if the management has closed down the educational institution or any of its part without obtaining prior approval of the Competent Authority; (c) if the management has transferred the educational institution to any other building or place without obtaining prior approval of the competent authority; (d) if the management of the institution has been transferred to any other management committee/ institution without obtaining prior approval of the Competent Authority; (e) if on the expiry of the period of temporary recognition the management has failed to submit an application in the prescribed form to the competent Authority either for extension of the term of temporary recognition or for grant of permanent recognition; (f) if the management of the institution fails to make irregular payment of full pay and allowances through an account payee cheque to its employees before 15th of every next month. (2) On being satisfied that the institution has failed to comply with any of the terms and conditions specified in sub-rule (1), the competent authority may after giving the institution an opportunity of being heard, suspend the recognition for a specific period. Thereafter if the competent authority is satisfied that the said institution has shown satisfactory improvement within the period specified, it may allow the recognition to continue. (3) Ordinarily recognition once given to an educational institution shall continue upto the end of an academic session. But in cases of fraud, misrepresentation or concealment of the material facts on which recognition was granted or in cases, where the institution has failed in timely compliance of the orders/directions of the Director of Education of the State Government, the Competent Authority may after giving management a reasonable opportunity of showing cause against the proposed action, withdraw the recognition even during the midst of the academic session

1. Inserted by Notfn.No. F. 8(29) Edu. 5/EE/2009, dated 21.06.2011. Raj. Non-Govt. Educational Institutions Rules, 1993 (4) No institution shall be given recognition retrospectively. Explanation — 56 (1) In cases, where recognition given earlier, is withdrawn, but conferred again, such institution shall be termed as new institution. (2) In case of opening of a branch by the institution at a new place, such branch of the institution at a new place, such branch of the institution shall be termed as new institution and its application for recognition shall be decided accordingly. 31E.UIU - 11 @ Nla--lq Rq•r, t; (71) YTfÄTrEr 15 Raj. Non-Govt Educational institutions rules, 1993 Rr. 57 '8. Appeal against withdrawal of recognition." (1) Where recognition to an institution is withdrawn any person aggrieved by such withdrawal may, within thirty days from the date of communication to him of such withdrawal, prefer an appeal against such withdrawal to the appellate authority as specified in rule 6(1). (2) The appeal shall be preferred and disposed off in the manner as prescribed in rule 6(2) and (3). 60) -1 [CHAPTER 11-A RECOGNITION, ITS REFUSAL AND WITHDRAWAL FOR INSTITUTIONS IMPARTING ELEMENTARY EDUCATION (CLASSES I TO VIII) 8-A. Procedure for recognition for primary & upper primary schools.— (1) Every Primary and Upper Primary school, other than a school established, owned or controlled by the Central Government, State Government or the local authority, established before the commencement of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act No. 35 of 2009) (hereinafter referred to as the Act of 2009) shall make a self declaration within a period of three months of the commencement of these amendment rules, in Form 1, to the concerned District Elementary Education Officer regarding compliance of the norms and standards specified in the Schedule of the Act Of 2009 and fulfillment of the following conditions, namely:— (a) the school is run by a society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860), the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958), or a public trust constituted under any

law for the time being in force; (b) the school is not run for profit to any individual, group or association of individuals or any other persons; 1. Inserted by Notfn. No. F. 8(29) Edu@ 5/EE/2009, dated 21.06.2011. Raj. Non-Govt. Educational Institutions Rules, 1993 58 (c) the school conforms to the value9 cnshrined in the Constitution of India; (d) the school buildings or other structures or the grounds are used only for the purposes of education and skill development; (e) the school is open to inspection by any officer authorized by the State Government or the local authority; (f) the school furnished such reports and such information as may be required from time to time and complies with such instructions of the State Government or the local authority as may be issued to secure the continued fulfillment of the conditions of recognition or the removal of deficiencies in working of the school. (2) Every self declaration received in Form 1 shall be placed by the District Elementary Education Officer in public domain within fifteen days of its receipt. (3) The District Elementary Education Officer shall, within three months of the receipt of the self declaration, cause on site inspection of such schools which claim in Form 1 to fulfill the norms and standards and the conditions mentioned in sub-rule (1). (4) After the inspection referred to in sub-rule (3) is carried out, the inspection report shall be placed by the District Elementary Education Officer in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the District Elementary Education Officer in Form 2 vhtin a period of fifteen days from the date of inspection. (5) Schools that do not conform to the norms, standards and conditions mentioned in sub-rule (1) shall be listed by the District Elementary Education Officer through a public order to this effect. Such schools may request the District Elementary Education Officer for an on-site inspection for grant of recognition at any time within a period of three years from the commencement of the Act of 2009. (6) Schools which do not conform to the norms, standards and conditions mentioned in sub-rule (1) within three years from the commencement of the Act of 2009, shall cease to function. (7) Every Primary and Upper Primary school, other than a school established, owned or controlled by the Central Government, State Government or local authority, established after the commencement of the Act Of 2009 shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition under this rule. 8-B. Procedure for withdrawal of recognition for Primary and Upper Primary schools.— (1) Where the District Elementary Education Officer (hereinafter in this rule referred to as the said Officer) on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recopiized under Rule 8-A, has violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards specified in the Schedule of the Act of 2009, the said Officer shall act in the following manner :— 59 Raj. Non-Govt. Educational Institutions Rules, 1993 (a) issue a notice to the school specifying the violations of the conditions of grant of recognition and seek its explanation within one month. (b) in case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the said Officer may cause an inspection of the school to be conducted by a Committee of three to five members comprising of educationists, civil society representatives, media and government representatives, which shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its vhtdthdrawal, to the said Officer. (c) on receipt of the report and recommendations of the Committee, the said Officer may pass an order for vvdthdrawal of recognition : Provided no order for withdrawal of recognition shall be passed by the said Officer without giving the school and adequate opportunity of being heard : Provided further that no such order shall be passed by the said Officer without prior approval of the State Government. (2) The order of withdrawal of recognition passed by the said Officer shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of that school shall be admitted.) 1 VIII) 2009 (2009 xi. 35) (ffü 2009 t) fifi 2009 1 *TTT, — @) 1860 (1860 21), 1958 (1958 28), Raj. Non-Govt. Educational Institutions Rules, 1993 60 GITå g; (V) ff--fr (q) Rqlé 2, föFIQh Qh (4) (3) Rq)-é I 2009 (6) 2009 2009 \$1 t, 8-v. fig - (1) q-gi (mi ur 2009 61 Raj. Non-Govt. Educational Institutions Rules, 1993 Rqhé CT) Rqhé q, ql&IT 31-g-qh-q-q I CHAPTER - 111 AID, ACCOUNTS AND AUDIT - 111 9. Grants.— The State Government may at its discretion sanction following gants :— (1) Maintenance or recurring grant. (2) Non-recurring grant towards equipments, building etc. (3) Adhoc, non-recurring or recurring grant to an institution which is of an all India Character and its project and activities have been approved by the Central or State Government on such terms and conditions as it may deem fit to impose. (4) Such other grants as may be sanctioned by the Govt. from time to time. R. 10 Raj. Non-Govt. Bducationat Institutions Rulecg, 1993 62 (3) aFJTtRff

3FJ€ff, oilg GI, (4) Tiq I 10. General conditions governing Grant-in-aid Every institution which applies for grant-in-aid shall be deemed to have accepted its obligation to comply with the following conditions (i) The institution shall neither prepare nor send candidates, unless permitted by the Director of Education, for an examination held in another State when an examination of the same nature and standard is held in Rajasthan by the Education Department, Board or University. (ii) Admissions and all facilities including free studentship, half free studentship, provided by the institution shall be available to every section of people without any distinction of cast, colour, creed, or language. (iii) The institution shall not be run for the profit of any individual. Its Committee or Management must be such as can be trusted to utilize its assets for the furtherance of the objects of the institutions. (iv) The institution shall supply to the education department, a list of all its assets, the income of which is utilised to meet the expenditure of the institution. (v) The educational institution or any of its faculties, subject, course, class or section, shall not be closed down or down-g•aded without atleast one full academic year's notice in writing as envisaged under section 14 of the Act to the department. (vi) Whenever the management of any recognised institution, is proposed to be transferred, the secretary and the person to whom the management is proposed to be transferred shall, before such transfer apply jointly to the Director of Education for prior approval of the transfer in ethe proforma as specified in Appendix — VI. (vii) The Management shall deposit in the Endowment/ Reserve Fund, a sum as prescribed in Appendix — 11. (viii) The amount collected by the management by way of gants, donations, interest on endowments, fees from students etc. shall be credited to the accounts of the institution and shall be reflected in annual income and expenditure statement of the institution. All moneys shall be deposited in a PD Account opened for the purpose in the District/ Sub-Treasury except money required for immediate 63 Raj. Non-Govt. Bducational Institutions Rules, 1993 R. Io disbursement or payment. The institution shall maintain detailed accounts, income wise, in a register. (ix) (a) The management shall sec that thc total number of Student on roll and their average attendance in the boys' institution does not fall below the standard mentioned hereunder S. No. Standard of the Institution 2 Class 3 Total No. of Average students on attendance 1 1. 2. 3. 4

5. Primary & Secondary Education Lower Primary Primary Upper Primary Secondary Sr.Secondary 1 to 111 VI to VIII X1 to XII 6. Hostels 11. I. 2. 3

4. Sanskrit Education Primary Purva Pravesika Pravesika Upadhyaya 5.Shashtri 6. Acharya V VIII X1 to XII 1st Yr. to 3rd Yr. Previous & Final Ill. College Education 1. Graduation 1st Yr. to 3rd Yr

2. Post Graduation Previous & Final roll in a session 4 45 75 45 40 60 25 75 45 30 20 20 10 30 20 5 75% 75% 75% 75% 75% 75% 75% 75% 75% 75% 75% 75% 75% 75% R.10 Raj. Non-Govt. Educational Institutions Rules, 1993 64 (b) in the case of Girls institutions the total number of students on roll in a session may be 75% of the number prescribed for the boys institution and thc average attendance may be 60%. (x) Withdrawals from the institutional fund shall be made, only by a person, who is duly authorised by the Managing Committee to operate the fund and only for the purpose of incurring expenditure for the maintenance or improvement of the institution. (xi) The institution shall promptly comply with all the instructions/ orders/decisions given from time to time by the department for the proper running of the institution. (xii) No grant shall be admissible for starting a new course, class, section, subject, faculty or a project, unless previous permission of the competent authority has been obtained. (xiii) The management shall appoint teachers and other staff and shall follow the conditions of service, as laid down in these rules. Only trained teachers shall be appointed by the institution. (xiv) The management shall not spend any portion of its income, including accumulated savings, on items, which are against the interest of the institution. (w) The Grant-in-aid will be payable to the management of the institution subject to availability of funds and shall not be claimed as a matter of right. (xvi) The amount of aid may normally be paid to the Secretary of the Managing Committee of the Institution but in special circumstances and for reasons to be recorded in such amount may be paid to any person authorised by the Director of Education or by any other officer empowered by him in this behalf. (xvii) In case of financial crisis the State Government may stop/reduce or modify the gant without assigling any reasons whatsoever. (xviii) The total recurring grant-in-aid in a year shall not exceed the difference between the total approved expenditure and the recurring income from all the sources. (xix) The grant-in-aid or any property, movable or immovable, created out of it, shall not be utilised for any purpose other than the purpose for which it was sanctioned. (vo) The unutilised balance at the end of the financial year shall be surrendered to the Department/Govt. on or before 31st March each Year, failing which it shall be adjusted towards next

installment of aid becoming due. (xxi) The institution shall maintain student-wise demand and collection register for different kinds of fees realised. (xxii) Only the recognised institutions shall be eligible for grant-in-aid. (xxiii) No grant-in-aid shall be admissible to an institution which either avoids audit/inspection or fails to co-operate with the auditing/ inspecting authority. Raj. Non-Govt. Educational Institutions Rules, 1993 R. 65 (xxiv) The Secretary of the institution or any other person duly authorised shall at the time of receiving grant-in-aid, submit an undertaking in the form prescribed in Appendix -a XII in triplicate to the countersigning authority. 10. fbfhfh(T — fäg fib frtNf) Rig oik (ii) 07f 8bfi, (iii) I qnQg, (iv) *Tfr, frg 14 (vi) (vii) - 11 (viii) q-Ä, R. 10 Raj. Non-Govt. Educational Institutions Rules, 1993 1 1. 1. 2. 3. 4. 5. 6. 11. 1. 2. 3. 4. 5. 6. 111. 1. 2. 2 3 111 1 qiv VI VIII lxi x XI XII V -Q VIII lxi x x1 XII 3Tl@Tå 4 45 75 45 40 60 25 75 45 30 20 20 10 30 20 66 5 75% 750/0 75% 75% 75% 75% 75% 75% 75% 75% 75% frg 67 R. 10 Raj. Non-Govt. Educational Institutions Rules, 1993 (xi) •iN@1T Zi; f?rg (xii) filter, fÄg fib (xiii) Cxiv) ØT(Ffl (Wi) (Wiii) (xix) Q, 71-4 -Q (xx) 31 (xxi) 6œcii) I (xxiii) ßiv) - XII R. 11 Raj. Non-Govt. Educational Institutions Rules, 1993 68 11. procedure for Grant-in-Aid.— (1) Any non-Government educational institution seeking grant-in-aid from the Government shall submit its application in the form prescribed in Appendix — IV to the concerned Director of Education latest by 30th September of the year immediately preceding the year in which the grant-in-aid has been applied for. By 31st October each year the Director of Education shall order for a panel inspection by a Committee, to be nominated by him and direct such in the proforma as specified in Appendix _ V. committee to submit its report/ latest by 31st December. The panel inspection report shall be scrutinized by the Head of Accounts Branch of the Directorate. A list of institutions recommended by the Panel Inspection committee shall be sent to the State Government by 31st of January. Such reports, after due scrutiny shall be put-up before the Grant-in-aid Committee, which shall consists of the following :— (i) (ii) (iii) (iv) (v) (vi) (vii) Special Secretary to the Government Education Department Director and/or Chief Accounts Officer of Primary & Secondary Education Director of College Education Director of Sanskrit Education A representative of the Finance Department Three eminent non-official Educationists nominated by the Government Accounts Officer, Education Deptt. Govt. Secretariat, Jaipur Chairman Member Member Member Member Members Member- Secy. (2) The Director of Education shall intimate the amount that may be available for the above grants in the financial year to the above committee, when it meets to consider the applications for grant-in-aid. (3) The Government shall convey its approval of the quantum of aid etc. to the concerned Director of Education for further necessary action. (4) The quantum of aid shall depend upon the recommendations of the grant-in-aid committee and finally as may be approved by the Government and may range from 50% to 90% of the approved expenditure of the Institutions : Provided that in case of Railway schools situated in Rajasthan, grant- in-aid may be allowed as follows :— 1. Primary & Upper Primary Schools 2. Secondary or Senior Secondary Schools 50% of approved expenditure 25% of the approved expenditure Provided further that the percentage of aid for a new faculty or subject shall not be less than that already being paid for another faculty or subject in an institution. Raj. Non-Govt. Educational Institutions Rules, 1993 R. 11 69 (5) A declaration shall be furnished by the person authorised by the management of the institution for which grant-in-aid is being sought, to the effect that it has sufficient assets (list to be attached) which are free from all encumbrances and do not include assets created or added out of the grant_in_ aid received and that the income of such assets supplemented by grant-in-aid be adequate to enable the management to carry on the institution efficiently and to pay the salaries of the staff of the institution regularly and on time. Olli. — (1) 30 31 PR-IT fiü?1T, Rq)é 31 R@ré \$1 GINT 31 Rq)é (ii) : q. 6(7) RIRI-5/97, 04.02.1998 : 40) : q. 12(1) RTHT-5/97, 28.04.1998 : 49) | (iii) — : q. 12(3) RIRI-5/94-qé, 06.05.1998 : 50) I — : q. 19(9) RTHT-5/93, 07.08.1999 : 84) I 17.042000 (qRqw : 99) I 15.092000 : 111) I (vii) — : q. 18(1) RfRT-5/2001, 27.052002 : 136) I (viii) — : q. 19(9) maT-5/99(115), : 26.022005 157) R. 12 (iii) (v) (vi) (vii) Raj. Non-Govt. Educational Institutions Rules, 1993 f&tT 50% 12. Finalisation of Maintenance or Recurring Grant.— (1) The institution already receiving recurring grant shall submit application for finalisation of the grant of previous year in prescribed proforma (Appendix - IV) to the competent authority as specified below latest by 31st August : — Director of College Education 1. Colleges other than Sanskrit Education 71 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 12 2. Schools and Colleges of Sanskrit Education 3. Primary and Secondary Education Director of Sanskrit Education Regional Joint/ Deputy Director of Primary and Secondary Education (2) In case of institution controlled by Primary and Secondary Education such application shall

be submitted to District Education Officer by 31st August who will scrutinize them with reference to the original records of the institution and forward the same alongwith his specific recommendation on each item for finalisation of the grant to the competent authority as specified in sub-rule (1) latest by 31st October. (3) If the institution fails to submit the applications by 31st August the above said authorities may condone delay for two months and the delay of more than two months may be condoned by the Govt. 112. — (1) - IV) 31 1. 31 *IT, 31 19(9) 21.02.1998 (qRqa : 43) : q. 19(9) 26.09.1998 (gRqa : 64) | 12(3) : q. 11(39) fHT-5/93, 0204.1998 (qftqa : 47) | (iii) : W. 19(9) RTHT-5/93, 21.02.1998 : W. 19(9) RTHT-5/93, 11.12.1998 (fiqa • 65) | R. 13 Raj. Non-Govt. Educational Institutions Rules, 1993 72 (3) 31 13. Assessment of Annual Recurring Grant.— (1) Annual recurring grant will be given on the basis of estimated expenditure of the current year and be subject to adjustment from the grant payable in the next year. (2) Approved expenditure shall be arrived at according to these rules and such other instructions that may be issued from time to time. (3) Institutions shall be categorized under advise of the grant-in-aid committee and may be allowed Grant-in-aid as follows :— Category — of the approved expenditure of the previous A. year plus likely annual increment of staff B. C. D. Special Category - Institutions carrying on the work of education on experimental & pioneering lines in accordance with the criteria laid down by the Department of Education Notes — I. The case for an increase or decrease in grant-in-aid may be reviewed by the Grant-in-aid Committee ordinarily after three years on the basis of inspection reports and general improvements and other principles of categorization

11. Grant-in-aid Committee will admit institutions to the special category after examination of their cases as per criteria laid down in Appendix —VII. (4) The total recurring grant-in-aid from Government of Rajasthan in any year shall not exceed the difference between the total approved expenditure taking into account and the income from the fees and other recurring sources during the same year, including grants from other State and Central Government, Sabhas, Societies and local Bodies, as also the income from Interest on reserve funds or rent of property. Notes — I. The income from fees and fines referred in sub-rule (4) includes the following fees and shall be separately mentioned in the statement of audit prepared by the Chartered Accountant or other approved auditors :— (i) Tuition fees; (ii) Tutorial fees; (iii) Admission and re-admission fees; (iv) Transfer Certificate fees; 73 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 13 (v) Any other fees not covered by the above except — (a) subject fees for example Commerce fees, Science fees, (b) Games fees and fee charged for craft and other referred in sub-clauses (i), (k), (1) of Rule 14; (vi) Fines with regard to other fees referred to in (a) and (b) of item (v) above, subject, games and certificates fees shall be utilised for the specified purpose for which they are charged and in the event of their non-utilization in full or part, the amount shall be transferred to the student fund to be utilised in the next year. The Governing Body COUncil or the management-shall in no case utilize any portion of the Students Fund for the purpose of running the institution or in payment of salaries of the staff, rent of the buildings etc

11. During each year every institution admitted to the grant-in-aid list shall provisionally be paid a monthly sum equal to 1/ 12th or a quarterly sum equal to 1/4th of the annual grant fixed for the previous year till the current year's grant is sanctioned subject to its final adjustment. The following will be the basis for the categorization of the institutions :-- (i) Quality of educational work judged on the results on an average of last three years of the public examinations of the higher class in the institution; (ii) Correction work; (iii) Individual attention; (iv) Teaching efficiency; (v) Discipline and tone of the Institution (Chapter — VII); (vi) Extra-curricular activities cultural life games etc.; (vii) Contribution to community life (special service in the area); (viii) Class-wise attendance throughout the year; (ix) Facilities for games, sports, Physical Training and participation and achievement in tournaments; (x) Provision for building and equipment; (xi) Absence of malpractices and irregularities; (xii) Absence of stagnation among students; Number of faculties and subjects provided. III. The Notice period pay recovered from the employees of the institutions and the amount of management shares of the provident fund scheme forfeited by the management during R. 13 Raj. Non-Govt. Educational Institutions Rules, 1993 74 the year shall be shown as income in the audited statement shall be treated as income of the institution for the purpose of arriving at the net approved expenditure. 1. (i) oiET 41%, - q. 12(6) RTHT-5/90, 23.05.1994 (qRqa : 6) I — : w. 12(1) RT&TT-5/97, frÖEF 28.04.1998 • 48) | (iii) 11(10) RTHT-5/90, 06.06.1998 : 55) | : q. 19(9) @BTT-5/93, 22.07.1998 (qRqa : 58) | — : q. 19(9) @rqr-5/93, frFTfrF 07.08.1999 : 84) I 06.06.1998 31.032000 — q. 12(1) mHT-5/97, 18.012000 (qftqa : 92) | (vii) 28.04.1998

31.032000 XQ4fr€T, - : q. 12(1) RIET-5/97, 18.012000 (qftqÄ : 93) | (viii) 7b — : q. 19(9) RTHT-5/93, 02.032000 (qi?qÄ : 95) | (ix) 7.5% 19(9) RTHT-5/93, 16.082000 : 105) | 19(9) @THT-5/93, 25.082000 : 110) I 2000-2001 — : q. 19(9) 21.10.2000 : 112) I (xii) \$1 üfag — : q. 19(9) mar-5/93, 21.10.2000 113) I — : q. 19(9) RTHT-5/99, 16.05.2001 • 128) | 75 Raj. Non-Govt Educational Institutions Rules, 1993 ailg f?rur 1. Rqhé 11. - VII R. 13 70% 1(4) 3TRfh @Tée (ii) vq-üa-l@m (iii) 5: (iv) 1. RqJé, — : q. 3(1) RTHT-5/94, 19.03.1994 (qftqa : 5) | — : q. 19(9) NIKI-5/99, 408.1999 : 85) | R. 13 Raj. Non-Govt. Educational Institutions Rules, 1993 76 (q) 14 (\$1), (e), (U) Ryu, frg 11. 1/12 1/4 @ I fir, gg (ii) (iii) (iv) qa-1tTT; (vi) (vii) (h mi-q), (viii) vqftefr, .2(ix) 1. - : q. 6(1) 5/90, 01.05.2001 (qRqa : 125) q. 18(8) .p 1997 : 22) Raj. Non-Govt. Educational Institutions Rules, 1993 (x) f?TkT (xi) (xii) 31QTTÜ; (xiii) I 111. ai?T R. 14 14. Approved Expenditure.— Approved expenditure referred to in rule 14 above, shall relate to the following items only. All the items from (a) to (v) mentioned below vhl form competent 'A' of the admissible , items of the expenditure :— (a) (b) (c) (d) (f) (g) (h) (i) (j) (k) (l) Actual salary and provident fund contribution not exceeding 8.33% in respect of teaching and non-teaching staff. Stationary and printing charges. Water and light charges. Registration fees, audit fee and affiliation fee. Recurring expenditure on equipment and apparatus. Ordinary repairs to building (if these belong to the institution and furniture etc.) repairs may be calculated at 1% for pucca and 2% for kacchha buildings. Building rent if the building is rented. In all cases the department should be satisfied that the building is not owned by a Society consisting of the same community or groups or persons running the institutions concerned. Rent will not be admissible if the building belongs to the same society or groups of persons running the institutions concerned. Net recurring expenditure on books, library and reading rooms. In the case of residential institutions or educational societies running more than one institution such expenses on management as are necessary or incidental to the establishment and maintenance of the institutions and the society. Net recurring expenditure on games, physical education and other extra-curricular activity e.g. camps, annual functions (including prizes), dramatics, educational tours, excursions and social services. Recurring expenditure on craft including Ag•iculture, Dairy, Home Science after deducting the income accruing there from. Expenditure on travelling of teachers for attending conferences and seminars conducted by the Government or Department connected with educational matters : R. 14 Raj. Non-Govt. Educational Institutions Rules, 1993 78 Provided the same has not been paid by the authority calling the teachers or arranging the conferences or seminars and on journeys. (m) Expenditure on advertisement for the post of teachers and lecturers for Technical or Science subject, Home Science, English, etc. at the rate of not more than two advertisement in a year. (n) Petty expenditure according to the prescribed limits for brooms, sussters and earthenpot, rope for water etc. (o) Research bullet in for research institutions only. (p) Book-binding (for public libraries only). (q) Training expenses for teachers according to rules for Government employees. (r) Charges on account of taxes on school building to the extent of the amount if actually paid by the Management. (s) Travelling expenses of teachers accompanying school children on excursions subject to the prior approval of the Director of Education. (t) Expenditure incurred on fees for obtaining rent verification certificates from P.W.D. (u) A new institution coming into existence after the commencement of these rules shall not be eligible for grant-in-aid, unless it has continued to function successfully or atleast three academic sessions in case of boys institutions and for two academic sessions in case of girls institutions from the date of its recognition or affiliation. (v) Expenditure on Hostels- Approved expenditure for Hostels would relate to the following items :— (i) Salary or allowances of the Warden or Superintendent or the Matron; (ii) Ministerial and Class IV establishment considered necessary by the Department; (iii) Office contingencies; (iv) In case of Societies running more than one boarding house, such expenses on management as are necessary for and incidental to the establishment and maintenance of the Society as provided under the rules above. Notes — I. The expenditure on Central Office shall be approved for grant only when the total approved expenditure of the Society exceeds Rs. ten lakhs per year and atleast three institutions are being run by the Society. Such institutions are only those which are recognised for this purpose by the Department. Institution should not be of the 79 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 14 nature of a Department or section or activity of the same institution

11. Charges on account of contribution made by the institution to a pension fund or a gratuity scheme or on account of the pension or gratuity paid to former teachers are ordinarily not admitted for the purpose of grant-in-aid unless the rules on the subject are approved by Government :

Provided that in the case of staff obtained on lent services from any State Government or Government of India, pension and leave salary contribution shall be allowed as approved expenditure. III. Expenditure on rent to the extent assessed by the P.W.D. for the particular period is admissible to an institution only when the building has been actually taken on rent and rent-deed containing the terms and conditions of rent is executed and registered. No rent is admissible where a parent body has given a building to a Trust for the charitable purpose of running an educational institution as a donation. No rent is admissible where grant-in-aid has already been given for repairs, additions and alterations of the building used for educational institutions run by private body. In case the institution or society, which is other than the parent body, is entrusted with the running of a school and used building which was got constructed by the parent body for the use of the school and then new managing committee is required to execute a bond or agreement and get the same registered to the effect that rent for use of the building will have to be paid by the newly created management will have to be paid by the newly created management to the parent body for running a school, rent by the Society will be admissible for grant-in-aid. IV. Same as otherwise provided no expenditure on repairs of building for which rent is claimed is admissible for grant-in-aid as such, repairs are to be done by the landlord. V. Legal expenses are not admissible for grant-in-aid as they are non-recurring charges. Exceptional cases should, however, be referred to the Director with pertinent details for orders, regarding the admissibility of the expenditure. VI. Arrears of expenditure — The expenditure, which is incurred to meet the liabilities of any previous year but included in the expenditure of the current year on which the grant is based shall be admissible for the purpose of grant-in-aid only with the prior approval of the State Government. VII. The authorised maximum limits of expenditure would be as specified in Appendix - VIII. R. 14 Raj. Non-Govt. Educational Institutions Rules, 1993 80 VIII. Any new or additional expenditure on any of the above items not provided in the approved budget will require previous sanction of the Government. IX. Repayment of loans etc. Repayment of Loans or the amount transferred to the Revenue Fund is not an expenditure admissible for the purpose of grant-in-aid. 14. 8.33 ati 8brr, (q) fiT, 1. (i) QfiT, : q. 10(8) @BT-5/93/qre-1, 17.03.1994 : 4) I q. W. fir 8.33 - : q. 11(22) RT&T-5/88, 18.03.2000 (qRqÄ : 98) I (iii) q. w. 8.33 11(22) RTHT-5/88, 16.05.2001 (qRqa : 129) I 81 R. 14 Raj. Non-Govt. Educational Institutions Rules, 1993 (31) (d) ur GTVT gan (G) 3iH, (a) qeöi, fig (UT) gaæq, (21) (q) ib Rig (ii) qget (iii) (iv) fig R. 14 Raj. Non-Govt. Educational Institutions Rules, 1993 82 I. R-g (TI&TT, ROTIIT uT 11. GINT 111. m, ft-au, TruT lv. 83 Rr. 15-16 Raj, Non-Govt. Educational Institutions Rules, 1993 fäg frb---q VII. - VIII I VIII. qti t, 15. Payment of Recurring Grant.— (1) Payment of grant-in-aid may be sanctioned by the Director of Education regularly to the institution already on the grant-in-aid list within the budget provision in the current financial year. (2) If any institution has worked for less than 200 days during the twelve months ending on March 31, a proportionate reduction may be made from the annual grant payable under the rule. .215. — (1) gINT, (2) 31 gg 200 16. Non-Recurring Grants.— (a) Non-recurring grant shall not exceed 50% of the total approved and actual expenditure. (b) Non-recurring grant may be given for construction, repair and extension of building (including hostels), for purchase of furniture and equipment and for the purchase of library books. (c) Grant for the purchase or replacement of bus shall not exceed 25% of the controlled price of the bus. Replacement will normally be allowed after an interval of at least 10 years. Such grant will ordinarily be considered only for Girls institutions and Montessori schools and preference will be given to institutions situated in cities or away from residential localities. Note — In case of Girls institutions expenditure incurred for the construction of teachers residential quarters be admissible for grant-in- aid. — : q. 19(9) RIRI-5/93, 30.07.1999 • 81) I 2. 2001 — : q. 19(9) RTHT-5/99, 26.022001 120) | R. 16 Raj. Non-Govt. Educational Institutions Rules, 1993 84 (d) Grant-in-aid will be given in only those cases where the plan and estimates Of expenditure have received the prior approval of competent authority as per schedule of powers in Appendix X (item 6). (e) Plans and estimates upto Rs. 50,000/- for the construction of building may be scrutinized and countersigned by the District Education Officer of the district concerned, if the same are prepared by a qualified Engineer. Plans and estimates above Rs. 509000/- must be prepared and verified by the P.W.D. and be submitted to the Director of Education through proper channel. (f) Grant-in-aid will be sanctioned and released to the institutions by the competent authority as per schedule of powers in Appendix - X (Item 8). Before the sanction of grant the competent authority shall be satisfied that — (i) Statement of expenditure audited by a Chartered Accountant has been received; (ii) Certificate of P.W.D. authorities for

the value of construction has been received; (iii) The certificate of the P.W.D. authorities and Departmental authority to the effect that the expenditure is according to the approved plans or project has been received. (g) Normally grant-in-aid is to be released after the completion of the approved construction/ project. In special cases where interim installments of grant are decided to be sanctioned, the competent authority shall satisfy itself, that — (i) Statement of expenditure audited by a Chartered Accountant has been received; (ii) Certificate of Dy. District Education Officer or District Education Officer regarding work done and material used has been received. The installment sanctioned shall not exceed 50% of the approved actual expenditure. For final payment certificate as in (f) above would be necessary. (h) In all cases, before or at the time the money granted is paid over, a mortgage deed as specified in Appendix - XI shall be executed and got registered. 16. — (a) @ Ni*T, 10 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 16 85 aik (e) 50,000/- 50,000/- eik (i) qlée t, (iii) aik Tiq (i) qrée Riqflfh (ii) mar : 1167) 01.10.1997 (qfiqu : 24) I 2. \$1 fäg — q. 15(1) ft(EIT-5/94, 05.11.1997 (fiqu : 27) I R. 17 Raj. Non-Govt. Educational Institutions Rules, 1993 86 (q) fo;--qr - X1 föâu 17. sanction of a Post.— (1) The institution shall submit its application for sanction of any additional or new post by 31st May, each year in duplicate to the Director of Education in the following form I. 2. 3. 4. 5. 6. 7

8. APPLICATION FOR SANCTION OF ADDITIONAL/NDW POST Name of Institution Level of institution for which grant-in-aid is being received Percentage of Grant-in-aid Head of Account Existing posts cadre-wise (for which granted is being received class) Additional posts required (cadre-wise) Justification of demand : (a) Number of class and sections (b) Number of period being taken by each teacher (c) Time table prescribed for all teachers Class/Section-wise student population for last 3 years as in March each year : (a) Promoted from lower class (b) Failed in the class (c) New admissions (d) Number of students who have left the class/ section 9. Whether it would be possible to accommodate the additional number of student/ sections in the existing building as per norms prescribed by the Government 10. Financial implication for one year on the additional posts and amount of aid required 11. Whether prior permission of the competent authority has been taken to open a new class/section or specific faculty if so, quote No. and date of such permission 12. Recommendation of the counter signing authority (2) The Director of Education shall scrutinize the case and send his detailed proposal alongwith application of the institution to the State Government who may after getting the approval of the Finance Department, sanction such number of posts, which it feels justified. Raj. Non-Govt. Educational Institutions Rules, 1993 87 (3) the posts so sanctioned additionally shall take effect from the specific date as mentioned in the order or from the date on which it is filled up whichever is later. (4) The Director of Education will ensure budget provision under appropriate Head of account by submission of estimates or revised estimates as the case may be. (5) It shall be obligatory on the part of the institution to intimate to the Director of Education if the existing number of posts are liable to be reduced on account of reduction in the number of students or subjects. -117. — (1) 31 fig 6. 3üfh (filfqr) 7. qi7T 1. (i) \$1 F: 30.09.1998 q 11(22) @ßT-5/94, 2205.1998 (gRqa : 54) | (ii) fiqfl@ä, — : q. 11(10) RTHT-5/90, 06.06.1998 (qftqä : 55) I (iii) eg -+ — : q. 11(11) RTHT-5/93, . 56) I : q. 19(9) RI&T-5/93, 07.08.1999 : 83) I i, — : g. 19(9) @THT-5/93, 06.11. 1999 : 87) I (vi) 06.06.1998 -\$ -2-1%g — : q. 19(9) RTHT-5/93, 18.01.2000 : 92) I R. 18 Raj. Non-Govt. Educational Institutions Rules, 1993 88 (71) 10. q-g ... 11. 12. (3) tiq i, Q, qrå, 8bIT I 18. Stoppage, Reduction and Suspension of Grant.— The grant-in-aid shall be liable to be stopped, reduced or suspended at the discretion of the sanctioning authority if in its opinion the management has failed to satisfy or abide by any of the conditions or to comply with any of the provisions enumerated in these rules or to manage the institution efficiently, but before any such action is taken under this rule, the management shall be given an opportunity of showing cause against the charges leveled and action proposed to be taken against it. 18. - Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 19-20 89 19. Appeal against Stoppage, Reduction or Suspension of Grant.— The management may appeal to the State Government against on order of stopping, reducing or suspending the grant within two months from the date of the receipt of the said order, the decision of State Government shall be final. 19. — 20. Accounts and Audit.— (1) The institution admitted to the benefit of grant. in-aid shall maintain cash books and other subsidiary Registers in which all cash transactions connected with the institution either directly or indirectly shall be entered. (2) The accounts of the institution shall be produced for inspection and audit to the persons/officers authorised by the Government or the Director of Education and also to the Local fund Audit Department and the Accountant General. (3) The annual audit report of the institution duly

prepared by a Chartered Accountant or any authorised auditor shall be submitted to the countersigning authority not later than 31st August of the Year, who after examining the same shall forward it to the sanctioning authority. (4) The maintenance grant other than salary for the year will not be released, unless the audit report for the previous year has been received by the sanctioning authority, on or before the 30th November each year. The said report shall be sent in a complete form duly signed by the Management and certified by the approved Auditor. (5) The Sanctioning Authority shall scrutinize the audit report with reference to, the actual expenditure statements prepared by the institution, discrepancies detected by the authorised auditor, explanations if any furnished by the management and the remarks of the countersigning officer in regard to the manner in which the institution is observing the conditions of grant-in-aid. On being satisfied, the sanctioning authority shall sanction the grant as per these rules. (6) The Director of Education shall arrange for the local audit of the accounts of the aided, institutions atleast once in two years. During such audit, a selected month's transactions shall be subjected to detailed audit. Thereafter the Director of Education shall seek compliance of such audit report from the management. (7) The Director of Education shall submit a report to the Government on or before 1st January every year, indicating the condition of accounts maintained by the institution. (8) If the circumstances of require the Government/ Director Of Education may order for special audit of the accounts of any aided institution, to be conducted by an officer authorised for the purpose. (9) The Secretary of the institution shall within six months of the end of an academic year, submit to the committee of the institution the Raj. Non-Govt. Educational Institutiong Rulecg, 1993 R, 20 90 audit report to the managing committee of the institution the audit report for perusal and discussion and intimate itg•decision to the Director of Education. (10) It shall be obligatory for the institution to submit compliance of the audit report within a month from the date of its receipt, failing which it shall be liable for appropriate action by the compctent authority. — (1) NilQ4T, foli Trur i, 20. qf@ui got), ur ur (2) ZIT 1.(3) @léé Rq)é 31 (4) -Q ft-uT 30 Rq)é a I ftqlé ftq)é Tino RVITI .2(6) Rq)é I 1 ftq)é : q. 10(12) qé-l, 17.11.1997 : 30) I 2• 25 -t — : q 16(18) mHT-5/98, 26.08.1998 • 61) | 91 Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 21-22 Rq)é qi-ur (10) Rq)é gT 21. Inspection of the Institution— With a view to exercising over all supervision and control over the affairs of the institution, any officer authorised for the purpose by the Director of Education/ State Government may inspect without prior notice any institution or any part of it. The institutions shall make their record, available to facilitate such inspection. A detailed inspection report shall be submitted by such inspecting officer. 21. — 22. Prior approval for transfer.— For seeking prior approval for transfer of immovable property as envisaged under section 15 of the Act, an application containing the following particulars shall be submitted :— (a) Description of the immovable property. (b) Purpose for which it is being used at present. (c) Year of purchase/construction. (d) Cost of purchase/construction. (e) Present value. (f) Amount of grant-in-aid received for purchasing/constructing the property. (g) Reasons for transfer. (h) Nature of transfer. (i) To whom proposed to be transferred; and (i) Other information asked for, if any. 15 t, (u) frg t, (71) R. 23 Raj. Non-Govt. Educational Institutions Rules, 1993 (q) FTPI?T, 92 (q) 05T ?FJGFT CT) i, eik CHAPTER - IV CONSTITUTION OF THD MANAGING COMMITTEED 23. (I) There shall be constituted a Managing Committee for every recognised institution in the manner prescribed as under :— (a) the Managing Committee shall consist of not less than 15 and not more than 21 members including the Head or Heads of the institution or institutions run by the society; (b) not more than two thirds of the members of the managing Committee shall belong to any one community, caste or sect; (c) not less one third of the total membership should be from amongst donors or subscribers; Explanations — A person donating Rs. 2,000/- or more at a time or atleast Rs. 50/- p.m. for a continuous period of twelve months or more to the institutions shall be considered as donor; (d) one elected member from amongst the permanent staff shall be included in the managing committee; (e) Director of Education shall nominate an officer of the department, not below the rank of the head of the concerned institution or an eminent educationist, to be a member of the committee; (f) at least one member shall be co-opted from amongst the parents of the students of the institution or institutions run by the management; (g) at least one reputed old student of the institution shall be co-opted as member by the members of the managing committee; (h) the management shall hold elections after every three years and constitute a new managing committee. (2) The managing Committee shall adopt the following procedure for conducting elections :— 93 Raj. Non-Govt. Educational Institutions Rules, 1993 (a) an election officer shall be nominated; R. 23 (b) the election officer shall issue a notice of election to all the members of the electoral College atleast one month before

the date fixed for election; (c) the notice for election shall specify the date, place and time of election; (d) the election officer shall maintain the entire election record including the names of the candidates who contested the election as well as of the candidates elected and the number of votes polled in their favour; (e) the election shall take place by a secret ballot and the procedure to be adopted for secret ballot shall be determined by the election officer; (f) the Co-option by the elected members shall take place within one month of the election; (g) Soon after the election, the committee shall initiate action for nomination of the departmental representative. (3) After its constitution, the elected and nominated members of the managing committee shall elect its Chairman, Secretary and Treasurer. An employee of the institution shall neither be the Secretary nor the Treasurer. 23. (1) 15 21 I (71) — 2,000/- R. 24 Raj. Non-Govt. Educational Institutions Rules, 1993 94 (q) ?fbT fhqfqr CT) To-a, (g) frg COMMENTS Sec. 9 & Rule 23 — A managing committee of a recognised educational institution being a statutory body has to perform statutory functions in addition to manage and conduct the affairs of the institution — A Mandamus can be issued under Article 226 of the Constitution against State to see that the statutory bodies i.e. the Managing Committees of the institution are constituted and function in the manner prescribed in the Act of 1989 and the Rules of 1993. Ravindra Kumar Sabu Vs. The State of Rajasthan & Ors., AIR 1994 Raj 36 : 1993(2) WLC 721 : 1993 WLN 497 : 1993(1) RLR 93

24. Functions and Powers of the Managing Committee.— The managing committee shall be responsible for the proper management of the institution and shall perform such functions and have such powers as specified in the bye-laws of the institution. 24. — — : q. 10(12) mHT-5/93, 19.05.1998 : 52 | R. 25 Raj. Non-Govt. Educational Institutions Rules, 1993 95 25. Functions and Powers of the Secretary.— The functions and powers of the Secretary of the institution shall be as follows (a) To carry on correspondence on behalf of the institution. (b) To call meetings of the managing committee and prepare agenda in consultation with the Chairman. (c) To conduct and record the proceedings of the meeting of the managing committee. (d) To carryout the orders and resolutions of the managing committee. (e) To maintain charge of the invested funds, title deeds and other documents and papers belonging to the institution. (f) To open and operate bank accounts of the institution. (g) To check, sign and supervise the accounts of the institution. (h) To prepare budget in consultation with the Chairman and Heads of the institution. (i) To furnish statement under section 12 of the Act and to SUBmit return, statements, reports and accounts of the institution to the concerned authorities in the following proforma :— S. Name of Date of Present Grant-in-aid Remarks No. 1 received Assets Purchase Value 2 3 4 from Govt. for such property 5 6 (j) To issue orders of suspension of any employee with the prior approval of the managing committee. (k) To sanction the expenditure of the institution according to sanctioned budget provision. (l) To grant leave other than casual leave to the staff including the head of the institution and casual leave to head of the institution. (m) To perform such other duties as may from time to time be entrusted to him by the managing committee. 25. — @ aig q-âi R. 26 Raj. Non-Govt. Educational Institutions Rules, 1993 qiq, (\$1) 12 Rq)é 96 1 2 3 4 5 6 CHAPTER - V GENERAL CONDITIONS OF SERVICE 26. Recruitment.— Recruitment of employees in a recognised institution shall be made on merit, either after open advertisement in a local daily news paper having a wide circulation or from amongst the candidates sponsored by the employment exchange, in the manner prescribed here under :— (a) The following details shall be included in the advertisement to be published in the news paper :— (i) Name & number of posts, (ii) Required qualifications, (iii) Pay Scales, (iv) Required experience, (v) Other qualifications, (vi) Minimum and maximum age on a specific date, (vii) Number of post/posts reserved for Scheduled Caste/ Tribes candidates. 97 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 26 (b) The qualifications shall be as prescribed by the Government for similar category of employees in Government educational institutions except for the post of Organising Secretary for which the qualifications shall be as under •r I

11. Management having three or more institutions with approved expenditure of Rs.20 Lakhs and above, per annum Managements having three or more institutions with approved expenditure of Rs. 10 Lakhs or above but below Rs. 20 Lakhs, per annum. Graduate with 5 years experience as Organising Secretary in institutions of category 11, below. Sr. Secondary Pass (c) All application received in response to the advertisements shall be scrutinized by the Secretary of the managing committee who shall prepare a list of eligible candidates and summon them for interview by the selection committee. (d) The selection committee shall consist of the following :— (i) Two representatives of the Managing Committee. (ii) Head

of the concerned institution. (iii) One officer nominated by the Director of Education. For Colleges two experts/ Educationists in case of selection for the post of Principal and one educationist expert in case of other post as nominated by the concerned University shall also be included in the selection Committee besides the above members. (e) The nominee of the Director of Education to be a member of the Selection Committee shall be as follows :— S. No. 1 1. 2

3. Name of Posts 2 Principal Principal Lecturers/ Head of the Departments Institution 3 Status of the Departmental Officer 4 Degree and Shastri Joint Director of Colleges Education Post-Graduate College The Director of & Acharya Coleges Education Degree & P.G. Colleges Joint Director of (General & Sanskrit) Education R. 26 Raj. Non-Govt. Educational Institutions Rules, 1993 98 4. 5. 6. 7. 8

9. Headmaster/ Secondary, Sr.Principal Lecturers School Education Secondary Schools Joint Director of Education (P & S including Praveshika & and Sanskrit) Upadhyaya Sr. Secondary Schools, Addl. D.E.O./Dy. including Upadhyaya Senior teachers Secondary, Upper Primary Schools, Montessory and other special Schools including Praveshika and Purva Praveshika Teachers Ministerial Staff Organising All Institutions All Institutions D.E.O. or Inspector of Sanskrit Edu. Headmaster/ Principal, Sr. Secondary School or Upadhyaya Dy. D.E.O./ Inspector of Sanskrit Education Dy. D.E.O./ Inspector of Sanskrit Education Secondary Schools of D.E.O./Inspector Secretary and Special Schools and of Sanskrit other post of Central Office Education *pecial institutions (f) Reservation policy as laid down by the government and instructions issued from time to time with regard to the appointment of candidates belonging to Scheduled Castes and Scheduled Tribes shall invariably by followed by the aided institutions for all categories of services i.e. Teachers, Ministerial and Class — IV employees etc. (g) The Selection committee, after having interviewed all the candidates shall prepare a penal of candidates arranging them in order of merit and submit its recommendations for appointment to the Managing Committee. 26. — \$1 (ii) 99 Raj. Non-Govt fiducatonat Institutions Rules, 1993 .9(vi) fofhfé,te ang fäg R. 26 förg föfÜ(T girrFT 20.00 qqrff-II art 10.00 20.00 5 10 - : q. 11(14) Rf&ff-5/95, 03.11.1996 : 12) I : q. 11(10) mar-5/91, 27.07.1996 (qRqa : 11) I — : q. 19(9) RTHT-5/93, 08.01.1996 : 38) | — q. 10(12) Rl&ff-5/93, 20.05.1997 (gRqa : 15) I — q. 9(21) 05.12.1997 (qftqa • 34) I (iii) — : q. 9(21) mafl-5/94, 08.03.1999 (qRqa : 73) | — : q. 19(9) @ßT-5/93, 03.12.1999 : 88) I B. 26 Raj. Non-Govt. Educational Institutions Rules, 1993 (iii) 1. 2. 3. 4. 5. 6. 7. 100 — g. 3(10) 5/94, 23.11.1994 (qRqa : 8) I 101 Raj. Non-Govt. Educational Institutions Rules, 1993 q-tfiu .20) 27. Approval of Appointments.— The Managing Committee shall, within a fortnight of selection, forward the list of selected candidates, with its recommendations, alongwith information in the following proforma, to the competent authority as specified in Appendix - IX, for its approval : Name of the Institution s. No. 1 Name of the post 2 ReaSons for posts becoming vacant Retirement Termination ResiBlation 3 Pay scale of the post 6 Name of persons called for interview 7 4 Names of members of the Selection Committee 8 5 Names of persons selection 9 - : q. 11(20) 5/90, 31.05.1997 : 18) I : q. 19(9) RTHT-5/99, 06.12.2000 : 115) I — : q. 11(29) RTHT-5/92, 06.06.1994 (qRqa : 7) I R. 27 Date of Birth 10 Raj. Non- Qualification 11 Govt. Educational Institutions Rules, 1993 102 Experience 12 Norms fixed by the Selection Committee for giving marks 13 Marks given by the Selection Committee to each candidate 14 Marks given by the Selection Committee to each candidate 15 Date of initial appointment Pay and Pay Scales 16 Outstanding Remarks, 27. — 1 6 10 2 3 7 qualifications/ experience, if any 17 4 8 11 12 13 if any 18 5 9 Rg .3iT 14 103 Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 28-29 IZtq@ßTi, 15 16 18 28. Approval by Competent Authority.— The competent Authority may after due consideration either approve the recommendations of the Managing Committee or reject the same for reasons to be recorded in writing. 128. — Tiq 29. Appointment.— After having obtained the approval of the Competent Authority, the Managing Committee may make necessary appointment. - : q. 10(12) 5/93, 20.05.1997 : 17) I — : q. 10(12) 19.03.1998 : 44) 1_ (iii) — : q. 10(12) Rf&T-5, 19.03.1998 : 45) | — : q. 10(12) RTHT-5/93, 19.03.1998 (qRqa : 46)J 19.03.1998 — : q. 10(12) RTHT-5/93, 22.09.1998 (gRqÄ : 62) | 45 — : q. 10(12) RTHT-5/93, 08.03.1999 : 71) | (vii) 45 07fi, - : q. 19(9) RTHr-5/93, 03.12.1999 (qRqa : 88) I (viii) 10.06.1999 45 -\$ — qRqa : q. 19(9) RT&TT-5/99, 09.01.2001 (#Ä. • 118) | fir. 30-31 Raj. Non-Govt. Educational Institutions Rules, 1993 104 30. period Of Probation.— (a) All persons appointed in the Institution shall be placed on probation for a period of one year. (b) If it appears to the Managing Committee, at any time, during or at the end of the period of probation, that the employee has made not made sufficient use of his opportunities or has failed to give satisfaction, the Managing Committee may discharge or terminate to approve the appointment (Appendix -

IX) : Provided that the Managing Committee may, if it so thinks fit in any case, extend the period of probation not exceeding one year. 30. — @) \$1 *a-TT I t, Nfift, COMMENTS Services of probationer dispensed with — Order is termination simpliciter and not stigmatic — Neither Sec. 18 of the Act of 1989 nor Rule 39(2) of the Rules of 1993 is applicable — It was fit case for grant of approval under Rule 30(b) of the Rules of 1993 — The approving authority cannot act as an appellate authority while considering the action taken by the Management. Shri AgartvaZ Kanya PathshaZa Samiti, Madanganj & Anr. Vs. Gopal Krishna Sharma & ors., 2006(8) RDD 4430 (DB)

31. Confirmation.— A person placed on probation under Rule 30 shall be confirmed in his appointment at the end of probation period. 31. — 30 i, - : q. 19(19) 27.12.1999 : 91) I R--fiT fi--gfrq -\$ — : y. 19(9) @THT-5/93, 01.032000 (qftqa : 94) (iii) fig* — : q. 19(9) RTHT-5/93/qé-8, 29.032001 : 122) I Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 32-34 105 32. Norms of work.— Norms of work of employees of the institution shall be as prescribed for similar category of employees in the Govt. edUcational institutions. 32. — 33. Urgent temporary appointment.— A vacancy in the institution, which can not be filled in immediately by procedure laid down in these rules, may be filled in by the Selection Committee by urgent temporary appointment for a period not exceeding six months. 33. — \$1 34. Pay and allowances.— The scales of pay and allowances of the staff of the aided educational institutions shall not be less than those prescribed by the Government for the staff of similar category in the Government educational institutions. Explanation — "Allowances" mean and include Dearness Allowance, House Rent Allowance and City Compensatory Allowance. .234. — : q. 10(12) m&1T-5/93, 04.11.1997 (qRtÄ : 25) I (ii) qrq, — : q. 10(12) 03.01.1998 (qftqä : 82) I — : q. 11(33) RTHT-6/83. 06.08.1993 (qRqa : 3) I : q. 10(12) mHT-5/93t 20.05.1997 : 16) | (iii) — : q. 10(12) RTHT-5/93, 17.11.1997 : 29) I (iv) 20.05.1997 gg — • q. 10(12) 5/93, 03,12.1997 : 33) | 03.12.1997 — : q. 10(12) NIKI-5/93, 19.05.1998 (gRq7 . 51) 1998 q, — : q. 11(33) RrqT-6/83, 21.05.1998 (qfitÄ • 53) I R. 34 106 Raj. Non-Govt. Educational institutions Rules, 1993 coMMDNTs Sec. 29 Rule 34 — Scale of pay and allowances of employees of nided institutions — Held, Scale of pay and allowances of employees of aided institutions shall have parity with employecs of similar category in Government institutions. Managing Committee, Gaur Vipra Primary School Jaipur Vs. Civit Judge (Jr. Div.) & Judicial Magistrate First Class, Jaipur City (East), Jaipur & ors., 2012(5) WLC (Raj.) 50. Selection scale — Government circular/order dated 25.01.1992 — Whether the teachers of non-government educational institutions, who are receiving grant-in-aid are entitled to selection scale as given to the teachers serving in government educational institutions by virtue of the circular dated 25.01.1992 — Held, the teachers of aided educational institutions must be paid same pay scale and allowances as that of the teachers in government Selection scale is not a promotion to a higher post educational institutions — but a higher pay scale in the same post — Once it is held that aforesaid circular provides pay scale to the teachers of government educational institutions, by virtue of the statutory provisions of Sec. 29 of the Act and Rule 34 of the Rules selection scale is also payable to teachers of non-government educational institutions. S. R. Higher Secondary School & Ors. Vs. Rajasthan Non-Government Educational Institutions Tribunal, Jaipur & ors. 2002(2) DNJ (Raj.) 613 : 2002(5) WLN 3 : 2002(3) WLC (Raj.) (vii) -&-g - : q. 15(1) 5/94 qé-l, 29.07.1998 (qRqÄ : 60) I (viii) 1998 - q. 11(33) 20.03.1999 : 75) I 4\$.€f. - : q. 11(16) @THT-5/88, (ix) 03.07,1999 (qRqa : 77) I : q. 11(11) ÄHT-5/90, 13.032000 (qRqa : 96) I 28.05.2002 19.122005 - : q. q-é, : 05.042007 (fiqa : (xii) 19.122005 : q. Vl é, 05.042007 (qRqa : 170) I (xiii) 28.052002 — : q. 17(74) @THT.5/91 qé, 18.052007 (qRqa 171) I 107 Raj. Non-Govt. Bducationat Institutions Rules, 1993 R. 35 586 (F.B.), Managing Committec, Gandhi Sh{kshan Samiti Vs. Dhanraj Gadia & Ors., 2009 WLC (Raj.) Uc 618. Whether the teachers of non-government Leave encashment educational institutions receiving aid arc entitled for leave encashment benefits after retirement — Meld, by virtue of Sec. 29 of the Act the teachers of nonegovernment educational institutions are entitled for the similar scale of pay and allowances except compensatory allowances Leave encashment is an allowance and the teachers of non-government educational institutions would have a right to claim this allowance, S. R. mgher Secondary School & Ors. Vs. Rqiastltan Nort-Government Educational Institutions fribunat, Jaipur & ors. 2002(2) DNJ (Raj.) 613 : 2002(5) WLN 3 : 2002(3) WLC 586 (F.B.). Definition of 'Salary' — It is an inclusive definition & includes 'leave encashment* — The expression 'salary' as defined under section 2(r) of the Act includes qeave encashment', which is nothing but salary for unavailed leave lying to the credit of employee — Held, Teachers of aided private educational Institutions are entitled to the benefits of leave encashment at par with the empoloyees of

Government Institutions. State of Rajasthan Vs. Sr. Hr. Sec. School, Lachhmangarh & ors., AIR 2005 SC 3541: (2005) 10 SCC 946 : 2005(1) WLC (SC) Civil 301 : 2005 CDR 691 (SC). Teachers of un-aided Private Schools — Equal pay for equal work — Article 39(d) of the Constitution — Respondents running educational institution but not paying emoluments to its teachers and employees equal to similarly situated employees in government educational institutions or aided institutions — Held, similar teachers employed in aided institutions doing the same work of teaching were being paid government scales, there is no reason as to why despite the undertaking given at the time of recognition, a private un-aided institution could be made exception to pay its own whims and that too an meage amount of Rs. 900/- to post gradutes having professional decree of B.Ed. or even higher — It amounts to violation of human rights — Teachers employed in private institutions have right to live with some honour — Petitioners are entitled to same pay scale as that being paid in educations institutions of State to employees empoloyed in same category. Yashpal Sharma and Ors. Vs The Rqjasthan Non-GovemmentaZ Institutions Tribunat, Jaipur & ors., 2002(1) DNJ (Raj.) 381 : 2003(1) WLN 689

35. Payment of pay and allowance.— (1) The payment of pay and allowances to the employees of the institutions shall be made by A/c payee cheque only, failing which the expenditure made on this account shall not be admitted for grant-in-aid. (2) The payment of pay and allowances shall be made before the expiry of the 15th day of the next month or such earlier day as the State Government •may direct, by general or special order

35. Tr —(1) R. 36 Raj. Non-Govt. Educational Institutions Rules, 1993 108 36. Procedure for Enquiry and appeal under section 32 of the Act.— The following procedure shall be adopted for enquiry and appeal as contemplated under section 32 of the Act in relation to recoveries of amounts due from aided institutions (1) Enquiry — Whenever it comes to or brought to the notice of the enquiry officer as specified in sub-section (2) of section 32 of the Act that any salary or other dues payable to an employee, have not been paid by the management of an aided institution, the enquiry officer shall inspect the entire relevant records of the institution, the enquiry officer shall inspect the entire relevant records of the institution. The Secretary of the institution and the employee shall be given reasonable opportunities of being heard and to adduce evidence oral or documentary, if any. After having completed the enquiry, in the manner aforesaid, if the enquiry officer is satisfied about the correctness of the allegations, he shall pass an order under sub-section (1) of Section 32 of the Act. (2) Appeal — If the managing Committee of the institution is aggrieved from the order made by the enquiry officer, it may prefer an appeal under sub-section (3) of section 32 of the Act to such officer as may be empowered by the Director of Education in this behalf within thirty days of the date of receipt of such order. On receipt of an appeal, the officer hearing the appeal shall promptly call the relevant records form the enquiry officer and after examination of such records and giving an opportunity of being heard to the appellant and the employee confirm, modify or reverse the order appeared against and his decision thereon shall be final. The said decision shall forthwith be communicated to the appellant and employee. 36. 32 - 32 qiq - (1) — 32 (2) t qiq Wau, a, qiq t, 32 (1) 109 Rr. 37-38 Raj. Non-Govt. Educational Institutions Rules, 1993 32 (3) 37. Vacation Salary.— An employee, temporarily appointed as teacher in a Non-Govt. school or college on or before 31st December against the clear vacancy after following the prescribed procedure, may be allowed vacancy salary, provided no other employee draws vacation salary against the same post and provided further that such an employee joins his duties within a period of one month from the date of opening of next session and remains in service upto 31st December of that session. 37. — 31 qél 31 38. Suspension.— (1) The managing Committee may place an employee under suspension — (a) Where a disciplinary proceeding against him is contemplated or is pending, or (b) Where a case against him in respect of any criminal office is under investigation or trial. (2) An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty eight hours shall be deemed to have been suspended with effect from the date of detention by an order of the committee and shall remain under suspension until further orders. (3) Where a penalty of removal or dismissal from service imposed upon an employee is set aside in appeal, the orders of his suspension shall be deemed to have been continued in force on and from the date of original order of removal or dismissal and shall remain in force until further orders. (4) An order of suspension made or deemed to have been made under this rule may at nay time be revoked by the manaéng committee. (5) An employee under suspension shall be entitled to the following payments, namely :— R. 38 Raj. Non-Govt. Educational Institutions Rules, 1993 110 (a) Subsistence allowance at an

amount equal to leave salary which the employee would have drawn if he had been on leave on half pay and in addition dearness allowance based on such leave salary; (b) If the period of suspension exceeds six months, the amount of subsistence allowance shall be increased by a suitable amount not exceeding 50 percent of the subsistence allowance admissible during the period of first six months, the rate of dearness allowance will be based on the increased amount of subsistence allowance; (c) Any other compensatory allowance admissible from time to time on the basis of pay which the employee was in receipt on the date of suspension subject to fulfillments of other conditions laid down for the withdrawal of such allowances; (d) No payment of subsistence allowance shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation. 138. — (1) — G) OffT, QfiT, • fi-qf8 50 — : q. 19(9) mall-5/93, 23.09.1999 (q@qa : 86) | 111 Raj. Non-Govt, Educational Institutions Rules, 1993 R. 39 fög QIT; frti ZIT 39. Removal or Dismissal from Servicer (1) The services of an employee appointed temporarily for six months, may be terminated by the management at any time after giving at least one month's notice or one month's salary in lieu thereof. Temporary employee, who wishes to resign shall also give atleast one month's notice in advance or in lieu thereof deposit or surrender one month's salary to the management. (2) An employee, other than the employee referred to in sub-rule (1), may be removed or dismissed from service on the grounds of insubordination, inefficiency, neglect of duty, misconduct or any other grounds which makes the employee unsuitable for further retention in service. But the following procedure shall be adopted for the removal or dismissal of an employee (a) A preliminary enquiry shall be held on the allegations coming into or brought to the notice of the management against the employee; (b) On the basis of the findings of the preliminary enquiry report, a charge sheet alongwith statement of allegations shall be issued to the employee and he shall be asked to submit his reply within a reasonable time; (c) After having pursued the preliminary enquiry report and the reply submitted by the employee, if any, if the managing committee is of the opinion that a detailed enquiry is required to be conducted, a three member committee shall be constituted by it in which a nominee of the Director of Education shall also be included; (d) During the enquiry by such enquiry committee the employee shall be given a reasonable opportunity of being heard and to defend himself by means of written statement as well as by leading evidence, if any; (e) The enquiry committee, after completion of the detailed enquiry, shall submit its report to the management committee; (f) If the managing committee, having regard to the findings of the enquiry committee on the charges, is of the opinion that the employee should be removed or dismissed from service, it shall— (i) furnish to the employee a copy of the report of the enquiry committee, R. 39 Raj. Non-Govt. Educational Institutions Rules, 1993 112 (ii) give him a notice stating the penalty of removal or dismissal and call upon him to submit within a specified time such representation as he may wish to make on the proposed penalty; (g) In every case, the records of the enquiry together with a copy of notice given under sub-clause (f) (ii) above and the representation made in response to such notice if any, shall be forwarded by the managing committee to the Director of Education or an officer by authorised him in this behalf, for approval; (h) On receipt of the approval as mentioned in sub-clause (g) above, the managing committee may issue appropriate order of removal or dismissal as the case may be and forward a copy of such order to the employee concerned and also to the Director of Education or the officer authorised by him in this behalf : Provided that the provisions of this rule shall not apply— (i) to an employee who is removed or dismissed on the ground of conduct which led to his conviction on a criminal charge, or (ii) where it is not practicable or expedient to give that employee an opportunity of showing cause, the consent of the Director of Education has been obtained in writing before the action is taken, or (iii) where the committee is of unanimous opinion that, the services of an employee can not be continued without prejudice to the interest of the institution, the services of such employee are terminated after giving him six months notice or salary in lieu thereof and the consent of the Director of Education is obtained in writing. -139. - (I) - : q. 17(52) 13.11.1997 (qRqa : 28) I — : q. 19(9) RTHT-5/93, 03.08.1999 : 82) I Raj. Non-Govt Educational Institutions Rules, 1993 R. 39 113 fünf) frbå (u) Rtié qiq Rq)é fñi (e) Rq)-é (q) qiq (i) \$1 Rqh-é ü7fr, (ii) ur gg *7fr, -I(Ü) qiq (q) (ii) Pag 30 - : q. 17(47) : 09.07.1998 (qRqa : 57) I (ii) 09.07.1998 30 60 NG: - : q. 17(47) @THT-5/93, 08.03.1999 (qRqa : 72) I R. 40 114 Raj. Non-Govt. Educational Institutions Rules, 1993 NTfhfå of) qA1f) qtf Üö:— (ii) Ä8i \$1 (iii) Gigi \$1 coraMENTS Appointment for fixed period not proved—Services of teacher terminated—Non-compliance of the Rules—Appointment was for fixed term, not proved—Termination of services rightly held illegal by the Tribunal and order of reinstating the

respondent teacher is justified—Petition dismissed.— Shri Sanatan Dharm Balika Sr. Sec. School, Srigangangar Vs. Raj. Non- Govt. Educational Inst., Mbunat & Ors., 2009 WLC (Raj.) UC 219 Departmental enquiry against the teacher of unaided educational institution — Single Judge admitted the writ but not granted stay — Special appeal — Charges are not of serious nature and order of dismissal is not proper — Held, No illegality in the order. Management Committee, Shri Mahaveer Digamber Jain Balika Sr. Secondary School, Jaipur & Anr. vs. Smt. Pratibha Agrawal [D.B.J, 2016(3) WLC (Raj.) 125 Removal from service on the ground of misconduct — Tribunal set aside the order for non-supplying the copy of the statements of departmental witnesses — Respondent deprived from effective cross-examination — No grave charges — Held, Order of Tribunal is upheld. Jain Shiksha Samiti Vs. Hem Chand Sharma & Ors. [D.B.I, 2015 WLC (Raj.) UC 752 40. Appeal.— (1) If the managing committee is aggrieved the order of refusal made by the Director of Education under sub-rule (2) of Rule 39, it may prefer — : q. 10(12) 20.05,1997 : 14) | Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 41-43 115 an appeal to the State Government within 90 days of the date of receipt of such order. (2) An employee aggrieved from an order of the managing Committee made under sub-rule (2) of Rule 39 may prefer an appeal to the State Government within 90 days of the date of receipt of such order. 40. — (1) 39 (2) 90 I (2) 39 (2) 90 41. Re-Installation.— When an employee who has been removed, dismissed or suspended is remitted and the period of suspension is treated as a period spent on duty and the managing committee holds that the employee has been fully exonerated or in the case of suspension that is was wholly unjustified, the employee shall be given the full pay and dearness allowance to which he would have been entitled had he not been removed, dismissed or suspended, as the case may be. 41. — a, 42. Implementation of Orders in Appeal.— If the managing Committee neglects or fails to make payment to the employee which has become due in view of the orders passed in appeal, the Director of Education shall be empowered to deduct such amount from the grant-in-aid payable to the institution and disburse the same to the employee concerned. Such payment to the employee shall be regarded to be a payment made to the institution as grant-in-aid under these rules. 42 — 43. Private Tuition.— The rules regulating the private tuition by the employees shall be the same as those applicable to the employees of the Govt. educational institutions. 43. — 44-45 Raj. Non-Govt. Educational Institutions Rules, 1993 116 44. service Book.— (1) A service book and leave account shall be maintained by the Secretary of the Institution for each employee from the date of appointment. A duplicate copy Of service book shall also be made available to the employee concerned on demand. (2) The service book shall be kept in the custody of the Secretary of the Institution. The original service book shall only be authentic document, but in the event of non availability of original service book, assistance for the purpose of pay fixation etc. may be taken from the duplicate version of the service book in the possessions of the employee, provided the entries in it are attested by the Secretary of the Institution. Every step in employee's official life must be recorded in his service book and each entry must be attested by the secretary of Institution. The date of birth in the service book or service roll shall invariably be recorded both in figures and words. The date of confirmation of an employee shall also be record. A note of educational qualifications attained by an employees subsequent to his entry in his service may be recorded in the service book. The Secretary of the Institution shall show the service book to the employee concerned once in a year and obtained his in token thereof. 44. — (1) (2) *a-TT 8bfr, \$1 -1[45. The age of Superannuation. — .2 The age of superannuation of teachers and other employees shall be the last date of the month in which they attain the age of 60 years. In special circumstances, the Government may waive this condition and allow extension in service for a period not exceeding 2 years for such college teachers, who are engaged in post-graduate teaching or research work. Any other employee of the Institution may also be allowed extension in service upto the age of 62 years by the State Government.] (ii) The teachers who attain the age of superannuation after 31st December, may be allowed extension by the Government upto the end of the academic session or 30th June whichever is earlier

1. Substituted by Notfn.No. F. 10(12) Edu. 5/93/Pt. 1, dated 26.03.1999

2. Substituted by Notfn.No. F. 12(1) Edu. 5/93, dated 30.06.2004. 117 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 45 (iii) The superannuation age of the class IV employees shall be 60 years and they may also be allowed extension for 2 years by the State Government. (iv) The political sufferers, who happen to work in an aided institution, as Secretary and in capacities other than teaching staff, may also be allowed extension upto the age of 65 years, provided they are physically fit as per certificate of the

Principal Medical Officer or Chief Medical Officer of the district and produce a certificate from the Government in General Administration Deptt. of their being political sufferers. (v) A retired government servant shall not be employed by any educational institution in any capacity. (vi) The cases for extension of service shall be submitted to Government by the institution along with the following documents :— (a) (b) (c) (d) (O Application of* the employee as specified in Appendix — XIII; Medical certificate of a Government medical officer in the prescribed form; A copy of the resolution passed by the management; A statement showing examination results of his pupils atleast of last three years in the case of teachers; Certificate of satisfactory service rendered by the employee; Certificate regarding other outstanding achievement of the employees, if any. (vii) Such applications should be submitted directly to the State Government atleast three months prior to the date of retirement of the employee concerned failing which they will not be considered. (viii) The institutions shall be allowed to receive the usual grant-in-aid in respect of the expenditure incurred for such sanctioned period of extension: Provided that the employees other than Class-IV who have crossed the age of 58 years shall also be retired on 31.03.1999 unless the extension of services granted to them by the competent authority.] .145. — (i) 60 3Trg 1. (i) 60 ig - q. 10(12) RTHT-5/93, 18.06.1997 (gRqa : 19) I - : q. 10(12) @IHT-5/93, 07.07.1999 (qRq7 : 78) I (iii) an-g - : q. 19(9) RTHT-5/93, 19.05.2000 (qRqa : 101) I R. 45 Raj. Non-Govt. Educational Institutions Rules, 1993 118 62 (ii) å 31 ØTrg 30 (iii) 60 (iv) i, 65 ati I (vi) G) - XIII (vii) (viii) Q?f, 58 g, 31.03.1999 COMMENTS Non-applicability of the rule—Age of retirement in aided schools— Petitioners are the teachers—Age of retirement in aided school is 60 years and not 58 years—Rule does not apply to cases of teachers in unaided school.— Chandra Lekha & Anr. Vs. State of Rajasthan & Ors., 2010(1) WLC (Raj.) 522 : 2010(2) RLW 1138 (Raj.) : 2010(2) CDR 1252 (Raj.) 119 Raj. Non-Govt Educational Institutions Rules, 1993 R. 46 Contractual appointment governed by the agreement—Age of retirement—Tribunal held that as per contract retirement could be enforced at the age of 60 years and not at the age of 58 years—In case of contractual appointment right shall be governed by the terms of agreement—Held, Tribunal has not committed any error.—Managing Committee Shri Mahua Vidyapeeth Shikshak Prashikshan Mahavidyataya, Bhusawar Vs. Rajasthan Non-Government Educational Institutions Tribunal & [D.B.I, 2010(1) WLC (Raj.) 299 : 2010(1) CDR 238 (Raj.) Age of Superannuation - Non-aided recognised institutions Whether rule 45 can be applied to institutions, which are not aided institutions — Held, The power to prescribe age of superannuation is available to the State Government only for the employees of the aided institutions and not for the employees of non-aided recognised institution — Rule 45 cannot be applied to the employees of non-aided recognised institution, Guru Nanak Education Society, Udaipur & Anr. Vs. Rajasthan Non-Government Educational Institutions Tribunal, Jaipur & Ors., 2008(2) RLW 1588 • 2008(3) WLC 763. CHAPTER - VI ADMISSIBILITY OF LEAVE 46. General Conditions of Leave.- (i) Leave is earned by duty only. (ii) An employee, who is dismissed or removed from service, but is reinstated on appeal or revision is entitled to count his former service for leave. (iii) Leave cannot be claimed as a right. Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the service. (iv) The nature of leave due and applied for by an employee can not be altered at the option of the sanctioning authority. (v) Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day proceeding that on which charge is resumed. (vi) Every employee proceeding on leave must record on his application for leave the address at which letters will find him during leave. (vii) An employee on leave may not take-up and service or accept any employment including the setting-up of any service or accept any employment including the setting-up of a private professional practice as Accountant, consultant legal or medical practitioner without obtaining previous sanction. (viii) An application for leave or extension must be made to the authority competent to grant much leave or extension. (ix) The grant of a certificate by a competent and authorised medical attendant does not in its self confer upon the employee concerned any right to leave. The certificate should be forwarded to the authority competent to grant leave and the orders of that authority should be awaited. (x) An application for leave on medical certificate shall be accompanied by a medical certificate given by a Government medical officer/ Vaidya/ Hakim/ Homeopathic Chikitsak, R. 46 Raj. Non-Govt. Educational Institutions Rules, 1993 120 (xi) The authority competent to grant leave, at his discretion, may secure a second medical opinion from Principal Medical Officer/Chief Medical officer as the case may be who shall express opinion both as regards the facts of illness and as regards necessity for the amount of leave recommended and for this purpose, the may either require the applicant to appear before him or before a

medical officer nominated by him. (xii) Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the employee concerned will ever be fit to resume his duties. In such cases, the opinion that the employee is permanently unfit for service should be recorded in the medical certificate. (xiii) In cases, where all applications of leave cannot, in the interest of service, be granted the authority should in deciding which application be granted should take into consideration the following points :— (a) The employee who can for time being best be spared; (b) The amount of leave due to various applicants; (c) The amount and character of the service rendered by each applicant since he last returned from leave; (d) The fact that any such applicant has been refused leave earlier. (xiv) Leave should not be granted to an employee who ought at once to be dismissed or removed from service for misconduct or general incapacity. (xv) An employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness from the authorised medical attendant. (xvi) An employee who is absent from duty without leave or before leave applied for has been sanctioned by the competent authority shall be treated to have remained wilfully absent from duty and such absence shall amount to interruption in service involving forfeiture of past services, unless, on satisfactory reasons being furnished, the absence is regularized by grant of leave due or is commuted into extra ordinary leave by the competent authority, willful absence from duty after the expiry of leave renders an employee liable to disciplinary action. (xvii) Any kind of leave may be granted in combination or in continuation of any other kind of leave. (xviii) An upto date leave account of every employee shall be maintained for each kind of leave. 46. — (i) (ii) *10, t, (iii) 121 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 46 Jihq fÄq fiq (Vt.) fäg fufüq; Gii) GIFTT I (ix) 3Tqå * I qfig, (xiii) i, Tiq @TRg, - (q) qlÄT, B. 47 122 Raj. Non-Govt. Educational Institutions Rules, 1993 CT) (xiv) frt5 (Wi) (nii) \$1 (xviii) 47. Privilege Leave.— (1) Non-Teaching Staff — Members of the non-teaching staff whether temporary or permanent, shall be entitled to privilege leave of 30 days in a calendar year. Fifteen days privilege leave shall be credited to the leave account of the employee on 1st January and the remaining fifteen days on 1st of July, each year subject to the total accumulation upto a maximum of 300 days. (2) Teaching staff — (a) Privilege leave is not admissible to the members of teaching staff, whether temporary or permanent, in respect of duty performed in any calendar year, in which they avail themselves of the full vacation, except to the extent indicated under clause (b) of this sub-rule; The teaching staff in schools and colleges shall be entitled to fifteen days/privilege leave in a calendar year. The leave account shall be credited with fifteen days privilege leave immediately after expiry of every calendar year, the un-availed portion of so credited privilege leave shall be qualified for carry forward to the next year upto a maximum of 300 days;] 1. Substituted by Notfn. No. F. 11(35) Edu, 5/82, dated 03.08.1999

2. Substituted by Notfn. No. F. 11(35) Edu. 5/82, dated 03.08.1999. 123 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 47 (c) The teaching staff appointed during a calendar year shall be allowed privilege leave @ 1% days for each completed month of his service immediately after the expiry of that calendar year subject to the condition laid down in clause (b) above in proportion of 8:7 respectively; (d) The privilege leave admissible to such an employee in respect of any calendar year in which he is prevented from availing himself of the full vacation shall be in such proportion of 15 days as the number of days of vacation not taken bears to the full vacation. If in any calendar year the employee does not avail the full vacation, fifteen days privilege leave will be admissible to him at the end of the vacation in respect of that calendar year. (e) Vacation may be taken in combination with or in continuation of any kind of leave under these rules provided that the total duration of vacation and privilege leave taken in combination or in continuation of other leave, shall not exceed the amount of privilege leave due and admissible to an employee at a time under sub-rule (1) above. 47. - (1) - 30 \$1 300 gg 300 gg 11/4 15 Hr. 48-49 Raj, Non-Govt. Educational Institutions Rules, 1993 124 15 qti 48. Half Pay Leave.— (1) An employee shall be entitled to half pay leave of 20 days in respect of each completed year of service (2) The leave under clause (1) may be granted on medical certificate or on private affairs. 48. — (1) *-0, 20 49. Commuted Leave.— (1) Commuted leave not exceeding half of the amount of half pay leave due may be granted on medical certificate of an authorised medical attendant to a permanent employee subject to the following conditions:— (a) When commuted leave is granted twice the amount of leave shall be debited to half pay leave due; (b) That the authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry. (2) Half pay leave upto a maximum of 180 days may be allowed to be commuted during the entire service without production of medical certificate where

such leave is utilised for an approved course of study certified to be in public interest by the leave sanctioning authority. 49. — (1) (2) 180 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 50 125 t, liqq 50. Extra Ordinary Leave.— (1) Extra ordinary leave may be granted to an employee in special circumstances — (a) when no other leave is by rule admissible; or (b) when other leave is admissible, but the employee concerned applies in writing for the grant of extra ordinary leave. (2) Except in the case of an employee in permanent employee the duration of extra ordinary leave shall not exceed three or eighteen months on any one occasion, the longer period being admissible, only when the employee concerned is under going treatment for — (a) Pulmonary-tuberculosis in a recognised sanatorium; or (b) Tuberculosis of any other part of the body by a qualified tuberculosis specialist or a civil surgeon; or (c) Leprosy in a recognised leprosy institution or by a civil surgeon or a specialist in leprosy recognised as such by the State Administrative Medical Officer concerned. (3) Where the extra ordinary leave is granted, under sub-rule (2) to an employee under going treatment for T.B. and he resumes his duty after availing of such leave and earns subsequently half pay leave, the extra ordinary leave so availed of by him will be converted into half pay leave and it shall be adjusted against the half pay leave earned. 50. — (1) frg, (71) 126 Hr. 51-52 Raj. Non-Govt. Educational Institutions Rules, 1993 (2) aik TN--h tft: 51. Amount of Leave Salary.— (1) An employee on privilege leave is entitled to leave salary equal to the pay to which he is entitled to on the day before the leave commences. (2) An employee on half pay leave will be entitled to leave salary equal to half the amount specified in sub-rule (i) above subject to a maximum of Rs. 3,000/- : Provided that this limits shall not apply if the leave is taken on medical certificate or for pursuing an approved course of study otherwise than on study leave terms. (3) An employee on commuted leave will be entitled to leave salary as admissible during the privilege leave. (4) An employee on extra ordinary leave is not entitled to any leave salary. 51. — (1) *TO, (2) 3,000/- 62. Maternity Leave.— (1) A competent authority may grant maternity leave to a female employee .[twice] during the entire period of her service. However, if there is no surviving child even after availing of it .2[twice], maternity leave may be granted on one more occasion. (2) The maternity leave may be allowed on full pay for a period, which may extend upto the period of .3[120] days from the date of its commencement. (3) Maternity leave under the rule may also be granted in case of miscarriage, including abortion, subject to the following conditions :— 1. Substituted by Notfn. No. F. 11(35) Edu. 5/82, dated 03.08.1999

2. Substituted by Notfn.No. F. 11(35) Edu. 5/82, dated 03.08.1999

3. Substituted by Notfn.No. F. 11(35) Edu. 5/82, dated 03.08.1999. 127 Raj. Non-Govt. Educational Institutions Rules, 1993 (a) The leave does not exceed 6 weeks; and R. 53 (b) The application for leave is supported by a certificate from the authorised medical attendant. (4) Maternity leave is not admissible in case of incomplete abortion. (5) Maternity leave may be combined with leave of any other kind, but any leave applied for in continuation of the former may be granted only if the request be supported by a medical certificate. 52. — (1) *TTT, 120 I 53. Study Leave.— (1) Admissibility — (a) study leave be admissible to a permanent member of teaching staff to pursue course of study or investigation of a scientific or technical nature, which in the opinion of the sanctioning authority is considered necessary in the public interest for the working of the institution in which he is employed. It will ordinarily be not granted to an employee who has completed 20 years of service or more; (b) notwithstanding the provisions contained in clause (a) study leave also be admissible to a temporary member of teaching staff who has completed 3 years continuous service; provided that his initial appointment has been made in accordance with these rules. (2) Conditions for grant — (a) Study leave shall be granted to enable a member of teaching staff — (i) to pursue a course of study or investigation of a scientific or technical nature either in India or outside India provided R. 53 Raj. Non-Govt. Educational Institutions Rules, 1993 128 that it is certified by the sanctioning authority that the grant of study leave will be in the interest of the working of the institution. Such leave should not be granted to a teacher with such frequency as to remove him from contact with his regular work; (ii) a period of 12 months at one time should ordinarily be regarded as a suitable maximum and should not be exceeded save for exceptional reasons; (iii) the total period of study leave during entire period of service of an employee shall not be more than 24 months. It may be taken in one or more spells; (iv) study leave may be combined with other kind of leave, but in no case shall the grant of this leave in combination, with leave, other than extra-ordinary leave, involve a total absence of more than (28 months from the regular duties of the employees. (b) Study leave is extra leave on half pay and leave salary during such leave shall be regulated in accordance rule 51 (2). (3) On completion of a course of study, a certificate on the proper

from together with certificates of examinations passed or of special study shall be submitted to the managing committee. (4) The period of leave will count as period of regular service. (5) An employee who avails of the study, leave, for training, should execute a bond to serve the institution after conclusion of the training for a period shown in the following table :— Period of study leave Three months Six months One year Two years Period for which bond is to be executed One year Two years Three years Five years The form of the bond to be executed should be as in Appendix - XIV. 53. — (1) — *ft, 20 129 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 53 qfig, (ii) 12 qti I (iii) \$1 24 ati (iv) 28 ati 51 (2) (4) frÄT I v. 54-56 Raj. Non-Govt. Educational Institutions Rules, 1993 130 - XIV CHAPTER - VII CONDUCT AND DISCIPLINE VII 54. General.— Every employee shall at all times — (i) maintain absolute integrity; and (ii) maintain devotion to duty and dignity of office. 54. - (i) NOTT, (ii) - \$r q-q-rå QTIT I 55. Improper and unbecoming conduct.- Any employee who — (i) is convicted of an offence involving moral turpitude whether in the course of the discharge of his duties or not; (ii) behaves in public in disorderly manner unbecoming of his position; (iii) is proved to have sent on anonymous or pseudonymous petition to any person in authority; (iv) leads an immoral life, shall be liable to disciplinary action. 55. - *TO, - (ii) t, (iii) 56. Unauthorized communication of information.— No employee shall except in accordance with any general or special order of the management or in the performance in good faith of the duties assigned to him, communicate directly or indirectly, any document or information, which has come into his possession in the course of his duties or has been prepared or collected by him whether from official sources or otherwise

56. Raj.Non-Govt. Educational Institutions Rules, 1993 Rr. 57-59 131 57. Subscription.— No employee shall except with the previous sanction or order of the management ask for or accept contributions to or Otherwise associate himself with the raising of any funds or other collections in cash or in kind in pursuance qr any object whatsoever. 57. — \$1 RAT, 3Fu2.1T *7TT I 58. • Gifts.— (1) No employee shall accept or permit any member of his family or any person acting on his behalf to accept any gift. Explanation — The expression 'Gift' shall include free transport, boarding, lodging or other services or any other pecuniary advantage when provided by any person other than a near relative or personal friend having no official dealing with the employee. (2) On occasions, such as wedding, anniversaries, funerals or religious functions when the making of a gift is in conformity with the prevailing religious or social practice, an employee may accept Gifts from his near relatives, but he shall make a report to the Secretary of the Managing Committee if the value of any such Gift exceeds Rs. 500/-. 58. — (1) qFT *TTT I ur NTT2frF ati (2) q, qFT 500/- 59. Insolvency and habitual indebtedness.— (1) An employee shall avoid habitual indebtedness. (2) When an employee is adjudged or declared an insolvent or when one moiety of the Salary of such employee is constantly being attached, has been continuously under attachments for a period exceeding two years or is attached for a sum which, in ordinary circumstances, can not be repaid within a period of two years, he will be considered liable to dismissal. (3) When such an employee is not liable to dismissal otherwise than by or with the sanction of the Director of Education, the matter must, if he is declared insolvent and may, if a moiety of his salary is attached, be reported to the Director of Education. R. 60 Raj. Non-Govt. Educational Institutions Rules, 1993 132 (4) When a moiety of an employee's salary is attached, the report should show that is the proportion of the debts to the salary; how far they deduct from the debtors efficiency as an employee, whether the debtor's position is irretrievable and whether in the circumstances of the case, it is desirable to retain him on the post occupied by him. (5) In every case under this rule, the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, the debtor could not have foreseen or over which he had no control and has not proceeded from extravagant or dissipated habits, will be upon the debtor. 59. — (1) *rtr, I Rqhé, t, (4) t, ftqhé 60. Movable, immovable and valuable property.— (1) Every employee shall on his appointment on any post submit a return of his assets and liabilities to the Management, giving the full particulars regarding — (a) the immovable property inherited by him or owner acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in name of any other person; (b) shares, debentures and cash including Bank deposits inherited by him or similarly owned, acquired or held by him; (c) other movable property inherited by him or similarly owned, acquired or held by him; and (d) debts and other liabilities incurred by him directly or indirectly. (2) No employee shall, except with the previous Imowledge of the Secretary of the Committee acquire or dispose of any immovable Raj. Non-Govt. Educational Institutions Rules,

1993 Rr. 61-62 133 property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family. (3) Every employee shall report to the Secretary of the Managing Committee every transaction concerning movable property owned or held by him either in own name or in the name of a member of his family, if the value of such property exceeds Rs. 1,000/-. 60. — (1) 1000/- 61. Bigamous Marriages.— (1) No employee, who has wife living shall contract another marriage without first obtaining the permission of the management notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him. (2) No female employee shall marry any person, who has a wife living without first obtaining the permission of the Management. 61. — (1) *TO, t, 62. Acceptance of Dowry.— No employee shall — (1) give or take or abet the giving or taking of dowry; (2) demand directly or indirectly from the parents or guardians of a bride or bridegroom, as the case may be, any dowry. Br. 63-64 Raj. Non-Govt. Educational Institutions Rules, 1993 134 Explanation — For the purpose of this rule, 'Dowry' has the same meaning as in The Dowry Prohibition Act, 1961. 62. - - q17T q-ti I 1961 63. consumption of intoxicating drinks or drugs.— An employee shall — (1) strictly abide by any law relating intoxicating drinks or drugs in force in any area, in which he may happen to be for the time being; (2) neither be under the influence of any intoxicating drinks or drugs during the course of his duty and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drinks or drugs in such close proximity of time when he has to appear on duty that the odour from his mouth or his demeanour may ordinarily make others feel that he had partaken of any intoxicating drug or drink; (3) not appear in a public place under the influence of any drink or drug; (4) not use any intoxicating drink or drug in excess. 63. - - 3TT&TT I 64. Litigation on service matters.— No employee shall attempt to seek in Court of Law a decision on grievances arising out of his employment or conditions of service, even in cases where such a remedy is legally admissible, without first taking resort to the normal official channel of redress. 64. - 135 Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 65-67 65. Joining of Association.— No employee shall join or continue to be a member of any association the objects or activities of which are prejudicial to the interest of the sovereignty and integrity of India or public order or morality. 65. — 66. Demonstration and Strike.— No employee shall — (1) engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order decency or morality or which involves contempt of Court, defamation or incitement to an offence; or (2) Resort to or in anyway abet any form of strike in connection with any matter pertaining to his service or the service of any other employee. 66. — (1) 17Tr, 67. Joining of Organisations.— No employee shall join or associate or continue to be a member of any organisation which has been declared unlawful under the Unlawful Activities (Prevention) Act, 1967 or any other law which in force or the objects or activities of which are prejudicial to communal harmony sovereignty and integrity of India on public order or morality. 67. — (1) 17TV1) 1967 R. 68 Raj. Non-Govt. Educational institutions Rules, 1993 CHAPTER VIII CONTRIBUTORY PROVIDENT FUND VIII 136 68, General.— (1) Every recognised institution shall constitute a Provident Fund for the benefit of its employees. (2) All employees, who have completed one year's continuous service in the institution shall be required to contribute to the fund (3) the institution shall comply with the directions issued by the State Government with regard to the investment of accumulations in the Fund. (4) The amount of the fund or any portion thereof shall not be withdrawn or used for the activities of the institution or for any purpose other than payment or advance to the employees. (5) All accumulated, current or future, accretions to the P.F. Amount of the employees and contributions of the institution shall be deposited in the interest bearing personal Deposit Account by the institution in Government Treasury/ Sub-Treasury within three days of the withdrawal of salary. (6) The Authority countersigning the Grant-in-Aid Bill shall, at the time of countersigning it, ensure that Provident Fund subscription and contribution for the period upto last month have been duly credited to the personal Deposit Account of the institution. (7) Each employee shall be provided with a Pass-Book in which regular entries of all the credits and withdrawal shall be made by the Treasurer of the Institution and attested under his signatures, it shall be shown to the employees after 30th June every year. (8) The Head of the Institution shall arrange to credit the interest in the respective Provident Fund Account of the Employees on pro-rata basis as per balance appearing in such individual Account. 168. — (1) q. 11(22) @THT-5/88 qé, 24.01.1998 (qRqa : 39) I (ii) 20 20 i, fifi — : q. 11(22) @THT-5/88, 12.03.1999 (gRqa : 74) I (iii) \$1 *FT, - : q. 3(3) ft. qT./97, 11.07.2002 (qftqa 137) I — : q. 11(22) @BT-5/88, 07.03.2006 : 165) I 137 Raj.

Non-Govt. Educational Institutions Rules, 1993 R. 68 (3) fifi 7b frFT föNT (5) -of) vifrRT, (7) gqi qTå7fi, 30 69. Nomination.— (1) A subscriber shall, as soon as may be after joining the fund, send to the Secretary of the Institution, a nomination, conferring one or more persons the right to receive the amount, that may stand to his credit in the fund in the event of his death, before the amount has become payable or having become, has not been paid provided that if at the time or making the nomination, a subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family. (2) If a subscriber nominates more than one person under sub-rule (1) he shall specify in the nomination, the amount of share payable to each of the nominee in such manner as to cover the whole of the amount that may stand to his credit in the fund at any time. (3) Every nomination shall be in such one of the' forms set forth in the Appendix - XV as is appropriate in the circumstances. (4) A subscriber may at any time, cancel a nomination by sending a notice in writing to the Secretary of the Institution provided that the subscriber shall, alongvvrith such notice send a fresh nomination made in accordance the provisions of this rule. (5) Every nomination made and every notice of cancellation given by a subscriber shall, to the extent that it is valid take effect, on the date on which it is received by the Secretary of the Institution. 138 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 70 169. — (1) fifi OTT (3) - xv 70. Subscriber's Account.— An account shall be kept in the name of each subscriber in which shall be credited — (1) the subscriber's subscription; (2) contribution made by the institution; and (3) interest on subscriptions and contributions. 70. — 1.16 - : q. 11(22) REff-5/88, 08.01.1993 : 1) I (ii) fifi 11(22) RTHT-5/88, 25.02.1995 (qftqa • 9) I Raj. Non-Govt. Educational Institutions Rules, 1993 Rr. 71-73 139 71. Conditions and Rates of Subscription.— (1) Every subscriber shall subscribe monthly to the Fund, when on duty and on leave except leave without pay. (2) The amount of subscription shall be 8.33% of the emoluments (pay + D.A.) of the subscriber. (3) The amount of subscription shall be in whole rupee (50 paise or more counting as the next whole rupee). (4) The amount of subscription so fixed shall remain Unchanged throughout the year : Provided that if a subscriber is on duty or on leave for a part of that a month and on leave without pay for the remainder of that month, the amount of the subscription payable shall be proportionate to the number of days spent on duty and/or on leave (Not leave without pay) in the month. .171. — (1) (2) \$1 + QfiT) 8.33% I (3) (50 frg a, 72. Realisation of subscription.— Recovery of subscription on account of these employments of the principal and interest of advance shall be made from the emoluments of a subscriber drawn from the institution. 72. — 73. Contribution by the institution.— The institution shall alongwith the monthly subscription of the subscriber to the fund make equal contribution each month. 73. grgr — — : 4. 11(22) RIHr-5/88, 15.02.1997 : 13) I 11(22) 14.08.1997 (qRqa : 21) | Br. 74-75 140 Raj. Non-Govt. Educational Institutions Rules, 1993 74. Interest The State Government shall, at the end of the each financial year, pay interest on the minimum balance in the Personal Deposit Account between sixth to the end of an individual month in the P.F. Account of the institution opened and maintained in the Treasury/Sub-treasury concerned at such rate as the State Government may from time to time prescribed for the payment of interest, on subscriptions to the General Provident Fund. Interest shall be credited with effect from the 31st March of each year. 74. — IN, NiqiT 31 75. Advance from the fund.— A temporary advance may be granted to a subscriber from the amount standing to his credit in the fund by the secretary of the Institution on the following conditions :— (a) To pay expenses incurred in connection with the prolonged illness of the applicant or any person actually dependent on him : (b) to pay obligatory expenses upto a reasonable amount in connection with funerals or ceremonies which by his religion it is incumbent on him to perform. (c) An advance shall not, except for special reasons exceed half of the amount of total subscription of the employee or three month's pay, whichever is less. (d) A second advance shall not, except for special reasons, be granted until at least twelve months after the final payment of a previous advance together with interest thereon. (e) A advance to the extent of 50% in case of son's marriage and 75% in case of daughter's marriage may be made, out of the total amount of subscription of the subscriber limited to ten month's pay. (f) An advance to the extent of 50% of the total amount of subscription of the subscriber limited to ten months pay may also be made — (i) for building, altering or enlarging a house or for acquiring a suitable house including the cost of land on the satisfaction of the Secretary of the Institution, on the basis of documents produced for this purpose; (ii) to meet the expenses including travelling expenses in connection with the illness of the subscriber and members of the family or any person actually dependent on him, 75. -Q 141 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 76 (q) Tiq qti 3T@m WT (e) gw 50% (q) 500/0 Tr frg, (ii) fivfg 76. Recovery

of advance.— (1) In advance shall be recovered from the subscriber in such number of equal installments as the sanctioning authority may direct, but such number shall not be less than twelve unless the subscriber so elects or in any case not more than thirty six. Each installment shall be a number of whole rupees, the amount of advance being raised or reduced, if necessary, to admit of the fixation of such installments. (2) Recovery shall be made from the emoluments or a subscriber drawn from the institution and shall commence on the first occasion after the advance is made on which the subscriber draws emoluments. (3) If more than one advance has been made, each advance shall be treated separately for the purpose of recovery. (4) After the principal of the advance has been fully repaid, interest shall be paid thereon in two installments. (5) Recoveries made under this rule, shall be credited as they are made to the account of the subscriber in the Fund

76. Mr —(1) \$1 Hr. 77-78 Raj. Non-Govt. Educational Institutions Rules, 1993 142 (4) q-r-h -O 77. circumstances in which accumulations are payable.— When a subscriber quits the service, the amount as standing to his credit in the Fund shall, subject to any deduction under Rule 79, become payable to him : Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall if required to do so by the institution, repay and amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in Rule 74. The amount so repaid shall be credited to his account in the Fund, the part which represents the contribution of the institution with interest thereon, being accounted for in the manner provided in Rule 79. 77. t — 79 74 8 1 i, 70 I 78. To whom payable.— Subject to any deduction, under Rule 79, on the death of a subscriber before the account standing to his credit has become payable or where the amount has become payable, before payment has been made — (i) when the subscriber leaves a family — (a) if a nomination made by the in accordance with the provisions of Rule 69, in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination; (b) if no such nomination, in favour of member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate as the case may be, shall notwithstanding any 143 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 78 nomination purporting to be in favour of any persons or persons other than a member or members of this family become payable to the members of his family in equal shares : Provided that no share shall be payable to — (1) sons who have attained legal majority; (2) sons of a deceased sons, who have attained legal majority; (3) married daughter, whose husband are alive; (4) married daughter of a deceased sons, whose husband are alive, if there is any of the family other than those specified in clauses (1), (2), (3) and (4) : Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso. Note - (i) Any sum payable under these rules to a member of family of a subscriber vests in such member under sub-section (2) of Section 3 of the Provident Fund Act, 1925. (ii) when the subscriber leave no family, if a nomination made by him in accordance with the provisions of Rule 69, in favour of any person or persons subsists; the amount standing to his credit in the fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination. (iii) When a nominee is a dependent of the subscriber as defined in Clause (c) of Section 2 of the Provident Fund Act, 1925, the amount vests in such nominee under sub-section (2) of Section 3 of that Act. (iv) When the subscriber leaves no family and no nomination made by him in accordance with the provision of Rule 69 subsists or if such nomination relates only to a part of an amount standing to his credit in the Fund, the relevant provisions of clause (b) of Section 4 of the Provident Fund Act, 1925 are applicable to whole amount or the part thereof to which the nomination does not relate. 78. t — 79 gg, 69 R. 78 144 Raj. Non-Govt. Educational Institutions Rules, 1993 fÄPTf& qTTT qa-T iTT# (4) ghui, uT 1925 (ii) Ø1ü, 69 (iii) 1925 2 145 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 79 (iv) 69 8), 1925 4 (1) (q) (TT) (ii) 79. Deductions.— Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the institution with interest thereon credited under Rules 73 and 74 and before the amount standing to the credit of the subscriber in the fund is paid out of the fund, the institution may direct the deduction therefrom and payment to the institution of — (a) any amount, if a subscriber has been dismissed from the service for grave misconduct : Provided that, if

the order of the dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service be replaced at his credit in the fund; (b) any amount, if a subscriber resigns his employment under the institution within 5 years of the commencement thereof, otherwise than by reason of superannuation or a declaration by competent Medical Authority that he is unfit for further service; (c) any amount due under a liability incurred by the subscriber to the institution. 79. — 73 74 qiq Rr. 80-81 Raj. Non-Govt. Educational Institutions Rules, 1993 146 80. Payments.— (1) When the amount standing to the credit of the subscriber in the fund or the balance thereof after any deduction under Rule 79, becomes payable, it shall be the duty of the Secretary of the Managing Committee, after satisfying himself when no such deduction has been directed under that rule; that no deduction is to be made, to make payment as provided in Section 4 of the Provident Fund Act, 1925. (2) If the person to whom, under these rules, any amount is to be paid is a lunatic for whose State a Manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment will be made to such Manager and not to the lunatic. (3) Any person who desires to claim payment under this rule, shall send a written application in that behalf to the Secretary of the Institution. Note — When the amount standing to the credit of a subscriber has become payable under Rule 77, the Secretary shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be. 80. — (1) 79 1925 4 1912 t, — 77 *711, 81. Accounts & Audit.— (1) Accounts — (a) Complete and detailed individual employee-wise accounts shall be maintained by the institution. The institution shall make available to the Director, Local Fund Audit Department or any Officer authorised by him in this behalf all the information required by him in the form and manner, as prescribed by him from time to time, (b) It shall be incumbent on the Secretary of the institution to reconcile the account the accounts being maintained by 147 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 82 the Director, Local Fund Audit Deptt. as also from the Treasury/Sub-Treasury, at the end of financial year.. (2) Audit (a) The account shall be open for audit by the Director, Local Fund Audit Department or any other authority as may be authorised by the State Government from time to time. (b) The Secretary of the Managing Committee shall remove or cause to be removed the discrepancies pointed out by the Audit Officer in his report and shall submit its compliance report within a period of two months from the date of receipt of the report. 81. — (1) (PA) Rqh-é ftqlé 82. Gratuity and Insurance.— (1) The employees of the Aided educational institutions shall be entitled to Gratuity as admissible under Payment of Gratuity Act, 1972 as amended from time to time. (2) The managing committee shall arrange for Group Insurance of its employees under the respective scheme of Life Insurance Corporation of India. 82. — (1) 1972 R. 83 Raj. Non-Govt. Educational Institutions Rules, 1993 COMMENTS 148 Re-employment and retiral benefits—Gratuity—Re-employment after superannuation—Petitioner remained in service till 30.6.1994 after retirement—Held, Petitioner is entitled to retiral benefits alongwith the interest for the extended period.—Dhan Devi Mehata Vs. Rajasthan Non-Govt. Educational Institutions Tribunal & Ors., 2012(3) WLC (Raj.) 54 Delay in payment of gratuity—Gratuity—Leave encashment—Delay in payment of gratuity—No fault of the employee—Held, Tribunal has rightly passed the order.—mrector Piramal Education Trust & Orse Vs. Raj. Non- Govt. Edu. Institutions Tribunal & ors., 2011(3) WLC (Raj.) 31 : 2011(4) RLW 3388 (Raj.) : 2011(4) CDR 1738 (Raj.) : 2011(2) WLN 385 (Raj.) Rule 82 — Applicability of provision — Institution not receiving any aid from Govt. — Provisions of Secs. 2(p) and 2 (q) are applicable to both aided and non-aided institutions — Gratuity benefit arising from past service and payable after retirement — No interference is required in the orders, Children's Garden Play School Vs. Rajasthan Non-Government Educational Tribunal & ors., 2009(1) RLW 169 (Raj.) : 2008(3) WLC (Raj.) 147. Entitlement for Grauity — Concerned employee had already reached the age of superannuation on 04.07.1992 and further two years extension was after receiving due approval by the State government — It is not a case of re-employment — The employee has to be treated in continuous service till 04.07.1994 when he finally stood retired — Since the Act of 1989 as also the Rules of 1993 had already come into force, the concerned employee was entitled for the Gratuity — No error or illegality in the orders. Managing Committee, Panabai Ramnath Poddar Senior Secondary School Vs. The State of Rajasthan & ors., 2009(3) WLN (Raj.) 228. CHAPTER - IX MISCELLANEOUS 83. General.— Every institution shall be guided by the high standards of financial propriety. The principles on which emphasis is generally laid, are the following :— (i) Every official is expected to exercise the same vigilance in respect of expenditure as person of ordinary prudence would exercise in respect of expenditure of his own money. (ii) The

expenditure should not be prima facie more than the occasion demands. (iii) No Authority should exercise its powers of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage. 149 Raj. Non-Govt. Educational Institutions Rules, 1993 R. 83 (iv) Money of the institution should not be utilised for the benefit of a particular person or section of the community unless — (a) the amount of expenditure involved is insignificant; or (b) a claim for the amount could be enforced in a Court of Law; or (c) the expenditure is in pursuance of recognised policy or custom. (v) The amount of allowance granted to meet expenditure of a particular type should be so regulated that the allowances are not on the whole source of profit to the recipients. (vi) Institution is responsible for enforcing financial order and strict economy at every step. (vii) It should be ensured that not only the total expenditure is kept within the limits of the authorised appropriation but also that the funds allotted are expended upon objects for which they have been provided. 83. — (ii) I (iii) qff (iv) füftltz (71) (vi) (vii) qntg t, fimui, 150 Raj. Non-Govt. Educational Institutions Rules, 1993 Hr. 84-87 84. purchase and Acquisition Of Stores.— An Authority which is competent to incur contingent expenditure may sanction the purchase of stores required for use in the institution in accordance with the provisions contained in these rules. 84. Ä5T — t, fâg 85. Receipt Of Stores.— All materials received should be examined, counted measured or weighed as the case may be, when delivery is taken and they should be taken in charge by a responsible employee, who would see that the quantities are correct and their quality is good and record a certificate to that effect. The official receiving the stores should also be required to give certificate that he has actually received the materials and recorded them in the appropriate Stock-Register. 85. — GTTâ, 86. Issue of Stores.— When materials are issued from stock for the use of the institution, the officer In-charge of the stores, should see that an indent has been made by a properly authorised person, examine it carefully with reference to the orders or instructions for the issue of stores and sign it after making suitable alterations under his dated initials in the description and quantity of material, if he is unable to comply with the requisition in full, when materials are issued, a written acknowledgment should be obtained from the person to whom they are ordered to be delivered or dispatched. 86. - qTg, 87. Transfer of Charge of Stores.— In case of transfers, the official In-charge Of stores should see that the stores in his custody are made over correctly to his successor and a proper receipt taken from him. 87, — Raj, Non-Govt. Educational Institutions Rules, 1993 Rr. 88.89 151 88' Custody and Accounts of Stores.— (1) The head of the institution, should take special care for arranging for their safe custody, for keeping them in good and efficient conditions and protecting them from loss, damage or deterioration, suitable accommodation should be provided more particularly for valuable and combustible stores. He should maintain suitable aCCOUnts and inventories and prepare correct returns in respect of the stores in his charge with a view to preventing losses, through theft, accident, fraud or otherwise and to making it possible at any time to check the actual balances with the book-balances and the payment to suppliers etc. (2) Separate accounts should be maintained for movable and immovable properties showing the quantity received, the quantity disposed off by transfer, sale, loss etc. and the balance in hand. Inventories should also be maintained at the site of dead stock. (3) Separate accounts also be kept for all assets such as building, furniture, educational equipments, library books, etc. created out of the in-aid received from the State Government from time to time. Special care should be taken to keep these assets fit at all times. 88. — (1) Vfh GTÄ, 89. Physical Verification.— Physical verification shall be done for each items of stores and stock atleast once a year before the closing of the financial year, Such verification should be entrusted to responsible officer who is not connected With the stores and is not subordinate to the Officer In-charge of the stores and it's thoroughly conversant with the items of stores. Such verification should be done in the presence of the Store-keeper. Cent-percent verification should be done as precisely and correctly as possible. Separate list showing excesses and shortages, if any, should be drawn up and a copy thereof delivered to the Secretary of the Committee to take action for recovery/regularisation of the shortages and entering the excesses in the R. 90 152 Raj. Non-Govt. Educational Institutions Rules, 1993 89. — I TFTBFT qi qti qfig, -i -(fim 90. Procedure for inviting tenders for purchaser The following procedure for obtaining tenders shall be followed. Tenders should be obtained (i) by advertisement (open tenders); (ii) by direct invitation to a limited number of firms (Limited tender); (iii) by invitation to one firm only (Single tender); (iv) by negotiation. Single Tender system may be adopted in the case of small orders, the total value of which does not exceed Rs. 500/-. The limited tender system may however be followed, when the estimated value of the purchase is less then Rs. 10,000/-. Open tender system i.e. invitation to tender by public advertisement should be used

for purchase of Rs. 10,000/- or over. Negotiations can be made through a Committee in consultation with the Officer authorised to countersigned the grant-in-aid bill

90. Ng Ng - (i) ft--\$Trq-q (\$ filtq@), (ii) fiÄ<T),• (iii) filüÄT); 500/- ati t 10,000/- a I 10,000/- Raj.Non-Govt. L'ducational Institutions Rules, 1993 R. 91 153 91. Rcpcat and Saving.-- (1) The Rajasthan Grant-in-aid to Educational and Cultural Institutions Rules, 1963 and any notification issued and orders made under any such rules to the extent to which they apply to the person/institution to whom these rules apply and in so far as they relate to recognition, grant-in-aid, service-conditions or confer powers to make appointments, grant-recognition, sanction grant-in-aid, impose penalties or entertain appeals are hereby repealed Provided that — (a) such repeal shall not effect the previous operation of the said rules, notification and orders or anything done or any action taken thereunder; (b) any proceedings under the said rules, notification or orders pending at the commencement of these rules shall be continued and disposed-off as far as may be, in accordance with the provisions of these rules. (2) Nothing in these rules shall operate to deprive any person or institution to whom these rules notification or orders repealed by sub-rule (1) in respect of any order decided before the commencement of these rules. (3) An appeal pending at or preferred after the commencement of these rules against an order made before such commencement shall be considered and order thereon shall be passed in accordance with these rules. 91. — (1) fiuq, 1963 \$1 q-r-å 154 Hr. 92-93 Raj. Non-Govt. Educational Institutions Rules, 1993 (3) STIVOT 1192. Powers to exempt from rules.- The State Government may, by general or special order ekempt any institution or any class of institutions from any of the provisions of the rules or may direct that such provisions shall apply to such institution or class of institutions with such modifications and on conditions as may be specified in the orders.] 92. — .2[931. Removal of Doubts.— Where a doubt arises -as to the interpretation of any of the provisions of these rules or their applicability, the matter shall be referred to the Government in the Education Department, whose decision thereon shall be final. 93,. — i, AGi 1. Inserted by Notfn, No. F. 10(8) Edu. 5/93, dated 28.07.1993

2. Renumbered by Notfn.No. F. 10(8) Edu. 5/93, dated 28.07.1993.