

**THE KERALA EDUCATION ACT, 1958**

**and**

**THE KERALA EDUCATION RULES, 1959**

**FOURTH EDITION**

**(Embodying corrections upto 31<sup>st</sup> December 2010)**

Issued by the Authority of the Government of Kerala

**GENERAL EDUCATION DEPARTMENT**

## **FOREWORD**

The Kerala Education Act of 1958 was a unique legislation, the impact of which reverberated throughout the social life of the then nascent State. The aided schools were brought within the statutory ambit of the Department. Rules regarding opening of new schools, appointment of new teachers and their qualification at large monitoring of various activities of schools, facilities to be made available to the students, responsibilities of various functionaries of schools etc. were framed. The Act and the Rules are thus deeply entwined with the contemporary history of State of Kerala. It is acclaimed as a model law even now by other States of the Country.

The third edition of the Act and Rules were published way back in 1987. Hence, Government has been toying with the idea of publishing an updated version of the same for a long time. Between 1987 and 2010 hundreds of amendments have been made compelling their codification.

The General Education Department rose to the occasion and took pains to publish this 4<sup>th</sup> edition incorporating all the amendments issued up to 31<sup>st</sup> December 2010. I am happy to acknowledge the services of Sri. T.J. Sathish Chandran (Retired Administrative Assistant), Directorate of Public Instruction), Sri. P.T. Thomas, Deputy Secretary and Sri. D. John, Section Officer who have done a commendable job for codifying and updating the Act and Rules in a record time.

I hope that this new authentic edition will be received with enthusiasm by the educational administrators, legal functionaries and the teaching community.

Thiruvananthapuram  
27/02/2011

M.A. BABY  
MINISTER  
(Education & Culture)

## **PREFACE**

The necessity for publishing an updated edition of the compendium of Kerala Education Act and Rules has been receiving the attention of Government since long. The previous edition was published before 23 years. So many amendments have been made during the pretty long interregnum.

The present edition is authoritative and updated containing amendments upto 31/12/2010. It will be uploaded in the Government web portal and department website, I.T.@ school. Amendments as and when made will also be updated in that website so that the latest position could be gathered in the finger tips.

I hope this edition will be widely received by the officers of the General Education Department and others.

Thiruvananthapuram  
15/03/2011

JAMES VARGHESE  
Principal Secretary  
General Education Department

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of P.F. amount		Ch XXIX	R 12
		Ch XXX	R 28
of pupil		Ch VII	R 10
of Recognition		Ch V	R (13 A)
		Ch V	R 22 A
Withholding increment		Ch XIV (A)	R 65 (ii)
Withholding of promotion		Ch XIV A	R 65 (ii)
Working days		Ch VII	R 3
Year		Ch XXX	R 2 (i)

## THE KERALA EDUCATION ACT – 1958 (ACT 6 OF 1959)

(As amended by Acts 35 of 1960 31 of 1961 and 9 of 1985)

*An Act to provide for the better organisation and development of educational institutions in the State.*

*Preamble:-* WHEREAS it is deemed necessary to provide for the better organisation and development of educational institutions in the State providing a varied and comprehensive educational service throughout the State;

BE it enacted in the Ninth Year of the Republic of India as follows:-

### PART 1 GENERAL

1. *Short title, extent and commencement.-* (1) This Act may be called the Kerala Education Act, 1958.\*

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint and different dates may be appointed for different provisions of this Act.\*\*

2. *Definitions.-* In this Act, unless the context otherwise requires:-

(1) “aided school” means a private school which is recognised by and is receiving aid from the Government, but shall not include educational institutions entitled to receive grants under Article 337 of the Constitution of India, except in so far as they are receiving aid in excess of the grants to which they are so entitled;

<sup>1</sup>(1) A. “Dist. Educational Authority” means District Educational authority constituted under section 17.

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\* Received the assent of the President on 19<sup>th</sup> February 1959 and published in the Gazette Extraordinary dated 24<sup>th</sup> February 1959.

\*\* All the provisions of the Act except section 12(1), (2) and (3) and sections 21 to 31 came into force on 1<sup>st</sup> June 1959 as per Notification No. ED(C.SPL) 21564/59/EHD dated 27<sup>th</sup> May 1959, published in Gazette Extraordinary dated 27<sup>th</sup> May 1959, Act 35 of 1960 substituted new sections for sections 11 and 12 with effect from 27<sup>th</sup> December 1960.

- (2) “educational agency” means any person or body of persons permitted to establish and maintain any private school under this Act;
- (3) “existing school” means any aided, recognised or Government school established before the commencement of this Act and continuing as such at such commencement;
- 3(A) “Local Authority” means a Panchayat at any level constituted under section 4 of the Kerala Panchayat Raj Act 1994 (13 of 1994) or a Municipality constituted under section 4 of the Kerala Municipalities Act 1994 (20 Of 1994).
- (4) <sup>2</sup>[\*\*\*\*]
- (5) “minority schools” means schools of their choice established and administered, or administered, by such minorities as have the right to do so under clause (1) of Article 30 of the Constitution'
- (6) “prescribed” means prescribed by rules made under this Act;
- (7) “private school” means an aided or recognised school;
- (8) “recognised school” means a private school recognised by the Government under this Act;
- (9) “school” includes the land, buildings, play grounds and hostels of the school and the movable properties such as furniture, books, apparatus, maps and equipments pertaining to the school;
- (10) “State” means the State of Kerala.
3. *Establishment and recognition of Schools.*- (1) The Government may regulate the primary and other stages of education and course of institutions in Government and private schools.
- (2) The Government shall take, from time to time, such steps, as they may consider necessary or expedient, for the purpose of providing facilities for general education, special education and for the training of teachers.
- (3) The Government may, for the purpose of providing such facilities:-
- (a) establish and maintain schools, or
  - (b) permit any person or body of persons to establish and maintain aided schools; or

- (c) recognise any school established and maintained by any person or body of persons.

(4) All existing schools shall be deemed to have been established in accordance with this Act:

Provided that the educational agency of an aided school existing at the commencement of this section may, at any time within one month of such commencement, after giving notice to the Government of its intention so to do, opt to run the school as recognised school, subject to the condition that the services of the teachers and other members of the staff of the school shall not be dispensed with or their conditions of service under the management varied to their disadvantage on account of the exercise of this option.

(5) After the commencement of this Act, the establishment of a new school or the opening of a higher class in any private school shall be subject to the provisions of this Act and the rules made there under and any school of higher class established or opened otherwise than in accordance with such provisions shall not be entitled to be recognised by the Government.

4. *State Education Advisory Board.*- (1) For the purpose of advising the Government on matters pertaining to educational policy and administration of the Department of Education, the Government may, by notification in the Gazette, constitute a State Education Advisory Board, consisting of officials and non-officials.

(2) The Board shall consist of a Chairman and not more than fifteen members including the Chairman. The Vice-Chancellor of the University of Kerala, the Director of Public Instruction, the Director of Technical Education and the Director of Health Services shall be ex-officio members of the Board. The other members of the Board shall be appointed by the Government. Appointment of non-official members shall be from persons who are distinguished educationists or who have rendered eminent service to education, or who have had experience in the administration of education.

(3) The Government shall appoint one of the members to be the Chairman of the Board.

(4) The term of office of the members of the Board, other than the ex-officio members, shall be three years.

(5) The Government may prescribe the procedure to be followed at the

meetings of the Board, and all incidental and ancillary matters for the proper working of the Board.

(6) The Board shall present annually to the Government a report a to the advice tendered to the Government on matters coming before them and the Government shall, on receipt of such report, cause a copy thereof, together with a memorandum explaining as respects the matters if any where the advice of the Board was not accepted, the reasons for such non-acceptance, to be laid before the Legislative Assembly.

5. *Manager to send list of properties.*- (1) On the first day of April each year, the Manager of every aided school shall furnish to such officer as may be authorised by the Government in this behalf a statement containing a list of all movable and immovable properties of the school with such particulars as may be prescribed.

(2) If the Manager commits default in furnishing the statement under sub-section (1) or furnishes a statement which is false or incorrect in any material particular, the Government may with-hold maintenance grant.

- <sup>3</sup>[5 A. *Management of Government schools and Aided Schools taken over or a acquired by Government:*- The Management of every Government school and that of aided school taken over or acquired by the Government under section 14 or section 15 as the case may be shall vest as specified below in the local authority noted against each namely:-

- |   |   |   |
|---|---|---|
| a) Pre-primary schools and primary schools in rural areas   | } | Village panchayat having jurisdiction over the area in which the school is situate. |
| b) High schools (including Lower Primary or Upper Primary section attached to High schools) and Higher Secondary schools in rural areas | } | District Panchayat having jurisdiction over the area on which the school is situate |
| c) Pre-Primary school, Primary schools, Upper Primary schools, High schools and Higher Secondary schools in urban areas.                | } | Municipality having jurisdiction over the area in which the school is situate.      |

- 5 B. *Restriction on alienation of property of Government schools:*- Notwithstanding anything contained in any law for the being in force or in any decree, judgment or order of any court, no sale, mortgage,

lease, pledge, charge or transfer of possession of any land appurtenant to a Government school vested with a local authority under section 5A shall be made and such land shall not be used for any purpose other than educational purposes:

Provided that nothing contained in this section shall prohibit surrender of any such land with the permission of the Government for the purpose of widening of any road.]

6. *Restriction on alienation of property of aided school.-*

(1) Notwithstanding anything to the contrary contained in any law for the time being in force, no sale, mortgage, lease, pledge, charge or transfer of possession in respect of any property of an aided school shall be created or made except with the previous permission in writing of such officer not below the rank of a District Educational Officer, as may be authorised by the Government in this behalf. The officer shall grant such permission applied for unless the grant of such permission will, in his opinion, adversely affect the working of the school.

(2) Any person aggrieved by an order of the officer refusing or granting permission under sub-section (1) may, in such manner and within such time as may be prescribed. Appeal to the Government.

(3) Any transaction made in contravention of sub-section (1) or sub-section (2) shall be null and void.

(4) If any educational agency or the Manager of any school acts in contravention of sub-section (1) or of an order passed under sub-section (2), the Government may withhold any grant to the school.

7. *Managers of schools.-* (1) Any educational agency may appoint any person to be the manager of an aided school under this act, subject to the approval of such officer as may be authorised by the Government in this behalf.

*Explanation.-* All the existing Managers of aided school shall be deemed to have been appointed under this Act.

(2) The Manager shall be responsible for the conduct of the school in accordance with the provisions of this Act and the rules thereunder.

(3) The properties of the school shall be in the possession and control of the Manager who shall be responsible to maintain them in proper and

good condition.

(4) It shall be the duty of the Manager to maintain such records and accounts of the school and in such manner as may be prescribed.

(5) The Manager shall be bound to afford all assistance and facilities as may be necessary or reasonably required for the inspection of the school and its record and accounts by such officer as may be authorised by the Government in this behalf.

(6) No Manager shall close down any school unless one year's notice, expiring with the 31st May of any year, of his intention so to do, has been given to the officer authorised by the Government in this behalf.

(7) In the event to the school being closed down or discontinued or its recognition being withdrawn the Manager shall make over to the officer authorised by the Government in this behalf all the records and accounts of the school maintained under sub-section (4).

(8) If any Manager contravenes the provisions of sub-section (6) or wilfully contravenes the provisions of subsection (7), he shall, on conviction, be liable to fine which may extend to two hundred rupees.

(9) No court shall take cognizance of an offence punishable under sub-section (8) except with the previous sanction of the Government.

8. *Recovery of amounts due from the Manager.*- (1) Any amount due at the commencement of this section to the Government from the Manager of an aided school pursuant to any agreement, scheme or other arrangement pertaining to any aid given or grant paid by the Government may be recovered also as an arrear of land revenue under the provisions of the Revenue Recovery Act for the time being in force.

(2) Where, at the commencement of this section, pursuant to any agreement, scheme or other arrangement referred to in sub-section (1), any salary or arrears of salary is payable by the Manager to a teacher of the concerned aided school according to the scale prescribed by such agreement or scheme or arrangement, the District Educational Officer may, by order, direct the Manager to deposit with him the amount so payable. Before passing such order the District Educational Officer shall conduct an enquiry as to the amount payable to the teacher in such manner as may be prescribed. From the order of the District Educational Officer an appeal shall lie to such officer as may be empowered by the Government in this behalf within such time and in such manner as may be prescribed. Any amount due from the



Manager under the orders of the District Educational Officer or, where there has been an appeal from the orders of the District Educational Officer, under the orders of the officer passing the order in appeal, shall be recoverable as an arrear of land revenue under the provisions of the Revenue Recovery Act for the time being in force. The officer may also recover such amount by setting it off against any sum due to the Manager by the Government. Any amount deposited or recovered under this sub-section shall be paid to the concerned teacher.

(3) All fees and other dues, other than special fees, collected from the students in an aided school after the commencement of this section shall, notwithstanding anything contained in any agreement, scheme or arrangement, be made over to the Government in such manner as may be prescribed.

9. *Salary of teachers, etc. And grants to aided schools.*- (1) The Government shall pay the salary of all teachers in aided schools direct or through the Headmaster of the school.

(2) The Government shall pay the salary of the non-teaching staff of the aided schools appointed before the 31<sup>st</sup> May 1957 and continuing in office at the commencement of this section on the scale applicable to them immediately before the 31<sup>st</sup> May 1957, it shall be competent for the Government to prescribe the number of persons to be appointed in the non-teaching establishment of aided schools, their salaries, qualifications and other conditions of service. The salary of the persons appointed in the non-teaching establishment in accordance with the rules so prescribed shall be paid by the Government.

(3) The Government may pay to the Manager a maintenance grant at such rates as may be prescribed.

(4) The Government may make grants-in-aid for the purchase, improvement and repairs of any land, building or equipment of an aided school.

10. *Qualifications for appointment as teacher.*- The Government shall prescribe the qualifications to be possessed by persons for appointment as teachers in Government and private schools.

<sup>4</sup>[10 A. *Temporary appointment of teachers* - Subject to such terms and conditions as may be prescribed by the Government, the local authority may make temporary appointment to any temporary vacancy of a teacher in any school under its management through the Employment exchange from among persons who possess qualifications prescribed under section 10

and such appointment shall be made only upto the date of closing of the school for the annual vacation or till a regular candidate is appointed against such vacancy whichever is earlier]

11. *Appointment of teachers in aided schools.*- Subject to the rules and conditions laid down by the Government, teachers of aided schools shall be appointed by the managers of such schools from among persons who possess the qualifications prescribed under section 10.
12. *Conditions of service of aided school teachers.*- (1) The conditions of service of teachers in aided schools, including conditions relating to pay, pension, provident fund, insurance and age of retirement, shall be such as may be prescribed by the Government.

(2) No teacher of an aided school shall be dismissed, removed or reduced in rank by the Manager without the previous sanction of the officer authorised by the Government in this behalf, or placed under suspension by the Manager for a continuous period exceeding fifteen days without such previous sanction.

<sup>5</sup>[12 A. *Disciplinary powers of Government over teachers of aided schools.*-

(1) Notwithstanding anything contained in section 11 or section 12 and subject to such rules as may be prescribed, the Government or such officer not below the rank of an Educational Officer, as may be authorised by the Government in this behalf, shall have power to take disciplinary proceeding against a teacher of an aided school and to impose upon him all or any of the penalties specified in the rules made under this Act.

(2) The Government or [the officer authorised] under sub-section (1) as the case may be, may suspend a teacher of an aided school when any disciplinary proceedings is proposed to be taken against him under that sub-section or when such disciplinary proceedings are pending:

Provided that:-

- (a) before exercising the powers under sub-section (1) the Government or [the authorised officer] as the case may be, may intimate the Manager regarding the circumstances requiring disciplinary action against the teacher concerned and give the Manager a reasonable opportunity of taking disciplinary action; and

- (b) if the Manager fails to take appropriate action it shall be open to the Government or [the authorised officer] to take appropriate disciplinary action against the teacher concerned.
13. *Absorption of teachers on retrenchment.*- Where any retrenchment of teachers in any aided school is rendered necessary consequent on orders of the Government relating to the course of studies or scheme of teaching or of such other matters, it shall be competent for the Government or the Manager of an aided school to appoint such teachers in any Government school or aided school as the case may be.
14. *Taking over management of schools.*- (1) Whenever it appears to the Government that the Manager of any aided school has neglected to perform any of the duties imposed by or under this Act or the rules made there under, and that in the public interest it is necessary to take over the management of the school for a period not exceeding five years they may, after giving the Manager and the educational agency, if any, a reasonable opportunity for showing cause against the proposed action and after considering the cause, if any, shown, do so, if satisfied that such taking over for the period is necessary in the public interest.
- (2) In case of emergency, where the Government are satisfied that such a course is necessary in the interests of the pupils of the school, they may, without any notice under sub-section (1) to the Manager or the educational agency, take the over management of any school after the publication of a notification to that effect in the Gazette.
- (3) Where any school has been taken over under sub-section (2), the educational agency or the Manager of the school, within three months of the publication of the notification under the said sub-section, may apply to the Government for the restoration of the school showing the cause therefor, and where the Government are satisfied of the cause so shown, they shall restore the school.
- (4) The Government may also make such further orders as may appear to them to be necessary or expedient in connection with the taking over of the management of any aided school under this section.
- (5) Where any school is taken over under this section, the Government shall pay to the person or persons interested, such rent as may be fixed by the Collector having regard to the rates of rent prevailing in the locality for similar properties:

Provided that where any property has been acquired, constructed, improved or maintained for the purposes of the school with the aid given or by appropriation or diversion of any grant made by the Government the rent shall be fixed by the Collector after taking into account the amount of such aid or grant.

(6) Where any school is taken over under this section, the Government may run the school affording any special educational facilities which the school was affording immediately before such taking over.

7) Any person aggrieved by an order of the Collector fixing the rent under sub-section (5) may in the prescribed manner, appeal to the District Court within whose jurisdiction the school is situated within sixty days from date of the order and the decision of the judge shall be final.

(8) It shall also be lawful for the Government to acquire the school taken over under this section, if they are satisfied that it is necessary so to do in the public interest, in which case compensation shall be payable in accordance with the principles laid down in section 15 for payment of compensation.

(9) Nothing in this section shall apply to minority schools.

15. *Power to acquire any category of schools.*- (1) If the Government are satisfied that for standardising general education in the State or for improving the level of literacy in any area or for more effectively managing the aided educational institutions in any area or for bringing education of any category under their direct control, in the public interest it is necessary to do so, they may, by notification in the Gazette, take over with effect from any day specified therein any category of aided schools in any specified area or areas; and such schools shall vest in the Government absolutely with effect from the day specified in such notification.

Provided that no notification under this sub-section shall be issued unless the proposal for the taking over is supported by the resolution of the Legislative Assembly.

(2) Where any school has vested in the Government under sub-section (1), compensation shall be paid to the persons entitled there to on the basis of the market value thereof as on the date of the notification:

Provided that where any property, movable or immovable, has been

acquired, constructed or improved for the purpose of the school with the aid or grant given by the Government for such acquisition, construction or improvement, compensation payable shall be fixed after deducting from the market value the amounts of such aids or grants:

Provided further that in the case of movable properties the compensation payable shall be the market value thereof on the date of the notification or the actual cost thereof less the depreciation, whichever is lower.

(3) In determining the amount of compensation and its apportionment among the persons entitled thereto the Collector shall follow such procedure as may be prescribed.

(4) Any person aggrieved by an order of the Collector may, in the prescribed manner, appeal to the District Court within whose jurisdiction the school is situated within sixty days of the date of such award and the decision of the Judge shall be final.

(5) Nothing in this section shall apply to minority schools.

16. *Power of Government to exempt immovable property from being taken over or acquired.*- The Government shall, while taking over the management of any school or acquiring the properties of any school under section 14 or section 15 exempt any immovable property from being so taken over or acquired, if such property is intended and it is being satisfied that such property, on account of its proximity to any place of religious worship, should be exempted, and thereupon no rent or compensation, as the case may be, shall be payable in respect of such property.

<sup>6</sup>[17. *Establishment of District educational authorities.*- (1) For the purpose of associating people with the administration of education and to preserve and stimulate local interest in education affairs, each District Planning Committee constituted under section 53 of the Kerala Municipality Act, 1994 (20 of 1994) shall establish a District Educational Authority having jurisdiction in the district.

(2) The District Educational Authority shall consist of the following persons namely:-

- (a) the District Panchayat President, ex-officio who shall be its chairperson;
- (b) the Chair person of the standing committee for Health

- and Education in the District Panchayat, *ex-officio*;
- (c) one woman elected from among the members of the standing committee for Health and Education in the District Panchayat;
  - (d) two persons elected from among the Presidents of the Village Panchayats, in the district of whom one shall be a women;
  - (e) the Chairpersons of the Standing Committees for Health and Education of all the Municipalities in the District;
  - (f) the Deputy Director of Education, who shall be the *ex-officio* Member Secretary of the Committee;
  - (g) one person elected from among the Headmasters of the Government High Schools in the district;
  - (h) one person elected from among the Headmasters of Aided High Schools in the district;
  - (i) one person elected from among the Headmasters of Government Upper Primary and Lower Primary Schools in the district;
  - (j) one person elected from among the Headmasters of Aided Upper Primary and Lower Primary Schools in the district;
  - (k) two persons nominated by the Government from among educational experts;
  - (l) two representatives of the educational agencies in the District nominated by the Government.
- (3) The term of office of the members other than the functionaries of the local authorities and *ex-officio* members shall be five years from the date of the first meeting of the District Educational Authority.
- (4) An out-going member shall continue in office until the election or nomination, as the case may be, of his successor.
- (5) The election of the members of the District Educational Authority shall be conducted in such manner as may be prescribed.
- (6) The term of office of a member elected or nominated to fill a casual vacancy shall be for so long only as the member whose place has been filled would have been entitled to hold office if the vacancy had not occurred.
- (7) It shall be lawful for the District Educational Authority to exercise its powers under this Act notwithstanding any vacancy in the Authority.

18. *Functions of the District Educational Authority:-* The District Educational Authority shall, -
- (i) assess the educational needs of the district by conducting surveys or otherwise and prepare each year, schemes for the development of education and submit the same to the District Planning Committee including the necessity, if any, for opening new schools or upgrading of existing schools;
  - (ii) supervise the implementation of the schemes related to the health and nutrition of school children;
  - (iii) promote conferences, exhibitions or other measures calculated to create interest in education among the public; and
  - (iv) carry out such other functions as may be prescribed or entrusted by the District Planning Committee, as the case may be.
- 18 A. *Educational Development Committee:-* (1) The local authority concerned shall constitute an Educational Development Committee consisting of such members as may be prescribed for each school under its management for attending to the welfare needs there of.
- (2) The Educational Development Committee shall create an educational development fund, in such manner as may be prescribed, for the purpose of meeting the expenses that may arise in connection with the development of the school]
19. *Recognised Schools.-* The provisions of sub-sections (2), (4), (5), (6), (7), (8) and (9) of section 7 shall apply to recognised schools to the same extent and in the same manner as they apply to aided schools.
20. *No fee to be charged from pupils of primary classes.-* No fee shall be payable by any pupil for any tuition in the primary classes in any Government or aided school.

## PART II COMPULSORY EDUCATION

21. *Application of the Part. -* This Part shall apply to -
- (i) the areas to which the provisions of the Travancore Primary Education Act, 1121, the Cochin Free Compulsory Primary Education Act, XI of 1123 or the Madras Elementary

Education Act, 1920, have been brought into force; and

- (ii) any other area to which it may be extended by the Government by notification in the Gazette.

22. *Definitions.*- In this Part unless the context otherwise requires,

- (i) “area of compulsion” means an area to which this Part applies;
- (ii) “child” means a boy or girl between the ages of six and fourteen at the beginning of the academic year;
- (iii) “guardian” includes a parent and any person who has the actual custody of the child;
- (iv) “to attend a school” means to be regularly present for instruction at such school, on such days, at such time or times and for such period or periods on each day as may be prescribed by the Local Education Committee for that area with the approval of the Education Department;
- (v) “Local Education Committee” means the Committee constituted under section 24.

23. *State to provide free compulsory education of children.*- The Government shall provide for free and compulsory education of children throughout the State within a period of ten years from the commencement of this Act.

24. *Local Education Committee.*- (1) The Government shall appoint for each area of compulsion or for any portion of the area of compulsion a Local Education Committee.

(2) The Committee shall be constituted in such manner and for such period as may be prescribed.

25. *Functions of Local Education Committee.*- It shall be the duty of the Local Education Committee to implement the provisions of this Act in regard to attendance at schools and to ensure that the employment, if any, of children does not interfere with their attendance in Government or private schools.

(2) The Local Education Committee may, from time to time, delegate any of its powers and duties to any sub-committee or member. Such Committee or member shall conform to any instruction that may, from time to time, be given by the Local Education Committee. The Committee may at any time discontinue or alter the constitution of any sub-committee so formed or withdraw any of the powers or duties so delegated.



26. *Obligation on guardian to send children to school.*- In any area of compulsion, the guardian of every child shall, if such guardian ordinarily resides in such area, cause such child to attend a Government or private school and once a child has been so caused to attend school under this Act the child shall be compelled to complete the full course of primary education or the child shall be compelled to attend school till it reaches the age of fourteen.

*Explanation.* - A guardian of a child, sending the child to a minority school, shall be deemed to have complied with the requirements of this section.

27. *Exemption from attendance.*- A child may be exempted for a specified period or periods from compulsory attendance at school under this Act-

(1) by the Government on religious grounds or on account of social customs; and

(2) by the Local Education Committee -

(a) when it is receiving otherwise than in a Government or private school, instruction in an educational institution approved by the Local Education Committee; or

(b) when it is otherwise receiving education which in the opinion of the Local Education Committee is efficient or has received from the local education committee a certificate of having already completed its primary education; or

(c) where it is impracticable or inexpedient that it should attend school on account of illness, disease, injury affliction, infirmity or of any other cause regarded as sufficient by the Local Education Committee, subject to such rules as may be prescribed in this behalf; or

(d) where there is no Government or private school within a distance of one mile measured along the nearest road from the residence of the child which the child can attend.

28. *Warning for failure to discharge obligation and for interference.* - (1) When the Local Education Committee has reason to believe that a guardian of any child to whom this Act applies and who is bound under section 26 to cause such child to attend a Government or private school has failed to do so or that any person other than the guardian is utilising the time

or services of a child in connection with any employment, whether for remuneration or not, in such a manner as to interfere with the attendance of the child at a Government or private school, it shall warn him in writing that within one week of the receipt of the warning he shall cause the child to attend school or shall refrain from utilising the services of the child as aforesaid.

(2) When a Local Education Committee is satisfied that a guardian has failed to cause his child to attend school or that any person is interfering with such attendance of a child even after the warning mentioned in sub-section (1), the Local Education Committee or any member authorised by the Committee shall lodge a complaint against such guardian or other person with the Magistrate having local jurisdiction.

(3) If the Magistrate is satisfied that the complaint well founded, he shall pass an order directing the guardian or other person to cause the child concerned to attend school regularly or to refrain from interfering with the attendance of the child, as the case may be, after a specified date. If the guardian or other person fails to comply with such order, he shall, on conviction, be liable to fine not exceeding five rupees for the first offence and twenty rupees for every subsequent offence.

29. *Penalty for employment of children or interference with their attendance of school.*- Any person other than the guardian who shall utilise the time or services of a child in connection with any employment, whether for remuneration or not, in such a manner as to interfere with the attendance of the child at a Government or private school in spite of a warning given under section 28, shall be liable to fine not exceeding fifteen rupees for the first offence and not exceeding thirty rupees for each subsequent offence.

30. *Noon-day meals, clothing, etc. to poor pupils.*- It shall be the duty of the Local authority to see that noon-day meals, clothing, books, and writing materials are provided for poor pupils free of cost.

31. *Inspection of offices, books, and accounts of Local Education Committee.*-

(1) The Local Education Committee shall maintain such books, accounts and registers as may be prescribed.

(2) The office, books and accounts of every Local Education Committee shall be open to inspection by the Government.

**PART III  
MISCELLANEOUS**

32. *Indemnity.*- No suit, prosecution or other legal proceedings shall lie against the Government or any authority or any officer for anything done under this Act in good faith or for any damage caused by any action taken in good faith in carrying out the provisions of this Act or the rules there under.
33. *Courts not to grant injunction.*- Notwithstanding anything contained in the Code of Civil Procedure, 1908, or in any other law for the time being in force, no court shall grant any temporary injunction or make any interim order restraining any proceedings which is being or about to be taken under this Act.
34. *Delegation of powers.*- It shall be lawful for the Government by notification in the Gazette, to delegate to any officer of the Education Department all or any of the powers vested in them by this Act, except the powers under sections 14, 15 and 36 and to withdraw any power so delegated.

<sup>8</sup>[34.A. *Drinking water and toilet facilities in schools.*-

(1) The Manager of every aided school or recognised school shall arrange adequate toilet and drinking water facilities in the schools and furnish a report to the Secretary of the local authority on such arrangements before the beginning of each academic year.

(2) On receipt of a report under Sub section (i) the Secretary of the local authority or the officer authorised by him in this behalf shall inspect and certify the adequacy of the arrangements made by the Manager under that sub section.

(3) The local authority shall arrange adequate toilet and drinking water facilities in the schools the management of which are vested in it under section 5A.]

35. *Removal of difficulties.*- If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order do anything not inconsistent with such provisions which appear to them to be necessary or expedient for the purpose of removing the difficulty.

<sup>9</sup>[36. *Power to make rules.*- (1) The Government may make rules <sup>9</sup>(either prospectively or retrospectively) for the purpose of carrying into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for -

- (a) the establishment and maintenance of schools;
- (b) the giving of grants and aid to private schools;
- (c) the grant of recognition to private schools;
- (d) the levy and collection of fees in aided schools;
- (e) regulating the rates of fees in recognised schools;
- <sup>10</sup>(ee) regulating admission to schools maintained by Government or receiving aid out of state funds, by making special provisions for the advancement of socially and educationally backward classes of citizens and the Scheduled Castes and Scheduled Tribes.]
- (f) the manner in which accounts, registers and records shall be maintained in schools, and the authority responsible for such maintenance;
- (g) the submission of returns, statements, reports and accounts by managers of schools;
- (h) the inspection of schools and the officers by whom inspection shall be made;
- (i) the mode of keeping and the auditing of accounts of schools;
- (j) the mode of ascertaining the value of the schools for payment of compensation in cases of taking over or acquisition;
- (k) the standards of education and course of study;
- (l) the working of Local Educational Authorities; and
- (m) all matters expressly required are allowed by this Act to be prescribed.

37. *Rules to be laid before the Legislative Assembly.* - All rules made under this Act shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made and shall be subject to such modifications as the Legislative Assembly may make during the session in which they are so laid.
38. *Saving.*- Nothing in this Act shall apply to any school which is not a Government school or a private school.
39. *Repeal.*- The Travancore Primary Education Act, 1121, the Cochin Free Compulsory Primary Education Act, XI of 1123 and the Madras Elementary Education Act, 1920 as in force in the Malabar district referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), are hereby repealed.

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1. Added by notification No.3294/Leg/C1/2000/Law dated 12-5-2010 published in Kerala Gazette No.869 dated 12-5-2000.
  2. Omitted by notification No.3294/Leg/C1/2000/Law dated 12-5-2010 published in Kerala Gazette No.869 dated 12-5-2000.The omitted act was "Local Authority" means the authority constituted by the Government under section 17.
  3. Inserted by notification No.3294/Leg/C1/2000/Law dated 12-5-2010 published in Kerala Gazette No.869 dated 12-5-2000.
  4. Inserted by notification No.3294/Leg/C1/2000/Law dated 12-5-2000 published in Kerala Gazette No.869 dated 12-5-2000.
  5. The Director of Public Instruction, the Deputy Directors (Edn.); the District Educational Officers and the Assistant Educational Officer are authorised by Government to exercise all or any of the powers conferred by section 12A of the Kerala Education act by G.O. (P) No. 52/80/G.Edn. dated 7-5-1980 (SRO No.563/80) published in Gazette No.26 dated 24-6-1980.
  6. Substituted by notification No.3294/Leg/C1/2000/Law dated 12-5-2000 published in Kerala Gazette No.869 dated 12-5-2000.
  7. Substituted by notification No.3294/Leg. C1/2000/Law dated 12-5-2000 published in Kerala Gazette No.869 dated 12-5-2000.
  8. Inserted by *ibid.*
  9. Inserted by Kerala Education (Amendment) Act 1985 publish in Kerala Gazette Extraordinary No.307 dated 12<sup>th</sup> April 1985. It shall be deemed to have come into force on the 13<sup>th</sup> day of October 1982.
  10. Inserted by amendment Act 35 of 1960.

# THE KERALA EDUCATION RULES, 1959

## NOTIFICATION

*Ed. (C. Spl.) 21564/59/EHD, dated, Trivandrum,  
16<sup>th</sup> April 1959*

In exercise of the powers conferred by section 36 of the Kerala Education Act, 1958, (Act 6 of 1959), the Government of Kerala hereby make the following Rules. They shall come into force on such date as the Government may, by notification in the Gazette, appoint and different dates may be appointed for different provisions of these Rules\*.

## CHAPTER 1

### PRELIMINARY

1. **Short Title** - These Rules may be called the Kerala Education Rules, 1959.
- 1A. They shall come into force on such date as the Government may by notification in the Gazette appoint and different dates may be appointed for different provisions of these rules.
2. **Definitions** - In these Rules, unless the context otherwise requires-
  - (1) 'the Act' means the Kerala Education Act, 1958;
  - (2) the words defined in the Act shall have the same meaning as in the Act;
  - (3) 'Department' means the Education Department of Kerala;
  - (4) <sup>1</sup>['Director' means the Director of Public Instruction or the Director of Higher Secondary Education or such other officer or officers who may from time to time be appointed by the Government to exercise all or any of the powers of the Director of Public Instruction or the Director of Higher Secondary Education, as the case may be.]
  - (5) 'Educational Officer' means the District Educational Officer or the Assistant Educational Officer having immediate inspectional and administrative control over the school within his respective

jurisdiction. The term shall also include any Officer to whom the duty of inspection for specific purposes has been entrusted by competent authority.

- (6) 'District' means the area of jurisdiction of a District Educational Officer;
- (7) 'Sub District' means the area of jurisdiction of an Assistant Educational Officer;
- <sup>2</sup>[7(a) 'Teacher' includes the Headmaster;]
- (8) Management shall have the meaning as 'Manager';
- (9) 'Institution' shall have the same meaning as 'school'.

- <sup>3</sup>[3. Where the Government are satisfied that the operation of any rule under these Rules causes undue hardship in any particular case, the Government may dispense with or relax the requirements of that rule to such extent and subject to such conditions as they may consider necessary for dealing with the case in a just and equitable manner].

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\* The rules came into force from 1-6-1959.

- 1. Substituted by GO (P) 99/2006/G.Edn. dt. 29-3-2006 published in gazette dt. 5-4-2006.
- 2. Inserted by notification published in Gazette dated 2-2-1965.
- 3. Added by notification published in Gazette No. 32 dated 8-8-1961

## CHAPTER II

## CLASSIFICATION OF SCHOOLS

1. **General Classification** - The schools in the State shall be classified as follows;
  - (i) Schools for General Education;
  - (ii) Schools for special Education;
  - (iii) Schools for the Education of particular categories of students and;
  - (iv) Other institutions connected with the educational system of the state.
  
2. **Schools for General Education** - (1) Schools for General Education shall be of two grades:-
  - (i) Primary; and
  - (ii) Secondary
  - (2) The first seven standards i.e: Std. I, Std. II, Std. III, Std. IV, Std. V, Std. VI and Std. VII shall be collectively known as the Primary Grade and shall be sub- divided into two sections.
    - (a) Lower Primary and Junior Basic containing any or all of the Standards I to IV, and
    - (b) Upper primary and Senior Basic containing any or all of the Standards V to VII and with or without the Lower Primary section <sup>1</sup>[but does not include existing Lower Primary Schools where Std. V is retained by the special sanction of Government].
  - (3) Standards VIII, IX and X shall be collectively known as the Secondary Grade. Standards VIII, IX, X and XI shall be collectively known as the Higher Secondary Grade.
  - (4) Secondary Schools providing the three year course shall be known as 'High School's and Secondary Schools providing the four year course shall be known as 'Higher Secondary Schools'.

Secondary Schools may contain any or all of the standards VIII to XI and may be with or without the Primary Section - Upper or Lower or both.



**Note:-** (i) The terms 'Upper Primary School' 'Lower Primary School' and 'Secondary School' shall include Sanskrit, Arabic, Tamil and Kannada Schools of the same grades.

(ii) The terms 'Secondary School' and 'Training School' shall be taken to include Upper Primary and Lower Primary Standards attached to them, if any and the term 'Upper Primary School' shall be taken to include Lower Primary Standards attached to it, if any. A Lower Section shall be deemed to be attached to a Higher Section if and when it is under the same Headmaster as the Higher Section.

**3. Schools for Special Education** – Schools for Special Education comprise the following:-

- (i) Training Schools providing instruction and training for Teacher's certificate Examination.
- (ii) Fishery Schools
- (iii) Physical Training Schools.
- (iv) Music Schools including Music Academies.
- (v) Fine Arts Schools

**4. Schools for the education of particular categories of Students** – Schools for the education of particular categories of students comprise the following:-

- (i) Schools for defective children such as the Deaf, the Dumb, the Blind, and the mentally handicapped.
- (ii) Leper Schools where admission is restricted to children affected with leprosy.
- <sup>2</sup>[(iii) Schools for handicapped where admission is restricted to children affected with Polio, or other similar diseases].

**5. Other Institutions** – Other institutions connected with the educational system of the State are:-

- (i) The Bharat Scouts and Guides.
- (ii) The N. C. C (National Cadet Corps) and the A.C.C. (Auxiliary Cadet Corps).

6. **Girls School** – Schools where admission to some or all of the standards is restricted to girls shall be known as Girl’s Schools.
7. Any of the types of schools mentioned in Rule 3 may be considered by the Director, with the sanction of the Government, as also conforming to any of the types mentioned in Rule 2 and any of the types of institutions mentioned in Rule 4 may be considered by the Director, with the sanction of the Government, as also conforming to any of the types of schools mentioned in Rules 2 and 3.
8. **List of Schools** – A list of all the Government and the Private Schools in the state classified under the various heads according to the provisions in these Rules shall be published by the Department; but the inclusion of any school or the omission to include any school to the list shall not by that reason alone confer recognition to or withdraw recognition from that school.

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1. Inserted by notification published in Gazette dated 05-06-1972
2. Added by G.O. (P) 1/89/G.Edn. dt. 12-1-1989 published in K.G. No. 5 dt. 31-01- 1989.

## CHAPTER III

## MANAGEMENT OF PRIVATE SCHOOLS

1. **Classification of Private Educational Institutions-** Private Educational Institutions may be classified into two categories viz (i) those under individual Educational Agency and (ii) those under Corporate Educational Agency. Where the right to conduct the school is vested in an individual in his own right or as the legal representative of a joint family, the Educational Agency shall be termed 'Individual Educational Agency', and in all other cases the Educational Agency shall be termed 'Corporate Educational Agency' Corporate Educational Agency shall include cases where the right is vested in (a) two or more persons jointly with written registered agreement (b) a Board or Society or Association or Company or institution registered under a statute or created by a statute (c) an institution of Trust and (d) an ecclesiastical office of any religious denomination.
2. **Constitution of Corporate Management-** In the case of institutions under corporate Educational Agency, the constitution of the Educational Agency to the extent and in so far as it relates to the management of any school must be subject to rules approved by the <sup>1</sup>[Director] which should prescribe among other things (a) the manner in which the proprietary body shall carry out its functions relating to the management of the institutions and (b) the manner in which the managing body shall be elected or appointed, the conditions and tenure of their office and their duties and powers with respect to the management of the institution. In the case of aided schools, the manner of appointment of managers also shall be specified in the rules. Such rules shall not be against the provisions of the Education Act, the rules issued under it, or any other rules passed by the Department or the Government. Any change made in such rules subsequently shall be subject to approval by the <sup>1</sup>[Director] before becoming operative.
3. **Management to be vested in a Manager -** (1) The Management of every aided school may be vested by the Educational Agency in a person who shall be referred to as the Manager and who shall be responsible to the department for the management of the institution.  
  
(2) In the case of aided institutions under individual management the individual proprietor may be the Manager.

(3) In the case of aided institutions under Corporate management the proprietary body may choose the Manager in accordance with the rules in that behalf referred to in Rule 2.

(4) The Educational Agency shall be bound by the acts of the Manager.

**4. Approval of appointment of Managers** - (1) The Educational Officers shall be competent to approve the appointment of Managers by Educational Agencies and to approve changes in the personnel of the Managers.

<sup>2</sup>[(2) If the Educational Agencies have schools in more than one Educational District within a <sup>3</sup>[Revenue District] the appointment of managers and changes in the personnel of the managers may be approved by the <sup>3</sup>[Deputy Director (Education)] having jurisdiction in the <sup>3</sup>[(Revenue District)] if the Educational Agencies have schools in more than one <sup>3</sup>[Revenue District] the appointment of managers and changes in the personnel of the Managers may be approved by the Director of Public Instruction].

<sup>4</sup>[(2A) The approval of appointment of Managers and Changes in the personnel of the Managers under sub- rules (1), and (2) above shall take effect from the date of actual assumption of charge of the management specified in the order of approval issued by the competent authorities concerned].

<sup>5</sup>[(3) Any person aggrieved by an order of the Educational Officer under sub-rule (1) or of the <sup>3</sup>[Deputy Director (Education)] under sub-rule (2) may within 30 days from the date of receipt of the order prefer an appeal to the Director.

(4) Government may, on their own motion or otherwise, revise any order passed by the Director of Public Instruction].

**5. Change of management** - (1) All changes in the personnel of the Managers of aided institutions shall be immediately reported to the Educational Officer and approval obtained.

(2) Appointments and changes approved by the Educational Officer shall be reported to the Director.

**Note** - The Rules 4 and 5 do not apply to change of management involving change of ownership <sup>6</sup>[XXX].

**7[5A. Change of management involving change of ownership** - (1) Not with standing anything contained in these rules, no change of Management of any aided school involving change of ownership shall be effected except with the previous permission of the Director. The Director may grant such permission unless the grant of such permission will, in his opinion, adversely affect the working of the institution and the interests of the staff and the person to whom the Management is transferred.

(2) Any person aggrieved by an order under sub-rule (1) may, within 30 days from the date of the receipt of the order, prefer an appeal to the Government.]

<sup>8</sup>[(3) In the case of change of management of a school involving change of ownership the new Manager of a corporate or an individual Educational Agency, shall be bound to absorb any member who is a claimant under rule 51 A of Chapter XIV A or is eligible for protection belonging to teaching and non- teaching staff of any school of the transferor manager, against the vacancies that may arise in the school].

**6. Correspondence to be carried on by Manager** - All correspondence relating to the management of an aided school shall be carried on by the manager or a person appointed by him and approved by the Director\*.

**7. Action against Manager or Educational Agency in the event of mismanagement etc.** - (1) In the event of mismanagement, malpractice, corruption or maladministration, gross negligence of duty, or disobedience of Departmental instruction on the part of the Manager <sup>9</sup>[or denial of appointment to a qualified thrown out teacher who has a rightful claim for reappointment by virtue of his/her holding the post earlier or denial of promotion to a teacher who is rightful claimant for promotion by the manager] <sup>10</sup>[or conviction of the Manager for an offence involving moral turpitude] it shall be open to the \*Director, after giving the Manager a reasonable opportunity to show cause against the action proposed to be taken and after due enquiry, to declare him unfit to hold the office of Manager in the school or in any other aided school and to require the educational Agency to appoint a suitable person as Manager.

<sup>11</sup>**Note** - The enquiry mentioned in this sub-rule shall not be necessary in the case of conviction for an offence involving moral turpitude by a court of law.

(2) Failure on the part of the Manager or the Educational Agency to obey the instructions issued by the Department in regard to the school matters

and the continuance in office of a person declared unfit shall be deemed to be sufficient causes for taking steps for the withdrawal of aid, grant and/or recognition of the institution concerned and also for the withdrawal of the permission granted for establishment of the same.

<sup>12</sup>[(3) In the case of Managers who have failed to provide their Schools with minimum essential facilities as specified under rules 9 and 10 of Chapter IV, it shall be lawful for Government to provide minimum essential facilities in such schools, after giving due notice to the Managers concerned and to recover the expenditure incurred therefor by Government from the Managers either by invoking the provisions of the Revenue Recovery Act for the time being in force as an arrear of land revenue or by deduction from the maintenance grant sanctioned to the Managers under rule 5 of Chapter XXVIII].

<sup>13</sup>[(4) In the case of a Manager who commits serious irregularities causing monetary loss to teachers/Government, the loss sustained by teachers/Government shall be recoverable from the Manager under the provisions of the Revenue Recovery Act for the time being in force as if it is an arrear of public revenue due on land, in the following cases namely-

- (a) Denial of appointment to a qualified thrown out teacher who has rightful claim for re-appointment by virtue of his/her holding the post earlier under rule 51 A Chapter XIV A.
- (b) Denial of promotion to a teacher to any higher grade of pay under rules 43, 43B or 43C, as the case may be, of Chapter XIVA, or denial of promotion to the senior- most rightful claimant to the post of Headmaster under rules 44 or 45 or 45 A, as the case may be, of Chapter XIV- A, when the post becomes vacant disobeying the directions from the department and /or Government, causing denial of all monetary benefits which he/she would have got had the promotion been effected as per rules in time.
- (c) Suspension of teachers, framing cooked up and/or frivolous charges, keeping them out of service beyond fifteen days disobeying the orders of re-instatement of such incumbents passed by the Deputy Director (Education) or by the Educational officer concerned, as the case may be, after a preliminary investigation into the grounds of suspension under sub-rule (8) of rule 67, Chapter XIV-A, depriving such incumbents of their salary for which they would have been

entitled to had they been reinstated by the Manager in compliance of the orders issued by the officer concerned.

(d) Making of irregular appointments and getting them approved by the Educational Officers concerned by furnishing false information/ declaration by the Managers regarding the claimants, under rule 51 A. Chapter XIV A.

(5) After having effected such recovery the amount of loss sustained by the teacher concerned shall be paid to him, if not already paid.]

**8. Persons connected with Management not to be appointed in schools -**  
<sup>14</sup>[XXX]

(1) No person who is a manager or member or other office bearer of the Managing body, if any referred to in Rule 2, shall be eligible for any appointment in that school or any other school under the same Educational Agency:

Provided that Managers or members, or other office-bearers of the Managing body working as teachers including Headmasters when these Rules come into force, may continue to do so:

Provided further that the sub-rule (1) does not apply to a staff or Teacher's Committee wherein the members of the staff or teacher's of a school including the Headmaster are members.

<sup>15</sup>[(2) No employee of the Government or of a local body or of an undertaking, company or corporation owned or controlled by the Government shall be the manager or a member or other office bearer of the managing body, if any, of a school unless it is in an ex-office capacity.]

<sup>16</sup>[Provided that this sub-rule shall not apply to part time Government servants other than those employed in schools].

(3) A student in an institution shall not be permitted to be the manager or a member, or an office bearer of the managing body, if any of that institution.

<sup>17</sup>[(3A) No person who is convicted by a court for an offence involving moral turpitude shall be eligible for appointment as manager or a member of the managing body].

(4) The manager of an aided school shall be literate, solvent and interested in educational progress. The Educational Agency of a recognized school shall be solvent and shall also be interested in educational progress.

**9. Duties and powers of the managers of Aided Schools –** (1) The Manager shall be responsible for the conduct of the school strictly in accordance with the provisions of the Kerala Education Act and the Rules issued thereunder. He shall also abide by the orders that may be issued from time to time by the Government and the Department in conformity with the provisions of the Act and the rule issued thereunder.

(2) The manager shall sign all the bills relating to the maintenance and other grants specifically granted to the management. All other bills relating to the school shall be signed by the Headmaster.

(3) The Manager shall provide site, building, staff, equipments furniture etc. as per Rules issued under the Education Act and as per orders that may be issued from time to time by the Government and the Department in conformity with the provisions of the Act and the rules issued thereunder.

(4) The Manager shall not interfere with the academic work of schools which should be attended to by the Headmaster.

(5) The Manager shall verify the staff position of the school in conformity with the number of class divisions sanctioned by the Department.

1. The powers are delegated to Dy. Director by G.O. (P) 52/80/G.Edn. Dt. 7-5-1980 published in gazette dt. 24-06-1980
2. Added by G.O. (P) 149/75 G.Edn. dt. 26/06/1975 after renumbering Rule 4 as Rule 4 (1).
3. Substituted by G.O. (P) No. 217/79/G.Edn. Dt. 26-12-1979 published on 28-12-1979 for “region” and “Regional Deputy Director”.
4. Inserted by G.O. (P) 23/87 G.Edn. dt. 31-01-87 published in Gazette dt. 24-02-1987.
5. Added by G.O. (P)No. 203/77/G. Edn. Dt. 05-10-1977 published in gazette on 01-11-1977.
6. The words other than by inheritance omitted by G.O.(P) 244/67/Edn. Dt. 6-6-1967 Pub. in Gazette dt. 20-06-1967.
7. Inserted by G.O. (P) 150/71 dated 27-10-1971 published in Gazette dt. 09/11/1971.
8. Inserted by G.O. (P) 226/98/G.Edn Dated 22-6-98.
- \* The power of the Director are delegated to Deputy Directors of Education by G.O. (P) 52/80/G Edn. Dated 7-5-1980 published on 24-6-1980.
9. Inserted by G.O. (P) No. 257/84 G.Edn. Dt. 21-11-1984 published on 26-02-1985.
10. Inserted by G.O. (P) 576/62 dt. 29/08/1962 published in Gazette dt. 18/09/1962.
11. Added by G.O. (P) 576/62 dt. 29/08/1962 published in Gazette dt. 18-9-1962.
12. Inserted by G.O. (P) 69/87/G.Edn. dt.18-3-1987 published in Gazette dt. 21-04-1987.
13. Inserted by SRO No. 1192/89 dt. 4-7-89 published in gazette dt. 10-7-1989.
14. The word ‘except as Headmasters omitted by G.O. (P) 456/61/Edn. Dt. 2-8-1961 published in Gazette dt. 15-08-1961.
15. Substituted as per G.O. (P) 211/81/G.Edn. dated 26-11-81 published in Gazette dated 19-01-1982. for “No employee of the Government or a local body shall be the Manager or a member or other office bearer of the managing body if any, of a school unless it is an ex-officio capacity”.
16. Added by G.O. (MS) 245/60 Edn. Dt. 14-5-1960 published in Gazette dt. 17-05-1960.
17. Inserted by G.O. (P) 445/69/Edn. Dated 19-11-1969 in Gazette dated 2-12-1969.



## CHAPTER IV

## ESTABLISHMENT AND MAINTENANCE OF SCHOOLS

## A

1. **Site Area** – Every School should normally have a minimum site area as specified in the following schedule:

<sup>1</sup>[SCHEDULE

Lower Primary Schools	}	.4 to .8 Hectares
Upper Primary Schools with or without Lower Primary Section		
Secondary Schools (High Schools) with or without Primary Section		1.2 to 2 Hectares
Higher Secondary Schools with or without Primary Section		1.2 to 2 Hectares
Training Schools with or without Model Schools		1.2 Hectares

**Note:-** (1) The Educational Officers may examine the need for additional site in each case and order the provision of the same with the sanction of the Director.

(2) In the case of Basic Schools the area of the site and the dimensions of the classrooms should be as prescribed by the Director. These schools are expected to have sufficient land for agricultural purposes.

2. **Selection of site** – (1) Sites for school buildings should be on elevated level and they should be well drained and in clean and healthy surroundings. Land under wet cultivation or with made soil or soil retentive of moisture should be avoided. The sites should be accessible to all communities. A proper approach road should be provided where the school is near a main road. A board giving the full name and designation of the school should also be put up in front of the school.

(2) School in urban areas should as far as possible be so located that they are free from the noise and congestion of the city or the town. The neighborhood of dusty and noisy roads and of shops and factories should

as far as possible be avoided. The vicinity of tanks and canals is a disadvantage to school.

Provided that this rule shall not apply to existing schools.

**3. Playground and Garden -** (1) The sites should be provided with compound walls or good fencing.

(2) Every school shall have suitable playgrounds for games and sports. The site should contain sufficient clear space for the purpose.

(3) The compound should be kept fairly levelled and clear of rank vegetation.

(4) The manager and Head of every school should put forth their best efforts for laying out gardens in the premises. Efforts also should be made for planting suitable trees in the school compound so that pupils may play and rest under them during leisure hours. Care should be taken to see that trees are so planted as not to (a) reduce unduly the space available for play, and (b) obstruct the entry of the light into the class rooms or in course of time cause damage to the structure.

**4. School buildings to be situated away from places of burial or cremation and liquor shops:-** <sup>2</sup>[(1) No school building shall be situated within a distance of 50 metres from a public burial place or public cremation ground. In the case of concrete Vaults, the distance shall not be less than 25 metres. The Public burial place or public cremation ground or the concrete vaults shall not be visible from the school site. The visibility shall be prevented by constructing adequately high walls, not less than 6 feet in height in between the burial place or cremation ground or the concrete vaults, as the case may be and the school compound.]

(2) There shall be no place for sale of liquors within 183 metres of any school.

Provided that this rule shall not apply to existing schools.

**5. Accommodation-** (1) Every school shall have building of specifications and plans approved by the Director and the buildings exclusive of veranda shall be of dimensions sufficient to provide accommodation for the various rooms as specified in the following schedule:-

**SCHEDULE**

Type of school	Accommodation required
Lower Primary School	Class rooms, Headmaster's room (Office room), and accommodation for pupils to take noon- day meals.
Upper Primary School	Class rooms, Headmaster's room, (Office room) Teachers room, Library, Craft and Appliances room, Tiffin sheds and accommodation for pupils for taking noon-day meals when sanctioned.
Secondary School (High and Higher Secondary Schools)	Class rooms, Office room, Headmaster's room, Teachers room, Laboratory room, Library room, Craft room, Drill shed, Tiffin sheds, and accommodation for pupils for taking noonday meals if there is a Primary Section in which noon-feeding is sanctioned.
Training Schools	Class rooms, Office and Headmaster's room, Library and Museum, Craft rooms, Drill sheds, Tiffin sheds and Accommodation for pupils of the Model Lower Primary School for taking noon-day meals.

**Note:-** There should also be a waiting room for girls in mixed schools coming under the last three types.

(2) No school building shall be altered or added to materially except in accordance with a plan approved by the Department.

(3) The construction of buildings for Secondary Schools in future should be so designed that it may be possible to adjust the design in course of time without much change in the original building so as to provide for additional accommodation for introducing two or more types of diversified courses.

<sup>3</sup>[(3A) No school shall be permitted to function if the roof of the school building is a thatched one or the building is roofed with easily inflammable materials.]

(4) In the construction of school building the following instructions shall be specially noted.

### **(i) COMPOSITION OF FLOORS**

It is desirable that the floor should be made of a material which will admit of their being washed with water and that stone flagging or some thing better is aimed at.

### **(ii) WINDOWS**

Windows serve two purposes:-

- (a) Admission of light
- (b) Admission of air.

They should be placed at regular distances so as to ensure uniformity of light.

Window - sills should not be more than <sup>4</sup>[1.22 metres] from the ground. Windows for subsidiary lighting may have their sills more than <sup>4</sup>[1.22 metres] from the floor.

The window area should not be less than one fifth of the floor area and wherever possible the principal lighting should be from the north.

### **(iii) DOORS**

Classrooms should not have to be used as passages from one part of the building to another. They should consequently not open into another but into passages or verandas. No class room should have more than two doors and in most cases one is preferable. The door or doors should be at the teacher's end of the room.

### **(iv) VENTILATION**

Unless there are windows reaching to the top of the wall and capable of being opened, ventilators are necessary near the top of the wall. The ventilators should be regularly distributed in the same way as the windows. For each pupil <sup>4</sup>[0.03 square metre] of open ventilator should be provided.

**(v) ROOFS**

The roof should, as far as possible, be impervious to heat.

- <sup>5</sup>**5A.** Not with standing anything contained in rule 5, the Director may as a temporary measure permit the functioning of any school located in urban areas or in areas having urban character the total strength of which in the Upper Primary and High School classes together as on the 6<sup>th</sup> working day from the re-opening date in June is not less than 1000, under sessional system for one year at a time, if he is satisfied that adequate alternate facilities for meeting the educational needs of the area are not available in the area. In granting such permission the Director shall also require the manager of the school to provide the additional accommodation required under these rules for running the entire divisions of the school under non-sessional system within such time as may be specified by him in this behalf. Such permission shall be refused in subsequent years if the additional accommodation required to be provided during any previous year has not been complied with.

**Explanation-** Sessional system in a school means the functioning of that school in morning and afternoon sessions with separate sets of teachers, certain classes or class divisions working in the morning session and the remaining classes or class divisions working in the afternoon session.

- 6. Dimensions of Class Rooms -** (1) The dimensions of every class room shall be such as to provide, on the average, a minimum of eight square feet of floor space and eight cubic feet of air space per pupil on the rolls in the class or classes accommodated in the room. The dimensions of every classroom in Upper Primary or Secondary (High and Higher Secondary) schools be <sup>6</sup>[6m x 6m x 3.7m] and in a Lower Primary School <sup>6</sup>[6m x 5.5m x 3m.]. In the case of building for Upper Primary and Secondary Schools a veranda <sup>6</sup>[1.5m] wide should be provided at least on the front side.

The superficial area of the floor, the cubic contents of the room, and the maximum number of pupils which may be accommodated in accordance with the details above shall be clearly marked in a conspicuous place in each class room.

(2) Class rooms shall be separated with walls or with partitions put up to a height of at least <sup>6</sup>[2.4m.]

- 7. Training Schools -** The following minimum facilities shall be provided in training Schools.

**SCHOOL**

Class Room facilities	-	6[1.9 sq. metres] per student.
Arts and Crafts	-	A hall 6[18m. x 6m]
Lavatories Sanitation	-	Adequately large with hygienic sanitation.
	-	

**HOSTEL**

Accommodation	-	6[4.6 sq.m] per student
Kitchen and dining hall	-	6[1.9 sq.m] per student
Lavatories	-	One seat for six student's with Hygienic sanitation
Bath rooms	-	One bath room for six students
Staff quarters	-	2

**EQUIPMENT**

**(i) Class rooms** - The classrooms shall be equipped with tables and chairs for the students and other normal class room furniture.

**(ii) Hostels** - Each student shall be provided with a cot, table bookshelf and chair.

**(iii) Library and Laboratory** - A training school shall have a library and a laboratory suitable to the requirements of the syllabus. When the Training School is attached to a High School, the High School Library and Laboratory may be utilized.

**(iv) Crafts** -The equipment required for each craft shall be as given in the appendix along with the syllabus.

**8. Repairs and annual Maintenance** - (1) School buildings which are roofed with tiles should be provided with ceiling.

(2) School buildings and grounds shall be maintained in good repair and kept clean and tidy, scribbling on the walls, doors and windows, and furniture or otherwise defacing them shall be prevented.

(3) Annual maintenance work to school buildings 7[XXXXX] should be done satisfactorily and completed before the 10<sup>th</sup> day of May every year,

Educational Officers, Educational Agencies and Managers will be held responsible for the safety of the buildings.

9. **Latrines and Urinals-** Latrines and urinals of suitable size as per approved design and in sufficient number shall be provided in every school. These should be kept clean and satisfactory arrangement should be made for regular scavenging.
  - (2) There should be separate latrines and urinals for the pupils and the staff.
  - (3) In the case of mixed schools ie. schools where both boys and girls are admitted, separate urinals and latrines should be provided for the girls with sufficient privacy and away from the latrines and urinals intended for the boys.
  - (4) Latrines and urinals should not be placed nearer than <sup>8</sup>[12metres] to any school building. They should be so situated that the prevailing wind will not blow from them in the direction of the school buildings.
10. **Supply of drinking water-** Arrangements shall be made for a sufficient supply of good drinking water in all institutions.
11. **Furniture** -Every school shall be provided with a minimum of durable furniture of suitable dimensions and specifications approved by the Department as shown in the following Schedule.

#### SCHEDULE

**Lower Primary School-** Benches and desks in sufficient numbers, one black -board with stand, one table and one chair for the teacher of every class, one almirah one time- piece or clock, one gong or bell, and a Notice Board.

**Upper Primary School** - Benches and desks in sufficient numbers, one black- board with stand, one table and one chair for the teacher of every class, tables, chairs and other seats, map racks ad almirahs as required for various rooms and various purposes. One clock, one gong or bell, and a Notice Board.

**Secondary (High and Higher Secondary) and Training Schools** - As in the case of Upper Primary Schools. In addition, laboratory equipments,





11.	Distance from top of seat board to top of back of seat measured perpendicularly	.23	.24	.25	.28	.3	.32	.33
12.	Distance from top of base to back edge of desk	.6	.65	.69	.75	.81	.85	.89
13.	Foot rest	Front edge flush with base; back edge: metres above base.						.03
14.	Space for each pupil	.46	.48	.51	.53	.53	.56	.58

Schedule of specification for items of Furniture in metres

- (a) Benches 1.83 metres long - .46 metres high
- (b) Black Board .91 - 1.22 metres with stand
- (c) Table 1.07 - .76 x .76 with drawers
- (d) Almirah 1.07 - .33 x 1.68 with three shelves
- (e) Map rack .76 - 1.2 with suitable number of brackets
- (f) Shelf .91 - .38 x 1.37 with three shelves

**13. Appliances:-** (1) Every school shall have educational appliances as may be specified by the Department which shall include-

- (a) Instruments for Mathematical Drawing.
- (b) Globes, Maps, Charts and other apparatus for the teaching of History, Geography and allied subjects.
- (c) Laboratory apparatus, materials, and equipments for the teaching of various sciences.
- (d) Necessary appliances for the teaching of special subjects or crafts.

(2) Every Primary, Secondary and Training school shall have a suitably equipped Library including books for general reading and reference for the use of teachers as well as pupils.

**Note:-** The issue of books shall be governed by rules prescribed for the purpose.

(3) For the information and guidance of Managers of Private schools, and Heads of Departmental and private schools, the Department will issue from time to time list of suitable books and appliances for use in schools.

(4) Every school shall have sufficient and suitable equipment for games and sports.

14. **Type designs-** Type designs for school building, furniture, etc. and lists of essential upto date equipments will be issued by the Department from time to time.

**B.**

15. **Use of school building and properties-** (1) The premises of an educational institution (Government or Private) or any subsidiary building appertaining to it or a playground or vacant site belonging to the institution, whether adjacent to or removed from it, shall ordinarily be used only for the purpose of functions conducted by such institution. But the executive Authority of the local body concerned in the case of an institution under the control of a local body, the District Educational Officer in the case of a Government school and the Manager in the case of Private school, is empowered to grant permission on such conditions as he deems fit to impose for the use of such building, or ground or site belonging to the institution for holding public functions arranged by the management or by a department of the state or the Government of India or for any other purposes.

The authority concerned should obtain the orders of the Director in doubtful cases.

[(2) XXX] (Deleted by Legislative Assembly.)

(3) All school buildings and properties shall be made available free of rent for the purpose or holding public examinations and teachers meetings under the auspices of the Department or approved by the Government.

**Explanation** - Nothing in this rule shall prevent a Headmaster from permitting the teacher's and student's organizations for holding meeting in school buildings or premises and using school properties for the same in consultation with the staff council, if any.

<sup>10</sup>[15A (1) Notwithstanding anything contained in rule 15, Government shall have power to issue directions that the school buildings and their properties (Government or Private) shall not be used for any purpose specified in such directions and such directions when issued shall be binding on the departmental authorities and the Educational Agencies.

(2) Any person aggrieved by the directions issued under sub-rule (1), may apply to Government for a review of the matter and Government shall thereupon make a review and take a final decision. There shall be only one review and the application for review shall be made within a period of 30 days from the date of issue of the directions]

**16. Loan of Government school building etc. for meetings and other purposes** - (1) Subject to Rule 15 Government school buildings and properties may be given to private parties for conducting meeting and other functions under the conditions specified below.

**Conditions-** (i) Rent at the rates fixed from time to time shall be levied from the party;

<sup>11</sup>[Provided that the Government or any authority authrosied by them in this behalf may <sup>12</sup>[for sufficient reasons] exempt any party from the payment of such rent].

(ii) The parties to whom buildings and properties are given in every case, give an undertaking in writing- <sup>13</sup>[(a) XXX] (Deleted by Legislative Assembly).

<sup>13</sup>[(a) XXX] (Deleted by Legislative Assembly).

(b) to compensate any loss or damage that may be caused to the buildings or properties while they are with them.

(2) When a school building (Government or Private) is requisitioned for purposes of Election conducted either by the Government or by a local body, the period of requisition shall be treated as holidays and the school shall be closed on those days. The requisition requiring the building should be sent to the Headmaster or Headmistress as the case may be, by Returning Officer one clear week prior to the date of elections, as far as possible. The Headmaster or the Headmistress shall report the fact to the Educational Officer concerned immediately on receipt of the requisition from the Returning Officer. Any deficiency in the minimum attendance prescribed for such school on account of their closure under this Rule shall be condoned by the District Educational Officer.

**C**

**17. Schools not to be used as prayer houses or as places of public worship -**  
(1) No person attending any Educational institution recognized by the State or receiving aid out of the State funds shall be required to take part in any religious instruction that may be imparted in such institution or to

attend to any religious worship that may be conducted in such institution or to in any premises attached thereto unless that person or if such person is a minor, his guardian has given his consent thereto.

(2) School shall not under any circumstances be held in Churches or places of public worship or prayer houses. This rule does not, however apply to schools held in prayer houses, or other places of public worship prior to 23-11-1936 in the erstwhile Travancore area. These schools may continue to be held in those buildings on the following conditions:-

- (a) The buildings referred to should not be used as prayer houses or places of public worship except out of school hours.
- (b) Even out of school hours they may be used only for the purpose of prayer or public worship and not for religious propaganda of a controversial nature calculated to produce ill- feeling and strife between members of different religious denominations, or sects or for proselitization.
- (c) The violation of the above conditions will entail the withdrawal of the permission to conduct the school in the building intended for prayer or public worship.

**Note:-** In this rule "Guardian" means the father of the child, the mother of the child if the father is not alive, and a person having the care of the person of the child if both the father and mother are not alive.

## D

**18. Imparting of Religions Instruction** - (1) Religious instruction can be permitted in private schools only under the following conditions:-

- (a) The conditions in Rule 17 (1)
- (b) <sup>14</sup>[state funds shall not be utilized for religious instruction].
- (c) [x x x] (Deleted by Legislative Assembly).
- (d) No proselitization shall be conducted.
- (e) If religious instruction is imparted during School hours, the number and duration of the periods as required by the syllabus shall not thereby be reduced in any way.

(2) No teacher shall be required to impart religious instruction to the pupils, against his will.

- 19. Opening of Co-operative Societies in Schools-** Co-operative Societies may be established in all schools where books, stationary and other materials, required by students are made available to them at cost price and where a school does not have a Co-operative Society of its own, such school or any student thereof may join as member of a Co-operative Society of any other school.
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1. Substituted by G.O. (P) 837/63 Edn. Dated 28-12-1963 published on 7-1-1964.
2. Substituted by G.O. (P) 209/81 G.Edn. dt. 19-11-1981 published in gazette dt. 15-12-1981 for "No school building shall be situated within a distance of 183 metres from a public burial place or public cremation ground".
3. Added by G.O. (P) 25/2005/General Education. dt. 24-1-2005 published in Gazette dt. 27-01-2005.
4. Substituted by G.O. (P) 837/63 Edn. Dt. 28-12-1963 published in Gazette dt. 07-01-1964.
5. Inserted by G.O. (P) 165/74/G.Edn. dt. 21-8-1974 published in Gazette dt. 17-09-1974.
6. Substituted by G.O. (P) 837/63 Edn. Dt. 28-12-1963 published in Gazette dt. 7-1-1964
7. Deleted as per G.O. (P) 25/05/G.E. dt. 24-1-2005 published in Gazette dt. 27-01-2005.
8. Substituted by G.O. (P) 837/63 Edn. Dt. 28-12-1963 published in Gazette dt. 7-1-1964.
9. Substituted for the existing table and schedule by G.O. (P) 837/63 Edn. Dt. 28-12-1963 published in Gazette dt. 7-1-1964.
10. Added by G.O. (P) No. 176/79 Edn. Date 24-10-1979 in Gazette dted 20-11-1979.
11. Proviso added by notification published in Gazette No. 35 dt. 5-9-1961.
12. Inserted by notification published on 26-06-1962 (G.O. (P) 395/62 dated 20-5-1962.
13. Omitted by notification published in gazette dt. 30-6-1959.
14. Substituted by legislative Assembly.

## CHAPTER V

**OPENING AND RECOGNITION OF SCHOOLS**

- 1. Recognised and provisionally Recognised Schools and Standards:-** (1) A recognized Standard is one which is opened and conducted in accordance with the provisions in the Kerala Education Act 1958 and the Rules issued under the Act and declared by the Director or any other competent authority of the Department to be a recognized standard.
- (2) Not with standing anything contained in any of these Rules, all recognized schools and standards established before the commencement of the Kerala Education Act and continuing as such shall be deemed to be recognized schools and standards.
- (3) Every school under an Educational Agency opened with the permission of the competent authority and such of the standard in it as are opened with the permission of the competent authority specified in Rule 3 below shall be deemed to be provisionally recognized until recognition is conferred on the school or the standards according to Rules below:
- (4) Unless otherwise specified, all the rules relating to recognized schools and standards shall be applicable to provisionally recognized schools and standards also.
- (5) The opening of schools by an Educational Agency and their recognition shall be governed by the procedure laid down in the rules below and they shall apply mutatis mutandis to the opening and recognition of new standards. Permission to open and for recognition for each standard shall be separately obtained.
- <sup>1</sup>2. Procedure for determining the areas where new schools are to be opened for existing schools upgraded -** (1) <sup>2</sup>[The Director may, from time to time, prepare two lists, one in respect of aided schools and the other in respect of recognized schools, indicating the localities where new schools or any or all grades are to be opened and existing Lower Primary School or Upper Primary Schools or both are to be upgraded. In preparing such lists he shall take into consideration the following].
- (a) The existing schools in and around the locality in which new schools are to be opened or existing schools are to be upgraded;

- (b) The strength of the several standards and the accommodation available in each of the existing schools in that locality;
- (c) The distance from each of the existing schools to the area where new schools are proposed to be opened or to the area where existing schools are to be upgraded;
- (d) The educational needs of the locality with reference to the habitation and backwardness of the area; and
- (e) Other matters which he considers relevant and necessary in this connection.

<sup>3</sup>[**Explanation:-** for the removal of doubts it is hereby clarified that it shall not be necessary to prepare the two lists simultaneously and that it shall be open to the Director to prepare only one of the lists.]

(2) <sup>4</sup>[A list prepared by the Director under Sub-rule (1) shall be published in the Gazette, inviting objections or representations against such list.] Objections, if any, can be filed against the list published within one month from the date of publication of the list. Such objection shall be filed before the Assistant Educational Officers or the District Educational Officers as the case may be. Every objection filed shall be accompanied by chalan for Rs. 10/- remitted into the Treasury. Objections filed without the necessary Chalan receipt shall be summarily rejected.

(3) The Assistant Educational Officer and the District Educational Officer may thereafter conduct enquiries, hear the parties, visit the areas and send their report with their views on the objections raised to the Director within two months from the last date of receipt of the objections. The Director, if found necessary, may also hear the parties and finalise the list and send his recommendations with the final list to Government within two months from the last date of the receipt of the report from the Educational Officers.

(4) The Government after scrutinizing all the records may approve the list with or without modification and forward the same to the Director within one month from the last date for the receipt of the recommendations of the Director. The list as approved by the Government shall be published by the Director in the Gazette].

(5) No appeal or revision shall lie against the final list published by the Director.

<sup>5</sup>[Provided that the Government may either suo motu or on application by any person objecting to the list published by the Director

under sub-rule (4) made before the expiry of thirty days from the date of such publication review their order finalizing such list and make such modifications in that list as they deem fit by way of additions or omissions, if they are satisfied that any relevant ground has not been taken into consideration or any irrelevant ground has been taken into consideration or any relevant fact has not been taken into account while finalizing the said list:

Provided further that no modification shall be made under the preceding proviso without giving any person likely to be affected thereby an opportunity to make representation against such modifications.]

<sup>6</sup>[(5A) The proviso added to sub-rule (5) by the Kerala Education (Amendment) Rules, 1981 published in the Kerala Gazette extraordinary No. 667, dated the 19<sup>th</sup> August 1981, shall be deemed to have been added to that sub-rule with effect on and from the 1<sup>st</sup> day of June 1981].

<sup>7</sup>[(6) The Govt. may, by notification in the Gazette, extend any period specified in sub-rules (3) and (4) for reasons to be stated in the notification.]

**2A. Applications for opening of new schools and upgrading of existing schools** - (1) After the publication of the final list of the areas where <sup>8</sup>[new school of any or all grades] are to be opened or <sup>9</sup>[existing Lower Primary Schools or Upper Primary schools or both] are to be upgraded the Director shall, by a notification in the Gazette <sup>10</sup>[x x x] call for applications for the opening of <sup>8</sup>[New schools of any or all grades] and for raising of the grade of <sup>9</sup>[existing Lower Primary Schools or Upper Primary Schools or both] in the areas specified.

(2) Applications for opening of new schools or for raising schools shall be submitted only in response to the notification published by the Director. Applications received otherwise shall not be considered. The applications shall be submitted to the District Educational Officer of the area concerned in form No. 1 with 4 copies of the application and enclosures <sup>11</sup>[within one month from the date of publication of the notification under sub- rule (1)].

(3) On receipt of the applications for permission to open new schools or for upgrading of existing schools, the District Educational Officer shall make such enquiries as he may deem fit as to the correctness of the statements made in the application and other relevant matters regarding such applications and forward the applications with his report thereon to



the Director <sup>11</sup>[within one month from the last date for submitting applications under sub-rule (2).]

(4) The Director on receipt of the applications with the report of the District Educational Officer shall forward the applications with his report to Government. <sup>11</sup>[within one month from the last date for forwarding the report by the District Educational Officer.]

(5) The Government shall consider the applications in the light of the report of the District Educational Officer and the Director and other relevant matters which the Government think necessary to be considered in this connection and shall take a final decision and publish their decision in the Gazette with the list containing necessary particulars. <sup>11</sup>[within one month from the last date for forwarding the report by the Director.]

(6) Applications for permission to open a new standard in an existing school during any school year not involving the raising of the grade of the school shall be submitted to the District Educational Officer in charge of the area in form 1 in triplicate.

<sup>12</sup>[(7) x x x x]

<sup>13</sup>[(8) The Government may, by notification in the Gazette, extend any period specified in sub-rules (3), (4) and (5) for reasons to be stated in the notification.]

<sup>14</sup>**2B. Review of orders by Government** - (1) The Government may, either suo motu or on the application of any party interested, review, confirm, modify or cancel any decisions and pass such orders as they may deem fit:

Provided that in the public interest or for the larger interest of the State, Government may exercise such powers without giving notice to the parties likely to be affected, if Government are satisfied that there is any urgency.

(2) Notwithstanding anything contained in these rules, Government may take a general policy decision taking into account the various factors for opening and recognition of schools and with due regard to the overall finances of the State, that no recognized or aided schools shall be opened for a year or for any specified period.

(3) Notwithstanding any of the provisions contained in these rules, even in cases where steps under rule 2 A of Chapter V, are completed,

Government shall not be obliged to take further steps commencing from rule 11, and Government shall be at liberty to stop the exercise at any stage, if they feel that it is in the public interest, or in the larger interest of the State, or in the interest of the policy that is pursued by Government, and pass such order as Government deems fit under the circumstances.

**3. Devolution of powers regarding recognition of schools and withdrawal of permission granted to open schools-** In the matter of opening of higher standards in schools and closing down of schools and recognition and change of management of private Schools:

(a) The Director \* shall be competent

- (i) to sanction the conversion of ordinary Primary and Training schools into Basic and Basic Training schools in consultation with the Local Educational Authority (if any) subject to the total number fixed by Government for conversion each year;
- (ii) to withdraw in consultation with the Local Educational Authority (if any) permission granted to open Primary, Special ad Training Schools;
- (iii) to withdraw permission granted to open standards in secondary schools;
- (iv) to sanction the next higher Standard in complete Secondary Schools and more than one higher Standard at a time in incomplete primary and secondary schools and to close down Training Schools and Standard in Secondary Schools. The Local Educational Authority (if any) will be consulted before Training Schools are closed down;
- <sup>15</sup>[(v) to accord permission for granting temporary recognition to schools beyond <sup>16</sup>[one year]:]
- (vi) to change sites of private schools of all categories in consultation with the Local Educational Authority (if any):
- (vii) to change the names of private and Government Schools;
- <sup>17</sup>[(viii)x x x x x]
- (ix) to dispose of appeal over the orders of the District Educational Officers regarding recognition of schools.
- <sup>18</sup>[(a) (a) Not withstanding anything contained in Rule 2, the Director\* may for valid and sufficient grounds condone the delay in applying for permission to open higher standards in any school].

(b) The District Educational Officer shall be competent:-

- (i) to approve changes of management of private Secondary and Training Schools from one person to another provided there is no change in ownership except due to inheritance;
- (ii) to approve school sites and plans for the construction of and structural alternations to school buildings;
- (iii) to approve the bye-laws of the constitution of the management of private schools;
- (iv) to sanction the opening of the next higher standard in incomplete Primary Schools;
- (v) to close down Standards in Primary Schools;
- <sup>19</sup>[(vi) to grant recognition to Primary, Secondary and Training schools and Primary, Secondary and Training School Standards and withdraw recognition of schools of all types for satisfactory reason;].
- (vii) to permit the opening and closing down of divisions of standards in Secondary Schools- Private and Departmental according to Rules, and
- (viii) to approve the change of management of private secondary and Training Schools under their control as per the sanctioned bye-law of the constitution.

(c) The Assistant Educational Officer shall be competent;

- (i) to sanction the opening and closing of division in existing Standards in Primary Schools- Departmental and Private - Subject to Rules in force; and
- (ii) to approve the transfer of management of private primary schools provided there is no change in ownership or title <sup>20</sup>[except due to inheritance].

<sup>21</sup>[**3A. Appeals** - Any person aggrieved by an order of Director under clause (viii) of sub-rule (a) of rule 3 refusing to approve the change of management involving change of ownership may appeal to Government within one month from the date of the order appealed against].

**4. Consulting the Local Educational Authority when higher standards are sanctioned or refused-** The Local Educational Authority, if any, shall be consulted when sanction is given or refused to open higher standards and when sanction given for a standard is withdrawn and also when recognition is granted to schools or is withdrawn.

**5. Application fees** - A fee of rupees ten shall be levied in respect of every application for permission to open a Lower Primary School, or a Junior

Basic School. The fee shall be rupees twenty in the case of an Upper Primary School or Senior Basic School or a Training School and rupees thirty in the case of Secondary School. The fee will not to be refunded under any circumstances. No fee shall be levied in the case of the opening of higher standards without raising the grade of the school.

**6. Documents etc. to accompany the application** – Every application shall be accompanied by:

- (i) the chalan receipt for the application fee prescribed in the previous Rule;
- (ii) a sketch plan of the site of the proposed school;
- (iii) a sketch plan of the locality showing the positions of the proposed school and the neighbouring schools which already serve the educational needs of the locality and the distances of the proposed site from the neighbouring schools also marked;
- (iv) a declaration by the applicant that the first instalment of financial guarantee when necessary- Vide Rule 7 will be deposited on the date of opening the school and the subsequent instalments on the dates prescribed.
- (v) Documentary evidence to show the applicant's absolute ownership or his right to be in exclusive possession for a period of not less than six years of the site and buildings (if any) of the proposed school; and
- (vi) In cases where there are no buildings; a sketch plan of the proposed buildings with a declaration undertaking to put up the necessary buildings as per approved plan and to provide the necessary equipments before a specified date.
- <sup>22</sup>[(vii) A declaration by the applicant in the case of opening of new recognized unaided schools or upgrading of existing recognized unaided schools that he shall not at any time apply for the conversion of the unaided Recognised Schools into aided schools].
- <sup>23</sup>[(viii) an agreement duly executed by the applicant to the effect that he is prepared to absorb qualified teachers/non teaching staff who are eligible for protection as per orders issued by Government from time to time and that any such orders shall form part and parcel of the agreement as if they were incorporated in the agreement.

**7. Financial guarantee** – (1) Every Educational Agency of a recognised school other than aided school shall furnish a financial guarantee as

specified below which shall be in the form of cash deposits in the Postal or Treasury Savings Bank the pass book being pledged to the concerned Educational Officer or to the Director if the guarantee is for several schools under the same management.

(2) When more than one school is under the same Educational Agency, individual or corporate, the aggregate financial guarantee for all these schools shall be rupees five thousand of which rupees three thousand shall be deposited immediately and the balance in two annual instalment of rupees one thousand each, in the course of the next two years.

(3) When there is only one school under the Educational Agency, individual or corporate the financial guarantee shall be:

- (a) Rupees three thousand in the case of a Secondary School to be paid in three consecutive annual instalments of rupees one thousand each, the first instalment being on the date of opening of the school;
- (b) Rupees one thousand and five hundred in the case of an Upper Primary or Senior Basic School to be paid in three consecutive annual instalments of rupees five hundred each, the first instalment being on the date of opening of the school and
- (c) Rupees one thousand and five hundred to be deposited at the time of opening in the case of a Training School, if not attached to an Upper Primary or Secondary School. If attached to an Upper Primary School or Secondary School a financial guarantee of rupees five hundred shall be deposited for the Training Section at the time of the opening.
- (d) Rupees seven hundred and fifty in the case of Lower Primary or Junior Basic School to be paid in three consecutive annual instalments of Rupees two hundred and fifty each, the first instalments being on the date of the opening of the school.

(4) It shall be open to the Educational Agency to furnish the financial guarantee in one lump immediately, instead of in instalments as specified in sub- rules (2) and (3).

(5) The fee income received by the school shall not be utilised for depositing any part of the financial guarantee. In the event of a school being closed down the financial guarantee shall be released

only to the extent to which it is not made of fee income or grant and aid which may have been utilised previously for depositing any part of the financial guarantee.

8. **Fee income to be utilised for Educational purpose** – The fee and other income of a school shall not be utilised for any purpose other than educational purposes directly connected with the school.

**Note-** (i) Fee income shall be taken to include tuition fees, fines and admission fees.

(ii) "Educational purposes" do not include the deposit of financial guarantee. In case any doubt arises as to whether any particular item of expenditure comes under the term "educational purposes" it shall be referred to the Director for final decision.

9. **Conditions for grant of permission to open new schools-** No permission to open a new school shall be granted:-

- (i) If the applicant does not possess absolute ownership or right to be in exclusive possession for a period of not less than six years over the site, buildings and other properties of the school;
- (ii) If the application is defective in material respects;
- (iii) If the declaration regarding the financial guarantee, where necessary, is not furnished;
- (iv) If the educational needs of the locality do not require the opening of a new school;
- (v) If the situation of the school is inaccessible to all the members of the public;
- <sup>24</sup>[(vi) If a person convicted of an offence involving moral turpitude is a member or an office-bearer of the managing body].

<sup>25</sup>[10. x x x x] (Deleted by Legislative Assembly)

11. **Grant of permission to open new schools** – If Government are satisfied that permission to open the schools included in the development plan may be granted, they may issue an order to that effect through the Director specifying therein:

- (i) the Educational Agency in whose favour the permission is granted;

- (ii) The grade of school, i.e. Lower Primary, Upper Primary, or Secondary etc;
- (iii) the Standard or Standards to be opened;
- (iv) the location of the school;
- (v) the date from which the school should start functioning; and
- (vi) the conditions to be fulfilled by the Educational Agency in respect of the site, area, building, equipments. staff, financial guarantee and such other matters.

**Note:-** (i) A copy of the order shall be furnished to the Local Educational Authority (if any).

(ii) No school which has not been included in the development plan of the Educational Authority (if any) shall be opened.

(iii) The Educational Agency shall, at the time of communicating the sanction, also be informed of the period, which shall not ordinarily exceed three months, within which the conditions should be fulfilled and application for recognition made. In all cases, absolute ownership or right to be in exclusive possession for a period of not less than six years of the necessary site prescribed shall be a sine qua non and in no case shall permission to open a school without the requisite area be granted.

(iv) The school shall not be allowed to function from the date from which permission was given for opening the school unless all the conditions imposed for the opening are satisfactorily fulfilled on or before the opening date.

<sup>26</sup>[(v) In the case of recognized unaided schools, the schools shall not be allowed to function from the date from, which permission was given for opening or upgrading the school unless the applicant executes an undertaking in the form given below that he shall not move Government, at any time for the conversion of the school into an aided school, the permission granted for opening of the school shall automatically lapse.

### FORM

I, (the name and address of the applicant) hereby undertake that I shall not at any time move Government for the conversion of my school (the name of the school) sanctioned to be opened as per Government order ..... dated ..... into an aided school].

**12. Appeal against the orders regarding opening of schools and renewal of rejected applications-** <sup>27</sup>[(1) The applicants for the opening of new schools may present a revision petition before Government within thirty days from the date of publication in the Government Gazette of the list of new schools permitted to be opened or upgraded, if the schools for which applications were submitted by them are not included in the list.]

(2) If permission is finally refused, no renewal of the same application nor fresh application is respect of practically the same school shall be considered until the expiry of one year form the date of the first application. The procedure to be followed in the case of a renewed application shall be the same as in the case of the original application.

**13. Permission to lapse if schools is not opened on due date-** (1) Permission granted under rule 11 shall be deemed to have lapsed if the new school is not opened on the stipulated date, unless an extension of time is granted by the \*Director under sub- rule (2) below.

(2) If the \*Director is satisfied that there are unavoidable circumstances on account of which the new school could not be opened on the stipulated date, he may grant an extension of time up to a maximum limit of one month from the re-opening day.

(3) When a new school has been opened on any day other than the re-opening day and if, by that reason alone, a rule becomes inoperative in the case of that school, it shall be competent for the Director to relax the enforcement of the rule in the case of that school].

<sup>28</sup>[(13A) **Withdrawal of recognition and permission for false declaration:-** If permission to open new school is obtained by false declaration, it will be open to Government or any officer authorised by Government in this behalf to withdraw the recognition and the permission granted for the opening of the school].

**14. Opening to be reported to the Educational Officer:-** When a new school is opened with permission granted under rule 11, the fact shall be reported to the Educational Officer and Director with a statement showing (i) the date of opening (ii) the location (iii) the standards opened (iv) the names and qualification of the staff and (v) the accommodation and equipment provided. The Educational Officer shall visit the school immediately and report to the Director as to whether the conditions stipulated for opening the school have been satisfied.



**15. Withdrawal of permission** - If all the conditions have not been satisfactorily fulfilled within the time prescribed and recognition applied for the permission granted to open the school may be withdrawn by an order of the \*Director unless on account of special circumstances the Director allows the management an extension of time to fulfil the condition.

**<sup>29</sup>[16(a). Application for recognition** - Applications for recognition of schools or of additional standards shall be made to the District Educational Officer in Form 2 with in three months form the date of opening of schools or of additional standards by the Manager. Applications from Managers of Schools for the continuance of temporary recognition of their schools or of standards of their schools shall be made to the District Educational Officer not later than three months before the expiry of the temporary recognition.

**(b) Condonation of delay in applying for recognition** - The District Educational Officer may, for satisfactory reasons, entertain an application for recognition from the date of opening of the school or of the expiry of recognition if the application is made after the expiry of the period specified in sub-rule (a) above. In all cases where the period to be condoned exceeds three months, the approval of the Deputy Director (Education) shall be obtained.

**(c) Every application for recognition shall be accompanied by:-**

- (i) A site plan of the school drawn to scale;
- (ii) a ground plan of the building drawn to scale showing the standards accommodated in each room; and
- (iii) a statement showing the conditions prescribed and how far they have been fulfilled.

**(d) The competent authority may grant either permanent recognition or temporary recognition].**

**17. Conditions to be satisfied for grant of recognition-** Recognition shall be granted only to schools which satisfy the following conditions:-

- (i) The school must have been opened with permission under Rule 11;
- (ii) Its financial conditions must be satisfactory and no instalment of the financial guarantee specified in Rule 7 must be in default;

- (iii) Teachers must have been appointed in accordance with the relevant provisions in the Kerala Education Act and the Rules under it;
- (iv) The Educational Agency or the Manager that may be appointed by it must undertake in writing to have the school accounts annually audited by auditors approved by the Director or the auditors authorised by the Government;
- (v) The school must be necessary to meet educational needs of the locality; and
- (vi) It must be conducted in accordance with the provisions of the Kerala Education Act, the Rules under it, and the directions issued by the Government or the Department from time to time.

**18. Recognition to be refused to schools guilty of improper competition etc** - Recognition may be refused to a school if at any time prior to the application for recognition it had been found guilty of improper competition with other institutions or deliberate violation of the provisions of the Kerala Education Act, the Rules made there under or any direction duly issued by the Government or the Department.

**19. Matter to be specified in an order granting recognition to a school-** The Order granting recognition to a school shall specify:

- (i) the Educational Agency in whose favour it is issued;
- (ii) the grade of the school, with special name, if any;
- (iii) the Standard or Standards to which recognition is granted;
- (iv) the location of the school; and
- (v) the date from which recognition will take effect.

The recognition so granted shall not apply to any other Educational Agency or to any other school or standard or to any other location.

**20. Matters to be specified in order granting recognition to a standard-** The order granting recognition to Standard shall specify:

- (i) the Educational Agency;
- (ii) the name of the school;
- (iii) the location of the school;
- (iv) the Standard to which recognition is granted; and
- (v) the date from which recognition shall have effect.

The recognition so granted shall not apply to any other Educational Agency or school or to any other standard or location.

<sup>30</sup>[21. **Orders granting recognition** - (1) If any of the conditions prescribed in rule 17 is not satisfied a temporary recognition for one year at a time may be granted by the District Educational Officer. Previous approval of the Director shall be obtained to accord temporary recognition beyond three years. Permanent recognition shall be granted to the schools satisfying all the prescribed conditions.

(2) Recognition shall be granted from the date of opening of schools or of the additional standards or from the date of expiry of temporary recognition if the application has been made within the period specified in sub-rule (a) of rule 16 or the delay in submitting application for recognition has been condoned in the manner laid down in sub-rule (b) of rule 16. In all other cases recognition shall be granted from the date of application for recognition:

Provided that it shall be competent for the District Educational Officer to grant recognition to primary and secondary schools and standards deemed as provisionally recognised under sub-rule (3) of rule 1, from a date prior to the introduction of Kerala Education Rules. The retrospective recognition of such schools in such cases shall take effect from the date of payment of salary by Government to the teaching staff in the standard or standards concerned and not from an earlier date].

22. **Withdrawal of recognition** - (a) The recognition granted to a school or standard may be withdrawn:-

- (i) If it does not continue to conform to the conditions of recognition.
- (ii) If it commits any breach of the provisions of the Act and the Rules; and Departmental Rules and directions issued in conformity with the provisions of the Act and the Rules issued thereunder;
- (iii) If it fails to maintain a proper standard of efficiency and discipline;
- (iv) If the audited statements of accounts are not produced as required by the Department within six months of the close of the year to which the accounts relate; or if facilities are not given for audit by auditors appointed by the Director or by other auditors authorised by the Government;
- (v) If it has on its staff any teacher who has been declared by the Government or the Department to be unfit to be a teacher or a teacher whose license has been suspended or cancelled;
- (vi) If it is under management of a person who has been declared by the Department to be unfit to be a manager of a recognised school;

- [(vii) x x x];
  - (viii) If the salary of any teacher in the school is not being paid to him in accordance with the terms;
  - [(ix) x x x];
  - (x) If the management fails without adequate cause to depute the teachers for training as may be required by the Department;
  - <sup>31</sup>[(xi) If a person who is convicted of an offence involving moral turpitude continues to be member or an office bearer of the managing body of a school].
  - <sup>32</sup>[(xii) if donations, by whatever name called, are obtained, either directly or indirectly, in connection with the admission of a pupil to any standard in the school or the promotion of the pupil to a higher Standard at or before or after such admission or promotion, from any of the parents or other relatives or guardian of the pupil];
- (b) before recognition is withdrawn from any school, the management of the school shall be given one month's notice of the intension to do so.

<sup>33</sup>**22-A. Withdrawal of recognition for want of minimum strength** - <sup>34</sup>[(1) The minimum effective strength per standard in Lower Primary Upper Primary and High Schools shall be 25. A School shall be deemed to have the minimum strength if the average effective strength per standard is not less than 25. The minimum effective strength per Standard in Sanskrit and Arabic School shall be 15].

(2) The recognition granted to a school may be withdrawn if it fails to maintain the minimum strength. The District Educational Officer may issue a registered notice to the Headmaster and the manager, if the strength of the school is below the minimum to secure the required strength within one month failing which the recognition of the school may be withdrawn with effect from the end of the school year.

(3) The Director may in deserving cases grant exemption form minimum strength for a school for a specified period. It shall also be competent for the Director to withdraw the recognition of existing schools or permission granted to open new schools if they do not have the minimum strength.

(4) The Director shall take into consideration the alternative educational facilities in the locality and the backwardness of the area served by the school in the matter of education before recognition/ permission is withdrawn under sub-rule (2)].

**23. Recognition to be withdrawn in cases of mismanagement etc:** If at any time it is found that a private school is not functioning as an efficient unit in the educational system of the State or has fallen into mismanagement or if the authorities of the school have been guilty of any serious contravention of the Rules, the recognition and the sanction accorded for the opening of the school may be withdrawn and the school closed down after reasonable notice.

<sup>35</sup>**[23A Review** – The District Educational Officer may on application made by the management of a school within thirty days of the order withdrawing the recognition of the school, review and modify or cancel his order if he is satisfied that the breach of the Rules for which the recognition was withdrawn has been rectified or that there are, in public interests good and sufficient reasons to restore recognition to the school.

**23 B. Appeal** – Any person aggrieved by a order of the District Educational Officer refusing to grant recognition to, or withdrawing the recognition of a school, may within thirty days from the date of the order, appeal to the Director]\*

<sup>36</sup>**[23BB.Revision** – Not withstanding anything contained in these rules, the Government may, on their own motion or otherwise, after calling for the records of the case, revise any order passed by any subordinate authority in respect of matters contained in this Chapter and in doing so may-

- (a) Confirm modify or set aside the order.
- (b) remit the case to the authority, which made the order or any other authority directing such further action or inquiry as they consider proper in the circumstances of the case; or
- (c) pass such other order as they deem fit:

Provided that before passing an order under this rule, the Government shall give to the Educational Agency, concerned a reasonable opportunity to show cause why such order should not be passed and shall consider its explanations and objections, if any].

<sup>37</sup>**[23C. Bifurcation of Schools:** – The Director may with the permission of the Government sanction bifurcation of an existing school (Government or Private) into Boy's and Girls Schools or allow the separation of the Lower Primary Section or the Upper Primary Section or both from a school and allow independent Lower Primary or Upper Primary Schools to be established instead].

- 24. Closure of Private Schools:-** (1) No Private school shall be closed down without giving the Director one year's notice expiring with the 31<sup>st</sup> May of any year of the intention to do so.
- <sup>38</sup>[(2) The Director may, after considering all aspects of the question, grant permission for the closure of the school and recognition of such school shall lapse. No application for withdrawal of the notice after the issue of permission shall be entertained unless adequate reasons are adduced to the satisfaction of the Director. The order of the Director in the matter shall be final].
- 25. In the event of closure, records to be handed over to the Department:-** When a school is closed down or discontinued or its recognition is withdrawn the manager shall hand over to the Assistant Educational Officer for the area in the case of the primary schools and to the District Educational Officer for the area in the case of all other schools, all records and accounts of the school and the Department shall take the necessary steps for taking charge of the records and accounts;
- 26. Release of financial guarantee:-** If any school is closed down the financial guarantee furnished by the Educational Agency in respect of that school shall not be released until all liabilities of the school are discharged and all records and accounts relating to the school are handed over to the Department.
- 27. Withdrawal of recognition to be notified in the Gazette-** When the recognition of an institution or the permission to open a school or standard is withdrawn, the fact shall be notified in the Gazette by the Educational Officer.
- 28. Recognised institutions prohibited from competing in improper manner with other recognised schools:** Recognised institutions are prohibited from competing in any improper manner with other recognised institutions.
- <sup>39</sup>[**29.** If a private school ceases to exist or is transferred to a different locality or to a different educational agency without the sanction of the competent authority the recognition granted to it shall lapse].

1. Substituted by G.O (P) 115/71/S.Edn. dated: 19/08/1971 published in Gazette dated: 29/01/1971.

2. Substituted by G.O (P) 1/83/G.Edn. dated: 1-1-1983 published in Gazette dated: 1-1-83.

3. Inserted by G.O(P) 1/83/G.Edn. dated: 1-1-1983 published in Gazette dated 1-1-1983.

4. Substituted by G.O (P) 1/83/G.Edn. dated: 1-1-1983 published in Gazette dated: 1-1-83.
  5. Added by G.O. (P) 150/81 G.Edn. dt. 19-8-1981 published in gazette dt. 19-8-1981
  6. Inserted by G.O (P) 2/83 dated 1-1-1983 published in gazette dated 1-1-1983.
  7. Substituted by G.O.(P) 1/83/G.Edn. dated 1-1-1983 published on 1-1-1983 with effect from 1-3-82 for "Government may revise the dates fixed if found necessary and shall duly publish the fact in the gazette".
  8. Substituted for "new schools' by G.O. (P) 170/71/S Edn. dt. 3-12-1971 published in Gazette dated 21-12-1971.
  9. Substituted by G.O. (P) 170/71/S Edn. dated 3-12-1971 published on 21-12-1971 for "existing schools".
  10. Omitted by G.O (P) No. 1/83 dated 1-1-1983 published on 1-1-1983.
  11. Added by G.O. (P) 1/83 dt. 1-1-1983 published on 1-1-1983 with effect from 1-3-1982.
  12. Omitted by G.O. (P) 1/83/G.Edn. dated 1-1-1983 from 1-3-1982.
  13. Substituted by G.O (P) 1/83/G.Edn. dated: 1-01-1983.
- \* The powers are delegated to Deputy Directors (Education.)
14. Inserted with effect from 1-3-1982 by G.O. (P) 145/88/G.Edn. dt. 23-9-1988 published in Gazette dt. 23-9-1988.
  15. Substituted by G.O. (P) 388/63 Edn. dated 11-6-1963 published on 25-06-1963.
  16. Substituted by G.O. (P) 816/63 Edn. dated 17-12-1963 published on 24-12-1963.
- \* The powers are delegated to Deputy Directors (Education.)
17. Omitted by G.O. (P) 150/71 S.Edn. Dated 27-10-1971.
  18. Added by G.O. (P) 309/66/Edn. dated 6-7-1966 published on 6-09-1966.
  19. Substituted by G.O.(P) 438/64 Edn. dated 14-6-78 published on 1-9-64.
  20. Added by G.O. (P) No. 73/78/G.Edn 14-6-78 published on 11-7-78.
  21. Inserted by G.O. (P) 86/70 Edn. dated 23-2-70 published on 10-3-70,
  22. Added by G.O. (P) 116/71/G.Edn. dt. 26-8-1971 published in Gazette dt. 21-09-1971.
  23. Substituted by G.O (P) No. 79/2010/G.Edn. dated: 25-05-2010 published in Kerala Gazette dated: 26-05-2010.
  24. Added by notification published on 18-09-1962.
  25. Omitted by G.O. (P) 115/71/S. Edn. dated 19-8-1971 published on 21-9-1971.
  26. Added by G.O. (P) 116/71/S. Edn. dated 26-8-1971 published on 21-9-1971.
- \* The powers are delegated to the Deputy Director (Edn.)
27. Substituted by G.O. (P) 26/63 dated 14-1-1963 published on 22-1-1963 for the sub-rule.
- \* The powers are delegated to the Deputy Director (Edn.)
28. Inserted by G.O. (P) 445/69 Edn. dated 19-11-1969 published on 2-12-1969.
  29. Substituted by G.O. (P) 388/63 Edn. dated 11-06-63 published in Gazette dt. 25-06-63.
  30. Substituted by G.O (P) 388/63/Edn. 11-6-1963 published on 25-6-1963
  31. Added by notification published in Gazette dated 18-09-1962.
  32. Inserted by G.O. (P) 144/85/G.Edn.dated 4-7-1985 published on 4-7-1985.
  33. Added as per notification in Gazette dated 17-7-1962.
  34. Substituted by notification dated 5-8-1971, published on 31-8-1971.
  35. Inserted by notification published in Gazette dated 11-8-1959.
- \* The powers of the Director are delegated to the Deputy Director (Edn.)
36. Inserted by notification SRO 897/82 published on 4-7-85.
  37. Inserted as per notification published in Gazette dated 21-3-61.
  38. Rule 24 renumbered as sub-rule (1) of that rule and this added as sub-rule (2) by notification published in Kerala Gazette dated 11-5-1965.
  39. Added by notification published in Gazette dated 1-9-1964.

## CHAPTER VI

**ADMISSION, TRANSFER AND REMOVAL OF PUPILS**

1. **Admission** - <sup>1</sup>[(1) No pupil shall be admitted in a school except on an application in form 3 signed by his parent/Guardian. The application shall be accompanied by a certified extract from the Register of Births showing the date of birth of the pupil, but in case where it is satisfactory explained to the Headmaster why the said extract cannot be produced, a declaration from the parent/guardian or in the case of an orphan a certificate from a registered medical practitioner regarding the date of birth of the pupil shall be accepted. All such applications shall be filed separately in the records of the schools.

**Note:-** <sup>2</sup>(1) In cases where such declarations are given and accepted by the Headmaster, the parent/guardian shall declare that no change in the date of birth will be claimed at any future date.]

(2) Admission will include re-admission also under these Rules.

<sup>3</sup>[(3) No record to prove date of birth is required when a transfer certificate is produced].

(2) No application for admission signed by a person other than a parent of the pupil, shall be deemed to be valid, unless it is accompanied by a written declaration authorising him to be the guardian or the local guardian and signed by the father of the pupil if at the time the application is presented, the father is alive and is capable of executing such declaration or by the mother of the pupil in case at the time the father is dead or is not capable of executing it and the mother is alive and is capable of executing it, with a statement as to the school or schools in which the child read or was reading upto and on the date of such declaration.

**Note:-** (1) If both the parents are not alive, declaration by the applicant to that effect and that he is the guardian may be accepted. If the Headmaster has any doubt about the bonafides of the guardianship, he may ask the guardian to provide satisfactory evidence or certificate.

(2) In the case of Marumakkathayam families, it shall be sufficient even when the parents are alive if the Karnavan of the child's Thavazhi or if there is no separate Thavazhi the Karnavan of the child's Tharavad gives the application.



[(3) In the case of destitute children who are inmates of orphanages and Boarding Houses it shall be sufficient if the management of the Orphanages and Boarding Houses, gives the application].

2. **Admission Register:-** (1) Every School shall maintain an Admission Register in Form 4.

(2) When a pupil is admitted to a school, his name, date of birth, religion, community and other particulars as given in the application for admission shall be entered in the Admission Register and attested by the Headmaster.

(3) The date of birth of the pupil shall be entered in words as well as figures and the entry shall not bear any marks of erasure or overwriting.

3. **Alternation of Date of Birth etc:-** (1) The name of a pupil, his religion and his date of birth once entered in the Admission Register shall not be altered except with the sanction of the authority specified by Government in this behalf by notification in the Gazette. Applications for such alterations and corrections should be submitted by the parent or guardian, if the pupil is still on the rolls of any school and by the pupil himself if he is not on the rolls of any school. All such applications shall be forwarded through the Headmaster with satisfactory evidence. <sup>3</sup>[Court fee stamps to the value of One Rupee shall be affixed on such application].

<sup>4</sup>[(1A) A time limit of <sup>5</sup>[fifteen years] from the date of leaving the school or the date of appearing for the S.S.L.C Examination for the last time whichever is earlier is fixed for entertaining requests for correction of date of birth in school records by the Commissioner of Government Examinations <sup>6</sup>[x x x].

<sup>7</sup>[**Note:-** The Government shall consider requests for condonation of delay in making application for correction of date of birth in school records, in deserving cases, on merits, provided that the applicant is within 50 years of age as per the original entry in the school records].

(2) If the authority referred to in sub-rule (1) is satisfied after necessary enquiries that the change applied for could be granted, he will issue an order to make the alternation. The alteration shall then be made in the Admission Register and the other connected records of the schools previously attended by the pupil as well as in the school in which he was studying at the time.

<sup>8</sup>[x x x x]

<sup>9</sup>[(3) An appeal shall lie to Government against the orders of the authority referred to in sub-rule (1) within one month of the receipt of the order appealed against:

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if he is satisfied that the appellant had sufficient cause for not submitting the appeal in time.]

(4) If any change of name is sanctioned after the issue of a Public Examination Certificate, the candidate concerned shall notify the change in name in the Gazette and the notification shall be attached to his certificate.

4. **Admissions-** (1) <sup>10</sup>[Admission of pupils shall be made during the summer vacation and shall be completed before the re-opening of schools subject to sub rules (2), (3) and (4)].

(2) Notwithstanding the above restriction, admission of pupils to Standard 1 may be continued till the close of the fifth working day after the re-opening and the pupils may also be admitted to standard 1 during the first <sup>11</sup>[five] working days after the Vijayadasami day.

(3) The Headmaster is competent to admit any pupil during the periods of admission specified in sub-rules (1) and (2) but admissions of pupils at any other time shall <sup>12</sup>[also be made by the Headmaster for sufficient reason].

(4) The Headmaster is competent to admit at any time pupil applying with transfer certificate issued under sub-rule (5) of Rule 18 (transfer of Government servants etc).

(5) The first instalment of fees together with fees as prescribed in Rule shall be paid at the time of admission and the fees so paid shall not be refunded under any circumstances.

5. **Age limits for Admission:-** <sup>13--14</sup> [(1) No child who has not completed five years of age as the 1<sup>st</sup> <sup>15</sup>[June] of the year if admission shall be admitted to any school except pre-primary schools].

(2) Persons who have completed twenty years of age shall not be admitted to any school without the sanction of such authority as may be specified

by Government by notification in the Gazette\*. But pupils who complete twenty years of age while still on the rolls of a school may be allowed to continue their studies in that school or any other school until they are removed from the rolls on any ground.

**Note.** - (1) Pupils belonging to Scheduled Tribes who have failed in the S.S.L.C Examination in their first appearance and who are above twenty years of age may be re-admitted to the Standard.

(2) The age limit for re-admission to Standard X in the case of pupils belonging to Scheduled Castes who have failed in the S.S.L.C Examination in their first appearance will be 22 years.

**6. Admission of pupils with Transfer Certificates** - (1) When the application for admission of a pupil is accompanied by a transfer certificate duly issued from any school, the pupil shall be admitted to the Standard to which he is found eligible according to the transfer certificate, provided not more than two months have elapsed since the issue of the transfer certificate. After the lapse of two months sanction of the Educational Officer is required for admission.

(2) No pupil shall be admitted to any Standard other than Standard I without the production of a transfer certificate from a school except as a private study pupil under Rule 7.

**Note:-**The Director may grant exemption in suitable cases taking into consideration the merits thereof.\*

(3) No pupil who has previously attended any school shall be admitted to another school without the production of a transfer certificate from the school last attended by him.

<sup>16</sup>[(4) Nothing in this rule shall apply to pupils migrating from other States with T.C. who have completed S.S.L.C or equivalent course or appeared for S.S.L.C or equivalent Examination].

**7. Admission of Private Study pupils** - - <sup>17</sup>[(1) A pupil who has not attended any school may be admitted as a private study pupil in accordance with rule 8].

<sup>18</sup>[(2) A pupil who has attended a school and left off and has been away from such school for at least one year may also be admitted as a private study pupil. But he will be permitted to sit for an examination as

contemplated in Rule 8, only of a class one lower than the one which he would have been eligible to take had he continued on the rolls without interruption].

(3) No private study pupil shall be admitted to any Standard higher than <sup>19</sup>[Standard V].

8. (1) Private study pupils seeking admission to a particular Standard in any school shall be required to sit for the annual examination in that school for the standard immediately below during the previous year along with other pupils; and those who pass in the examination according to the basis of promotion adopted in the school may be admitted as private study pupils to the concerned standard on the reopening day. Private study pupils intending to sit for the annual examination for a particular Standard may be allowed, without payment of any tuition fee but on payment of the special examination fee prescribed in sub-rule (3), to join that Standard one month prior to the annual examination; but such pupils shall not be deemed to be on the rolls of the school.

(2) Private study pupils seeking admission to Standard V in a school which does not contain standard IV, shall be allowed to sit for the annual examination for Standard IV in any school and may be admitted on production of a certificate from the Headmaster of the latter school.

(3) Every private study pupil who intends to sit for the annual examination of Standards IV <sup>20</sup>[x x x] shall remit into the Treasury a special examination fee of \*Rs. 10 and produce the chalan receipt before he is allowed to join the Standard IV, [x x x] as the case may be- vide sub-rule (1).

<sup>21</sup>[Provided that the pupils belonging to any scheduled Tribes studying in the schools under the Department of Tribal Welfare shall be allowed to sit for the annual examination of Standards IV, [x x x] without payment of any Special Examination fee.]

(4) The Question papers, answer papers, and other records relating to the examination of private study pupils shall be preserved in separate bundles till the next annual inspection.

<sup>22</sup>[(5) A candidate who has completed 17 years of age may be permitted to sit for the annual examination of Standard VII in any High School along with the other pupils on remitting a fee of Rs. 10 into Government Treasury. Along with the Treasury Receipt he should submit a

declaration duly attested by the Headmaster of that school to the effect that the candidate is aware that he will not be admitted to the higher class in any school even if he comes out successful in the examination. A successful private candidate may be issued a certificate in the form given below by the Headmaster of the school, after the promotion is got approved by the Controlling Officers.

### CERTIFICATE

This is to certify that (name of candidate in block letter, full address and father's name) born on ----- has been examined in the annual examination Standard VII in March ----- in this school and that he/she came out successful in the above examination.

Under the provisions of rule 8 (5) of Chapter VI of Kerala Education Rules he/she is not eligible for admission to higher class.

Headmaster

Signature of candidate  
Countersigned  
District Educational Officer]

- 9. Age limits for admission of private Study pupils** - No private study pupil who has not completed the minimum age for any Standard as given in the schedule below shall be admitted to that standard.

### SCHEDULE

Standards	II	III	IV	V	<sup>24</sup> [x x x x]
<sup>23</sup> [Age as on 1 <sup>st</sup> June of the year of admission]	6	7	8	9	<sup>24</sup> [x x x x]

- 10. Admission of pupils migrating from other States** - Pupils migrating from schools in other States of India or outside India with transfer certificate or other equivalent document countersigned by the Inspecting Officer may be admitted to the Standard corresponding to the one to which they are eligible according to the transfer certificate or equivalent certificate provided:-

- (1) those schools are institutions recognised by the respective Governments;
- (2) that not more than two months have elapsed since the issue of the transfer certificate or equivalent document;

**Note:-** Such admission after the lapse of two months require the sanction of the Educational Officer.

<sup>25</sup>[(3) x x x x x]

(4) that the pupils are tested and found fit for admission to that Standard.

<sup>26</sup>[(5) that the pupils have completed the minimum age as prescribed in rule 5 or 9].

<sup>27</sup>[**10A.** Notwithstanding anything contained in rules 9 and 10 the Director <sup>28</sup>[or the Joint Director] may for valid and sufficient reasons to be recorded in writing grant exemption from minimum age in the matter of admission to children of employees of Central Government working in the State of Kerala, or to the children of the Central Government Employees who have retired from the service of the Central Government and settled in the State of Kerala, provided their children had their studies previously in schools outside the State of Kerala].

<sup>29</sup>[**10B.** A pupil admitted to any Standard, if subsequently found to be under aged for admission to that standard, he/she shall not be promoted from the standard in which he/she is studying at the time of detection of the irregular admission till he/she attains the age prescribed for the standard to which he/she is to be promoted and the promotions shall be effected only along with the other pupils provided he/she is otherwise eligible for promotion].

<sup>30</sup>[Provided that nothing in this rule shall apply to pupils admitted to any Standard:-

- (i) before the school year 1973-74, or
- (ii) in relaxation of the minimum age rule granted by competent authority].

**11. Conditions of admission** – (1) No pupil shall be refused admission to any school on the ground of caste, community, or religion unless any such condition has been accepted as a condition for the recognition of the School.

(2) No pupil who has been dismissed from any school shall be admitted to any school without the sanction of the Director. No pupil who has been convicted by a Court of Law for more than 2 months imprisonment for an offence involving moral turpitude shall be admitted to any school or allowed to continue in any school without the sanction of the Government.

Note:- Juvenile offenders released from the certified schools do not come under the above and a transfer Certificate issued by the Superintendents of the Certified schools shall be deemed to be a transfer certificate issued from a recognised school.

(3) No pupils shall be admitted or allowed to continue in any school, if  
 (a) he is not protected from small- pox or  
 (b) he is suffering from any contagious or communicable disease.

**12. Admission of Boys into Girls' Schools:-** (1) All Primary Schools (Lower and Upper) shall be deemed to be mixed schools and admission thereto shall be open to boys and girls alike. But under Special circumstances the Director\* may exempt particular institutions from this rule so that admission there to might be restricted to boys or girls and in the absence of such special circumstances the Director\* may withdraw such exemption.

(ii) Admission to Secondary Schools which are specifically recognised as Girls Schools shall be restricted to girls only; but the Director may issue a general permission to boys below the age of twelve to be admitted to classes not higher than standard VII in particular Girls Schools Provided there are no Boys schools in the locality. But such boys on completing the age of twelve shall not be allowed to continue in such schools beyond the school year in which they complete the age of twelve.

(iii) Girls may be admitted into Secondary Schools for boys in areas and in towns where there are no Girls' Schools and in such cases adequate arrangements should be made for the necessary convenience. The admission will be subject to general permission of the Director\* in particular Boys' Schools which will be specified by him.

**13. Cases not covered by the Rules to be referred to the Director -** All cases of admission of pupils not covered by or requiring exemption from any of the Rules, shall be referred to the Director or any other officer authorised by Government for decision.

- 14. Admission of pupils pending production of Transfer Certificate-** (1) No pupil shall be allowed to attend school pending formal admission or enrollment except as provided for in Rule 8 and no pupil shall be admitted or enrolled pending the production of a transfer certificate.

**Note:-** Pupils coming from school outside the state may be admitted pending production of transfer certificate, such certificates being produced not later than 10 days after the date of reopening of the school previously attended.

(2) The Headmaster of the school in which a pupil seeks admission shall not apply for a transfer certificate to the Headmaster of the school which the pupils is leaving, but shall leave it to the parent or guardian of the pupil to apply for and produce such certificates.

<sup>31</sup>[(3) Nothing in this rule shall apply to pupils migrating from other state who have completed S.S.L.C or equivalent Course or appeared for S.S.L.C. or equivalent examination].

- 15. Removal of pupils from the Rolls-** A pupil shall be removed from the rolls, if
- (i) he has passed the highest class in the school, or
  - (ii) his transfer certificate has been issued; or
  - (iii) he has been absent without leave for fifteen working days consecutively; or <sup>32</sup>[has been continuously absent for 5 working days from the re-opening day; or]

<sup>33</sup>[**Note:-** x x x x]

- (iv) he has defaulted payment of any instalment of fees and on that account has been absent with or without leave for fifteen working days continuously; or
- (v) he has been suspended from the school for more than fifteen working days; or
- (vi) he has been dismissed from the school; or
- (vii) he has been convicted by a Court of Law for more than two months imprisonment for an offence involving moral turpitude <sup>34</sup>[or
- (viii) he has been once presented for a public examination].

**Note:-** The Headmaster may grant on satisfactory grounds leave of absence to any pupil who is not a defaulter in payment of fees and may retain such pupil on the rolls even after continuous absence for fifteen working days.



<sup>35</sup>[(ix) he has on re-admission to standard X, secured the minimum attendance required to make up the deficiency in attendance for admission to the public Examination, provided that this shall not apply to the candidates belonging to scheduled Tribes who are re-admitted to Standard X].

- 16. Re- admission of removed pupils** – Subject to the provision in sub-rule (2) of Rule 11, a pupil who has been removed from the rolls but whose transfer certificate has not been issued, may on application presented by the guardian in the form of application for admission, be re-admitted to the class in which he was studying at the time of his removal, provided that all dues to the school are paid and the re-admission takes place during the same school year or the next school year. But the previous sanction of the Educational Officer shall be obtained for re-admission after the next school year.

<sup>36</sup>[Pupils re-admitted will not be counted at the time of strength verification under Chapter XXIII of Kerala Education Rules].

<sup>37</sup>[Provided that nothing in this rule will apply to pupils who completed S.S.L.C course].

- <sup>38</sup>**16A.** Notwithstanding anything contained in these rules, a pupil has completed the S.S.L.C. course or failed in the S.S.L.C Examination may be re-admitted in Standard X if he has participated in the National School Games and Sports Meet and won first or second or third place in any event in school year immediately proceeding the year of readmission. But no such pupil shall be given readmission to Standard X for more than two consecutive school years].

- 17. Issue of transfer certificate:-** <sup>39</sup>[(1) Transfer certificate in form 5 may be issued by the Headmaster on any day during the summer vacation <sup>40</sup>[and for sufficient reasons at other times] <sup>41</sup>[x x x]. But Transfer certificates may be issued by the Headmaster at any time to pupils who have appeared for a public examination;]

(2) No transfer certificate shall be issued to a pupil from whom there are any dues to the school.

Note:- If a pupil is transferred from one school to another, on or after the due date for payment of fees for a month, the instalment for that month is due to the former school and if the transfer takes place before the due dates the instalment is due to the latter school.

(3) If a pupil who has been removed from the rolls of a school is over 20 years of age, no transfer certificate shall be issued to him from that school for admission to any other school unless previous sanction under sub-rule (2) of Rule 5 has been obtained. But a leaving certificate <sup>42</sup>[in form 5A] may be issued, if required.

**18. Transfer certificates of removed pupils etc -** (1) The transfer certificates of pupils removed under sub-rule (i) of Rule 15 may be issued by the Headmaster at any time on the application of the pupil or his guardian.

(2) Subject to the provisions in Rule 17 the transfer certificate of pupils removed under sub-rules (iii) and (iv) of Rule 15 may be issued on the application of the guardian and on payment of all dues to the school.

(3) The transfer certificates of pupils removed under sub-rule (v) of Rule 15 shall not be issued during the period of suspension.

(4) The transfer certificate of pupils removed under sub rule (vi) and (vii) of Rule 15 shall not be issued without sanction of competent authority.

(5) The transfer certificate of pupils whose guardian are obliged to change their place of residence may be issued by the Headmaster at any time of the year on application of the guardian provided he is satisfied about the bonafides of the case.

**19. Admission of pupils with transfer certificates issued with sanction of competent authority:-**

(1) When a transfer certificate has been issued to a pupil with the sanction of the competent authority, no separate sanction shall be required for the admission of the pupil in any other school, provided admission is sought within <sup>43</sup>[two months] from the date of issue of the transfer certificate; but separate sanction for admission shall be required if admission is sought after <sup>43</sup>[two months].

(2) When a transfer certificate is issued with the sanction of the Educational Officer or the Director, the number and date of the sanction shall be entered in the transfer certificate over the signature of the Headmaster.

**20. Delay of refusal to issue transfer certificates-** In the event of a Headmaster's refusing or delaying to give a transfer certificate the parent or guardian shall have the right of appeal to the Educational Officer. The

decision of the Educational Officer shall be final unless he (the Educational Officer) thinks it necessary to refer to the higher authorities.

- 21. Grouping of schools for the purpose of issue of transfer certificates:-** In order to check the frequent and unnecessary transfers of pupils between neighboring schools the <sup>44</sup>[Director] may declare that schools within a particular area shall constitute a group. In such cases no transfer certificate shall be issued from any school in one group for admission to another school of the same type in the same group except with the sanction of the Educational Officer.
- 22. Issue of duplicate transfer certificate-** In cases of loss or irremediable damage to transfer certificates, duplicate may be issued by the Headmaster on payment of a fee of Rupee one. No application for a duplicate transfer certificate shall be entertained unless it is accompanied by a chalan for Rupee one and a certificate from a Gazetted Officer or the President of a local authority or a member of Legislative Assembly or a member of Parliament to the effect that the original is irrecoverably lost or damaged. Duplicate certificate issued should be clearly marked 'Duplicate'.

<sup>45</sup>[**22A. Issue of Certificate of School Education** - A Certificate in the form given below may be issued by the Headmaster of the school to any pupil who left/leave the school before appearing for the S.S.L.C Examination. The Certificate shall be issued only on application and on remittance of a fee of rupees ten into Government treasury and production of the chalan receipt thereof].

<sup>46</sup>[Provided that the daughters of widows need not pay the prescribed fee for the certificate, if it is to be produced along with the application or financial assistance for their marriage. The Headmaster shall mention in such certificate that the same is issued for the purpose of applying for financial assistance for marriage.

### CERTIFICATE OF SCHOOL EDUCATION

This is to certify that \*----- son/daughter of -----  
----- was pupil of this school from ----- to ----- and that  
he/she left the school on ----- after having passed from Standard -----  
(in words) he/she was removed from the rolls on ----- due to long absence  
while he/she was studying in standard ----- (in words) he/she  
discontinued his/her studies after having failed in standard ----- (in  
words). His/Her date of birth is ----- (in words) as per school records.

Station:

Headmaster,

Date:                    seal

----- School

\* Here enter the name of the pupil in block capitals with full address]

<sup>47</sup>[**23. Maximum strength of a class Division:-** The maximum strength of a class division shall be 45, but excess admission up to 50 will be allowed. When there are more than 50 students a second division may be opened, when the strength exceeds 95 a third division, and so on].

<sup>48</sup>[Provided that the Educational Officer, may, for sufficient reasons allow retention of excess strength over 50 in a class division].

1. Substituted by G.O (MS) No. 245/60/Edn. dated: 14/05/60 as per Notification published in Gazette dated 17-5-1960.
2. Added by G.O (MS) 245/60/Edn. dated: 14/05/1960 notification published on 17/05/1960.
3. Added by G.O (MS) No. 245/60 dated: 14/05/60 as per notification published on 17-5-60.
4. Added by G.O (P) 212/76/G.Edn. dt. 4-11-76 pub. on 30-11-76.
5. Substituted for "twelve years" by G.O (P) No. 103/84 dated 11-6-84 published on 26-6-1984.
6. Deleted as per G.O (P) NO. 107/80 G. Edn. dated 18-7-1980 published on 2-9-1980. Omitted part was "No correction of age shall be made in the school records after the stipulated period of twelve years".
7. Note added by G.O. (P) No. 15/91 G.Edn. dated 30-1-91.
8. The Note omitted by G.O. (P) 1/75/G.Edn. dated 1-1-1975. That note was originally introduced by G.O. (P) 246/66/Edn. dated 30-5-1966.
9. The existing sub-rule (3) has been renumbered as sub-rule (4) and the new sub-rule (3) has been introduced by G.O.(P) 91/77/G.Edn. dated 26-4-77 published on 7-6-77.

10. Substituted by G.O (P) 164/70 dated 4-4-1970 published in Gazette dt. 21-4-1970 for. "(1) Admission of pupils shall generally begin two weeks before the re-opening of schools and close one week before the re-opening".
11. Substituted for the word 'Fifteen' by G.O (P) 394/64/Edn. dated: 25/7/64 as per notification published on 04/08/64..
12. Substituted by G.O. (P) 96/77/G.Edn. dated 5-5-77 published on 7-6-77 for "be made only with the sanction of the Educational Officer except a provided in Sub-Rule (4)".
13. Exemption from age rules for admission of pupils in Standard. I to X will be delegated to the District Educational Officers and admission of pupils in Standard. I to IV will be delegated to the Asst Educational Officers. Period of exemption that can be granted by the Educational Officer will be limited to three months. However, age exemption need be granted to pupils only if the guardian produces the birth certificate of the pupil issued by the competent authority (G.O.(MS) 14/94/G.Edn. dated 3-2-94 and G.O. (MS) 198/2009/G.Edn. Dt. 5-10-2009.
14. Substituted by Notification in Gazette dated 5-5-1964.
15. Substituted by G.O (P) 175/69/Edn. dated: 26/04/69 as per notification published on 6-5-1969.
  - \* The District Educational Officers are authorized by notification No. Ed. (Spl) 21564/59/EHD dated 8-6-1959 published in Gazette dated 9-6-1959.
  - \* The Power conferred on the Director is delegated to the Deputy Directors of Education by Notification published in Gazette dated 24-6-1980.
16. Added by G.O.(P) 496/69/Edn. dated. 22-12-1969 published in Gazette dt. 6-1-1970.
17. Substituted by G.O (P) 141/Edn. dated: 10/03/1965 as per notification in Gazette dated 23-3-1965.
18. Sub-rule (2) renumbered as sub rule (3) and this inserted as (2) by G.O (P) 141/65/Edn. dated: 10.03.1965 as per notification in Gazette dated 23-3-1965.
19. Substituted for 'Standard VII' by SRO No. 1193/89 published in Gazette dt. 10-7-1989.
20. The words 'Standard. V or VI' have been omitted by SRO No. 1193/89 published in gazette dated 10-7-1989.
21. Inserted by G.O. (P) 75/88/G. Edn. Dated 29-3-88 published in Gazette dated 31-5-88.
22. Added by G.O (P) 284/62 dated: 22/02/1962 as per notification in Gazette dated 15-5-1962.
  - \* Revised as Rs. 50/- as per G.O. (P) 9/2002/G.E. dt. 5-1-2002. No amendment issued.
23. Substituted for the word "Age" by notification published in Gazette, dt. 10-3-1970.
24. The Figures 'VI, VII and 10, 11' Omitted by SRO No. 1193/89 published in Gazette dt. 10-7-1989.
25. Sub rule (3) omitted by notification published in Gazette dated 12-9-1961. The omitted sub rule was" (3) that the pupils satisfy the age requirement prescribed in rule 9".
26. Added by G.O. (P) 93/70 Edn. 26-2-1970. Published in Gazette dt. 10-3-1970.
27. Inserted by G.O (P) 80/72/Edn. dated 14-6-1972 published in K.G. dated 27-6-1972.
28. Inserted by G.O. (P) 10/77 G. Edn. dated 20-1-77 published in Gazette dated 8-3-77.
29. Added by G.O (P) 131/72 Edn. dt. 4-10-1972 published in Gazette dt. 24-10-1972.

30. Substituted by G.O. (P) 115/73/S. Edn. dated 10-7-1973 published in Gazette dt. 31-7-1973.
- \* Powers delegated to Deputy Directors Edn. by G.O. (P) 52/80/G. Edn. dt. 7-5-80 in Gazette dt. 24-6-1980.
31. Added by G.O (P) 496/69/Edn. dated: 22/12/1969 as per notification in gazette dated 6-1-70.
32. Added by G.O (P) 48/72/S.Edn. dated: 22-03-1972 as per notification dated 5-5-72 in gazette dated 6-6-72.
33. The note under clause (iii) Omitted, *ibid*.
34. Inserted by notification in gazette dated 27-2-62.
35. Added by G.O. (P) 9/79/G.Edn. dated 19-1-79 published in Gazette dated 27-3-73.
36. Added by G.O. (P) 90/79/G.Edn. dated 6-6-79 published in Gazette dated: 7-06-1979.
37. Added by notification in Gazette dated 6-1-70.
38. Inserted by G.O. (P) 98/78/G.Edn. dated 18-7-78 published in Gazette dated 8-8-78.
39. Substituted by G.O. (P) 66/72/S.Edn. Dated 5-5-72 published in Gazette dt. 6-6-72.
40. Added by G.O. (P) 96/77/G.Edn. dated 5-5-1977 published in Gazette dt. 5-5-1977.
41. Omitted, *ibid*. "There after no transfer certificate shall be issued without the sanction of the Educational Officer expect as provided in Rule 18".
42. Added by G.O (P) 76/62 dated: 24-01-1962 as per notification in Gazette dated 6-2-1962.
43. Substituted for the words "one month" by G.O. (P) 66/72/S. Edn. dt. 5-5-72 published in Gazette dated 6-6-72.
44. Delegated to Deputy Director (Education) by G.O. (P) 52/80/G.Edn. dt. 7-5-80 in gazette dated 24-6-80.
45. Inserted by G.O. (P) 162/79/G.Edn. dated 27-9-79 published in Gazette dated 30-10-79.
46. Inserted by SRO 1924/89 published in Gazette dated 30-11-89.
47. Substituted by G.O (P) 391/64/Edn. dated: 25-07-1964 as per notification in Gazette dated 4-8-1964.
48. Added by G.O. (P) 66/72/S. Edn. dated 5-5-1972 published in Gazette dated 6-6-72.

## CHAPTER VII

**ATTENDANCE, HOLIDAYS AND VACATION**

- <sup>1</sup>[1. All Schools shall be closed for the Summer Vacation every year on the last working day on March and re-opened on the first working day of June unless otherwise notified by the Director].
- <sup>2</sup>[2. **School year-** A School year shall be deemed to commence on the re-opening day and terminate on the last day of Summer Vacation].
- <sup>3</sup>[2A. Academic year shall be deemed to commence on the re-opening day and terminate on the last day before summer Vacation].
3. **Minimum number of working days-** There shall ordinarily be a minimum of <sup>4</sup>[220 instructional days excluding the days of examinations] in every school year. Under special circumstances, shortage in the number of working days may be condoned by the Educational Officer up to a maximum of 20 days and by the Director\* beyond 20 days.
- <sup>5</sup>[4. **Holidays-** (1) The Director\* and the District Educational Officer so far as the Educational District is concerned may for adequate reasons declare any day as a special holiday for any or all schools.
- (2) The Headmaster of the School may for adequate reasons declare any day as a special holiday for the school and report the fact to the District Educational Officers provided the deficiency in the number of working days is made good by working on any other day.
- <sup>6</sup>[(2A) Headmaster and non-teaching staff of school shall attend office on special holidays declared under sub-rules (1) and (2)].
- (3) Schools in which the majority of the staff or pupils are Muslims may have Fridays as holidays instead of Saturday which may be working days. In schools in which Fridays are not made holidays, the noon interval on Friday shall be two hours from 12-30 to 2.30 p.m. to enable Muslim staff or pupils to attend to prayers. The working hours on these days will be from 9.30 A.M to 12.30 P.M. and from 2.30 p.m. to 4.30 p.m.]
5. **Education Department Calendar** - (1) At least ten days before the commencement of every school year, the Director shall issue the

Education Department Calendar for that year, showing among other things;

- <sup>7</sup>[(a) the opening day and the closing day];
- (b) the dates of Public holidays;
- (c) the dates of commencement and termination of Onam and Christmas holidays;
- (d) the dates of special holidays, if any;
- (e) the number of working days available, and
- (f) the deficiency to be made up, if any to raise the number of working days to the prescribed minimum.

(2) The Education Department Calendar with directions, if any, as to how the deficiency referred to in sub rule (1) should be made up shall be supplied to the Educational Officers for transmission to the Heads of all institutions under their control.

(3) The Director may, if found necessary, make and announce any alteration in the calendar.

(4) All Government and Private Schools shall follow the calendar issued by the Director.

**6. Attendance Register** - (1) Every School shall maintain an Attendance Register in Form 6 for each division of every Standard.

(2) The Percentage of attendance of every pupil during the school year shall be entered against his name in the attendance Register on the date of closing of the school for summer holidays.

**7. Minimum Attendance** - (1) A pupil's percentage of attendance during a school year shall be calculated to the nearest integer.

(2) A Pupil shall be deemed to have secured the minimum attendance if he had attended school on not less than 85 percent of the number of working days in the year. <sup>8</sup>[A Pupil studying in a standard leading to a public Examination shall be deemed to have secured the minimum attendance if he had attended the school on not less than 85 per cent of the total number of working days as on the <sup>9</sup>[last day of February of the year] in which the examination is held].

(3) No minimum attendance is prescribed for purpose of promotion of pupils of standards I to III.



(4) If in any year the results of the public examination are published late, the Director may fix a later date as the last date of resumption of attendance in the following year by the pupils who have failed in the Public Examination. In the case of such pupils, their attendance as well as the total number of working days shall be reckoned from the fixed date, but if any such pupil resumes attendance before the fixed date and if he is found wanting in attendance at the end of the year, the days on which he attended school before the fixed date may be included in this attendance to the extent necessary to make up for his deficiency in attendance. If any such pupil does not resume attendance on the fixed date his name shall be removed from the rolls forthwith.

**Illustration** - A pupil has been present on 147 out of 175 days from the last date for resumption of attendance and on 5 days before that date. His percentage of attendance is  $147 \times 100/175$  or 84 and the deficiency of 1 percent shall then be made up by adding on 2 days' attendance out of the 5 days' previous attendance, the remaining three days' attendance being ignored.

8. **Pupils without minimum attendance not to be promoted or allowed to sit for examination-** (1) No pupil who has failed to secure the minimum attendance prescribed in Rule 7 during a school year, shall be promoted from a Standard unless the deficiency in attendance has been condoned as per Rule 9.

Note- Vide Rule 7 (3) in regard to pupils of Standard 1 to III.

(2) No pupil studying in a standard leading to public Examination who had failed to secure the minimum attendance prescribed in Rule 7 (2) during a school year shall be permitted to sit for the Public Examination held at the end of that year unless the deficiency in attendance is condoned as per Rule 9.

- <sup>10</sup>9 **Condonation of deficiency in attendance:-** (1) If the deficiency in attendance is above 15 percent and not more than 25 percent of the total number of working days in a School, the deficiency may be condoned by the Headmaster of the School for reasons to be recorded in writing; provided the pupil's progress and conduct are satisfactory and also the pupil fulfills the basis of promotion fixed for that standard.

(2) If the deficiency in attendance is above 25 percent and not more than 40 percent of the total number of working days, the deficiency may be

condoned by the Educational Officer. If the deficiency in attendance is more than 40 percent, no condonation shall be given on any account.

(3) Immediately after the closing day of every year, the Headmaster of school shall send to the Educational Officer a list of all pupils in the various standards whose deficiency of attendance is above 25 percent and not more than 40 percent and who have secured not less than 45 per cent marks for each subject at the annual examination and periodical tests taken together. The promotion list of such pupils shall be published only after the receipt of orders of the Educational Officer regarding condonation of deficiency.

(4) The procedure for condonation of deficiency of attendance of pupils of the standard leading to public Examination shall be set forth in the rules relating to that Examination].

**11[9A. Relaxation of rules regarding attendance** - Notwithstanding anything contained in rules 7, 8 and 9 in the case of pupil who is studying in the same standard for the 2<sup>nd</sup> or 3<sup>rd</sup> year, minimum attendance shall not be insisted on in that particular year provided that-

- (a) the pupil has secured the minimum attendance in any previous year in the same Standard.
- (b) the pupil has secured the qualifying marks for promotion that year and
- (c) the Headmaster is prepared to record in writing that the pupils progress and conduct are satisfactory].

**10. Withdrawal of pupils during a school year** - If at any time during a school year, a pupil is unable to continue his studies his guardian may apply to the Headmaster for permission to withdraw the pupil from school for the rest of the year and the Headmaster may for satisfactory reasons, grant the application and exempt the pupil from the payment of fees for the succeeding months in accordance with the rules for collection of fees.

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1. Substituted by G.O. (P) 68/71/S.Edn. dated 4-6-1971 published in Gazette dated 8-6-1971 for "All schools shall be closed for summer vacation every year on the 14<sup>th</sup> of April and re-opened on the 2<sup>nd</sup> May of that year unless otherwise notified by the Director".

2. Substituted by G.O. (P) 68/71/S.Edn. dated 4-6-1971 published in Gazette dated 8-6-1971 for "School year means the year beginning on the 2<sup>nd</sup> May and ending on the 1<sup>st</sup> May of the next following year".
3. Added by G.O. (P) 32/79/G.Edn. dated 23-2-1979 published in Gazette dated 13-3-1979.
4. Substituted by G.O (P) 164/70 dated 4-4-70 published in gazette dated 21-4-1970 for '200 working days'.
  - \* Delegated to Deputy Director (Education) by G.O. (P) 52/80/G.Edn. dated 7-5-80.
5. Substituted by G.O (P) 164/70 dated 4-4-1970 published in gazette dt. 21-4-1970.
6. Added by G.O (P) 88/78 G. Edn. dated 26-6-1978 published in gazette dt. 11-7-1978.
7. Substituted by G.O (P) 68/71 dated 4-6-1971 published in gazette dt. 8-6-1971.
8. Added by G.O.(P) 212/67/Edn. dated: 18/05/1967 as per notification in gazette dated 3-1-1967.
9. Substituted by G.O (P) 68/71 dated 4-6-1971 published in gazette dated 8-6-1971 for "15th March of the year".
10. Substituted by G.O. (P) 66/72 dated 5-5-1972 published in gazette dated 6-6-1972.
11. Inserted by G.O(P) 231/74/G.Edn. Dated 27-11-1974 published in gazette dated: 31-12-1974.

## CHAPTER VIII

ORGANISATION OF INSTRUCTION AND  
PROGRESS OF PUPILS

1. **Courses of instruction** - (1) The Courses of instruction and training in the various types of school shall be in accordance with the curriculum of studies issued by the Director with the sanction of Government.

<sup>1</sup>[Provided that in Schools/Classes where the medium of instruction is English, separate periods shall be set apart for teaching Malayalam as may be directed by the Government].

<sup>2</sup>[Provided further that it shall be competent for the Director to sanction exemption from the study of a language prescribed for the course in exceptional cases such as where the mother-tongue of the pupil is a language other than Malayalam, Tamil or Kannada].

(2) The curriculum of studies for each course of instruction and training shall be organized as to cover the entire period allotted to it and unless otherwise provided in separate rules or orders, shall be divided into annual units suitable for each class.

2. **Text Books-** (1) A list of text books approved and/or prescribed for study in the various classes of different types of schools during any particular year shall be published in the Gazette by the Director with the sanction of the Government before the end of February of the preceding school year and if the books once approved or prescribed are permitted to be in use during the succeeding years also the fact shall be published in the Gazette.

(2) No book which is not included in the published list may be used for the purpose of secular instruction in any class of schools without special permission of the Director.

(3) Headmasters are expected to see that the pupils provide themselves with all the text books necessary for the given course of instruction and with suitable note books, copy books, and materials for exercise in geometry, map- drawing, etc. Headmasters and class teachers are also expected to discourage by every means in their power the use by pupils of cram books, annotated editions of text-books and other unsuitable books of the kind.

3. **School day** – (1) Unless otherwise provided in separate rules or orders the working day for every institution shall consist of five hours, divided into forenoon and afternoon session.  
  
(2) Each session shall be reckoned as on half of a working day, but in Standards working on shift system, each session, shall be reckoned as one working day for the purpose of calculating the pupils attendance.
4. **Time table** – (1) At the beginning of each school year, the Headmaster shall in consultation with the staff council, if any, have a time table of work prepared for the various Standards, showing distribution of teaching work among the teachers and the distribution of available periods among the various subjects.  
  
(2) All arrangements relating to the time-table of work (General organisation, division of work among assistance, etc), shall be a matter for the discretion of the Headmaster and his special responsibility. But all arrangement of the kind are subject to inspection and if they are considered unsatisfactory, must be altered in accordance with the instructions of the Educational Officers.  
  
(3) The Headmaster shall assign to himself such part of the teaching work as will keep him in touch with the general progress of instruction in the institution and may limit his own teaching work so as to leave him sufficient time to attend to his other duties. Headmasters of High Schools and Higher Secondary School should have at least ten periods of teaching work.  
  
(4) Physical Education (Physical drill, Gymnastics, small area games, athletics and organised games) is compulsory and every school should make adequate provision for it in the time- table. It should be seen that every pupil is having regular and systematic exercise in the open air.  
  
All teachers below the age of 45 are expected to actively participate in the physical activities and thus make them a lively programme.
5. **Scheme of work-** (1) At the beginning of the school year, the Headmaster shall in consultation with the staff council, if any have a scheme of work drawn up for any subject in every standard, showing the distribution of the curriculum in that subject for that Standard, over the whole year, divided into convenient sections, weekly, monthly, or otherwise, and providing if possible, sometime for revision.

(2) The Headmaster shall keep himself through with the scheme of work and shall watch the progress of instruction so as to ensure that the scheme of work is adhered to in actual practice as far as possible and make alternations wherever necessary.

(3) Every teacher shall maintain teaching notes and the Headmaster shall from time to time check them with the scheme of work.

(4) The Headmaster shall devote the major portion of the office time to the supervision of teaching work with a view to ascertain whether the work allotted has been satisfactorily done and note in his diary of supervision the fullest details of the same. The Headmaster should also see that suitable reference books are provided and that they are made use of properly by the staff.

**6. Dynamic methods of teaching-** (1) The methods of teaching in school should aim not merely at the imparting of knowledge in an efficient manner, but also at inculcating desirable values and proper attitudes and habits of work in the students.

(2) They should, in particular, endeavor to create in the students a genuine attachment to work and a desire to do it as efficiently, honestly and thoroughly as possible.

(3) The emphasis in teaching should shift from verbalism and memorization to learning through purposeful, concrete, and realistic, situations and for this purpose, the principles of "Activity method" and "Project Method" should be assimilated in school practice.

(4) Teaching methods should provide opportunities for students to learn actively and to apply practically the knowledge that they have acquired in the classroom. "Expression work" of different kinds, must, therefore, form part of the programme in every school subject.

(5) In the teaching of all subjects special stress should be placed on clear thinking and clear expression both in speech and writing.

(6) Teaching methods should aim less at imparting the maximum quantum of knowledge possible and more on training students in the techniques of study and methods of acquiring knowledge through personal effort and initiative.

(7) A well- thought-out attempt should be made to adopt methods of instruction to the need of individual students as much as possible so that dull, average, and bright students may all have a chance to progress at their own pace.

(8) Students should be given adequate opportunity to work in groups and to carry out group projects and activities so as to develop in them the qualities necessary for group life and Co-operative work.

7. **Medium of instruction** – (1) The medium of instruction in all institutions shall ordinarily be Malayalam. For pupils whose mother tongue is Tamil or Kannada provision shall be made for instruction in their mother tongue if there be sufficient number of pupils.

(2) Under special circumstances, the Director\* may, with the sanction of the Government, grant exemption from sub-rule (1) and permit any other language to be used as the medium of instruction in any school and in the absence of any special circumstance the Director\* may withdraw such exemption.

<sup>3</sup>[(3) In schools where a particular language is the general medium of instruction, the Director\* may with the previous sanction of the Government permit separate divisions of any standard or all the standards being opened with any other language of any linguistic minority group as the medium of instruction subject to the following conditions:-

**Primary Schools:-** The minimum strength of the pupils belonging to the linguistic minority group shall be 10 for each standard or an aggregate of 40 pupils in the Lower Primary section and 10 pupils for each standard or an aggregate of 30 in the Upper Primary Section.

**High Schools:-** The minimum strength of linguistic minority group for each standard shall be 15 or 45 in the aggregate in standards VIII to X. The aggregate strength of 45 for all Students or 15 for each standard shall be computed separately for each one of the academic or diversified courses:

Provided that in the first year of introduction, the minimum strength of Standard VIII shall be 15, in the second year in Standard VIII and IX together shall be 30 and so on:

Provided further that the sanction of Government shall be necessary to discontinue the facilities that existed as on 1-11-1956 for the linguistic minority group.

**Note:-** The medium of instruction referred to in this rule means the language through which instruction is imparted in non- language subjects and unless otherwise expressed or implied, it means also the language in which answers are to be written in the examinations in non- language subjects.]

<sup>4</sup>[(4) Nothing contained in Sub-rules (1) to (3) shall apply to English Medium parallel divisions].

<sup>5</sup>[7A. In predominantly Tamil or Kannada areas of the State, where Tamil or Kannada as the case may be has been permitted as the medium of instruction under sub-rule (2) of rule 7 the Director may permit or require separate divisions of any standard or all standards being opened with Malayalam as medium of instruction subject to the following conditions:-

- (i) **Primary Schools** - The minimum strength of pupils for Malayalam shall be 10 for each standard or an aggregate of 40 pupils in the Lower Primary section and 10 pupils in each standard or an aggregate of 30 in Upper Primary Sections.
- (ii) **High Schools** - The minimum strength of pupils of Malayalam shall be 15 for each standard or 45 in the aggregate in standards VIII to X. The Aggregate strength of 45 for all students or 15 for each standard shall be computed separately for each one of academic or diversified course].

8. (1) A pupil who has received instruction through any particular language may, with the sanction of the Educational Officer, be admitted to a school where there is no provision for imparting instruction through that language if the guardian undertakes in writing to provide the necessary additional instruction at home to make up for any deficiency.

(2) In the case of a pupil admitted under sub-rule (1) the Headmaster may permit him to write his answers during school examinations in the language in which he had received instruction in the former school. In such case, it shall be the duty of the Headmaster to make satisfactory arrangements for setting question papers in that language and for valuing the pupil's answers.



9. **Moral Instruction:-** Moral instruction should form a definite programme in every school <sup>6</sup>[x x x] [it should be impressed upon the pupils that the components of a high character are truthfulness and non- violence in thought, word and deed fearlessness, self control and selflessness, respect to superiors and reverence to elders, tenderness to animals and compassion for the poor, humility and diligence, love of one's country and pride in her past and faith in her future, saluting the National Flag and singing the National Anthem and habits of order and punctuality].

The teachers should set the example of a high character before the eyes of the pupils under them and realise the great responsibility which rests upon them in regard to the moral training of those committed to their charge.

10. **Extra- Curricular Activities -** Extra-curricular activities should form an integral part of education imparted in the school and the Headmaster and all the teachers should devote a definite time to such activities.

The following are some of the extra-curricular activities which should be organised in School:-

- (i) **Scouts and Guides activities -** Details are contained in the bye-laws and other publications of the Bharat Scouts and the Guides Association, Kerala State;
- (ii) **The N.C.C. and the A.C.C. -** The activities of the N.C.C. are governed by the National Cadet Corps Act, 1948, and the National Cadet corps Rules issued by the Government of India;
- (iii) First Aid, Junior Red Cross Work, St. John's Ambulance Work; and
- (iv) Hiking, Rowing, Swimming, Tours and Excursions, Debates, Dramas, Drawing and Painting, Gardening, Exhibitions and Melas, and Publication of School Annuals.
- (v) (a) To foster cordiality esprit- de- corps and high social consciousness among the students there may be in every School, a school parliament <sup>7</sup>[in accordance with the scheme issued by the Director] which shall be the common platform of all students and may encourage sports, cultural and educational activities by organising games, tournaments, discussions, symposia, sramadan etc.  
(b) for the better and efficient functioning of the parliament the teachers shall render all possible assistance and the Headmaster may be the patron of the same.

- 11. Examinations:-** (1) The Headmasters shall be responsible for holding internal written examinations in their schools to test the progress of the pupils and to decide their promotion from Standard to Standard in consultation with the staff council, if any.

<sup>8</sup>(2) There shall be one examination (Final) for every Standard for every year in <sup>9</sup>[March] according to time- tables set sufficiently early].

(3) It shall be the duty of every teacher to render such assistance as may be required by the Headmaster in the setting of question papers, the supervision of the examinations and the valuation of answer papers. Strict secrecy shall be maintained in the preparation of question papers, which should be approved by the Headmaster after scrutiny as to their suitability for the students.

The valuation of answer papers should be completed before the dates prescribed by the Headmaster, who should test the valuation after it is completed. The Headmaster is however competent to revise the marks awarded by his assistants as he may consider necessary, but the reasons for and the extent or nature of such revision must be clearly recorded and the matter be placed before the staff council, if any.

- 12. Mark Register -** (1) There shall be a Mark Register in every school in which shall be entered.

- (a) The marks obtained by the pupil in each subject in each examination;
- (b) The pupil's percentage of attendance together with the authority, if any, for exemption in cases of shortage of attendance, and
- (c) The Headmaster's orders as to whether the pupil is promoted or detained.

**Note:-** On no account shall any marks entered in the Register be altered except for the purpose of correcting a material error and the reasons for such alteration must be made the subject of record. Headmasters shall keep all Mark Registers under lock and key and will be personally responsible for the entries of marks.

(2) In the case of pupils of Secondary School Standards a Progress Register shall also be maintained in Form 7.

If a pupil is transferred from one school to another, Headmaster of the former school should forward to the Headmaster of the latter school a copy of the pupil's Progress Register made up to date. The latter

Headmaster should enter the details in his Progress Register. He should note at the top of each page, in red ink, the name of the school from which the pupil has come. For this purpose, loose sheets similar to the pages of Progress Register should be kept by the Headmasters and these should be kept under lock and key.

(3) The Headmaster is expected to intimate the progress of every pupil to his guardian from time to time through progress cards or in such other manner as he may deem fit. <sup>10</sup>[The progress cards will be in Form 8 for the Standards I to IV and in Form 8A for Standards V to X].

**13. Promotions and Detentions** - <sup>11</sup>[(1) Promotions shall be made to the next higher standard on the basis of the pupils performance as assessed by the periodical tests and on the basis of the final examination].

(2) The Headmasters in the case of all types of schools shall intimate the basis of promotion for each Standard to the Educational Officer sufficiently early and get his approval therefor; and shall enter the approved basis in the Mark Register over his signature.

(3) Every pupil who is eligible for promotion under sub rules (1) & (2) and who has secured the minimum attendance prescribed in the Rules shall be promoted to the next higher Standard.

(4) Exceptional cases of promotion which may arise shall be referred to the Educational Officer for decision.

(5) The lists of names of pupils promoted from each Standard shall be published under the dated signature of the Headmaster on such date as may be prescribed by the Educational Officer. The promotion list shall remain pasted on the notice board of the first fifteen working days in the new school year after which they shall be removed and preserved in the school records.

(6) <sup>12</sup>[In the case of High & Primary Schools] simultaneously with the publication of the promotion lists the Headmaster shall send to the Educational Officer a copy of the lists with the approved basis of promotion and such other information as the Educational Officer may require.

<sup>13</sup>[(7) x x x]

**Note:-** A cumulative record of progress shall be maintained for each pupil from Standard I to Standard IX which should be transferred to the school along with the pupil when a Transfer Certificate is issued. This record also should be taken into account for the promotion of the pupil.

(8) No alteration shall be made in the promotion lists except with the sanction of the Educational Officer.

(9) Promotions shall be made on the re-opening day and no other day except under orders of the Educational Officer.

(10) The promotion of pupils who do not have the prescribed attendance requires the sanction of the Educational Officer. In deciding the cases of such pupils, Educational Officers shall be guided by the following considerations;

- (a) that the pupil whose work throughout the year (and his previous record may also be looked into) is really good and full of promise should not be made to lose a year even if his attendance is less than the prescribed minimum.
- (b) that the average pupil who just gets the bare minimum marks for pass deserves only a slight concession in the matter of attendance.

(11) No pupil in the <sup>14</sup>[X<sup>th</sup>] Standard shall be prevented from appearing for the S.S.L.C examination merely on the ground that he has not shown sufficient progress in his studies in that class provided that a pupil may be so prevented if he has not the requisite attendance in the classes or has not paid all fees required to be paid under the rules. Where a pupil is proposed to be prevented from so appearing on ground other than those specified above; the prior approval of the Director shall be necessary.

(12) All Examination papers, Answer papers and Mark Lists, Teachers Reports and other connected records used in determining the promotion of pupils shall be preserved until the annual inspection of the school in the year following that to which they refer.

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- 1. Added by notification in K.G. 451 dated 11-4-97.
  - 2. Added by notification in Gazette dated 12-11-1963.
  - \* Delegated to Deputy Directors (Education)
  - 3. Substituted by notification No. G.O (MS) 577/63 dated 04-09-1963 published in gazette No. 39 dated 1-10-1963 for;

4. Added by G.O. (P) 215/69/Edn. 22-05-1969 published in gazette dated: 03-06-1969 in gazette dated 27-6-1972. Inserted by notification in gazette dated 3-6-1969.
5. Added by G.O (P) 81/72/S.Edn. dated: 14.06.1972 in Gazette dated 27-06-1972.
6. Substituted by the G.O. (P) 186/86/G.Edn. dt. 25-11-86 (SRO No. 89/87) published in Gazette No. 4 dt. 27-01-1987.
7. Substituted by G.O (P) 130/71/S.Edn. dated 23.09.1971 published in Gazette dated: 12-09-1972.
8. Amended by G.O. (P) 164/70 dated: 04-04-70, for:- (2) There shall ordinarily be three examinations for every standard every year, the first examination in September, the second in December, and the annual examination in March according to time tables set sufficiently early".
9. Substituted by G.O (P) 68/71/S.Edn. dated: 04-06-71.
10. Substituted by notification in gazette No. 20 dated 15-5-1962.
11. Substituted by G.O (P) 164/70 Dated: 04-04-1970 published in gazette dated 21-4-1970 for:- (1) promotions shall be made to next higher standard on the basis of the pupils performance in the standard in the examinations".
12. Substituted by G.O (P) 65/72/S.Edn. dated: 05/05/72 and for "in the case of Secondary Schools" by notification in gazette dated 6-6-1972.
13. Deleted by G.O (P) 65/72 dated: 05/05/72 and notification in gazette dated 6-6-1972. for "7) in the case of Primary Schools (Lower and Upper) including Basic Schools the promotion lists with the approved basis and any other relevant information should be sent to the Educational Officer and got approved by him before they are published under the dated signature of the Headmaster".
14. Substituted by G.O (P) 198/63 dated: 23-03-63 published in Gazette dated: 09-04-1963 for "XI".

## CHAPTER IX

## DISCIPLINE

1. **Formulation of Rules for Discipline** - (1) The rules of discipline of every school shall be formulated in a definite manner and shall include the rules in this Chapter.

<sup>1</sup>[(2) x x x x]

(3) A copy of the rules of discipline shall be pasted on the school notice board.

2. **General rules of Discipline** - (1) Every pupil shall attend his class punctually.

<sup>2</sup>[(1A) Students and members of the staff should assemble before the classes begin and sing National Anthem standing.]

(2) Every pupil shall respectfully greet the teachers on meeting them in the school premises for the first time every day.

(3) On the teacher entering the class- room, the pupils shall rise and remain standing till they are desired to sit or till the teacher takes his seat.

(4) No pupil shall leave his class-room during working hours without the permission of the teacher.

(5) Every pupil shall wear clean cloths.

<sup>1</sup>[(6) x x x]

<sup>1</sup>[(7) x x x]

(8) No pupil shall use tobacco or any intoxicant in any form in the school and in the school premises.

(9) In order to promote discipline, personal contact between teachers and pupils should be strengthened, self - Government in the form of house system with prefects or monitors and student- councils, whose responsibility will be to draw up a Code of conduct and enforce its observance, should be encouraged in all schools.

3. **Medical Inspection** - (1) All schools and all pupils are subject to inspection by such medical officers as the Government may specify.

(2) The Headmaster shall give every facility to such officers for the inspection.

(3) No pupil shall enter the school premises if he is suffering from any contagious disease.

<sup>1</sup>[4. x x x x]

<sup>1</sup>[5. x x x x]

**6. Suspension and dismissal:-** (1) Any pupil who is deliberately insubordinate or mischievous or guilty of fraud or malpractice in connection with examinations or who is found guilty of any other offence under these rules or who by his proved conduct is in the opinion of the Headmaster likely to cause an unwholesome influence on other pupils, may be, according to the degree of offence, censured, suspended or dismissed by the Headmaster. <sup>3</sup>[The Headmaster of a Secondary School may also for adequate reasons impose fines on pupil studying in Standards VIII to X]. In case of dismissal a report shall be sent to the Educational Officer. An appeal from the dismissed pupil shall lie to the Educational Officer.

**Note:-** (i) Temporary removal and permanent removal from rolls for misconduct also mean suspension and dismissal respectively under this Rule. "Rolls" means mainly the Admission Register and includes also the Attendance Register.

(ii) When a pupil is dismissed he should be removed from the rolls with appropriate entries in the Admission Register. When a pupil is suspended, his name should not, for that reason alone, be removed from rolls but the particulars of the suspension should be entered against his name in the Attendance Register.

(iii) Before a pupil is suspended or dismissed from school, the Headmaster shall inform the pupil's guardian of the fact.

(iv) Suspension and dismissal are within the competence of Headmasters of Secondary Schools. In other Schools, the Headmaster shall make recommendation to the Educational Officer who shall be competent to deal with the matter, stating in detail the facts of the case, but he may suspend the pupil until orders are received.

(2) Any pupil who is found to have secured admission by means of false certificate or by false representation of any kind shall be summarily dismissed with forfeiture of whatever fee he may have paid.

(3) Any pupil who seeks admission into a Government, aided, or recognised school by means of false certificate or false representations of any kind, but who does not actually obtained admission, shall be debarred from being admitted into any school for a period not exceeding one year to be determined by the Educational Officer.

7. **Pupils under suspension not be allowed to attend the school-** (i) The period of suspension under rule <sup>4</sup>[6(1)] shall be proportionate to the gravity of the offence.

(2) A pupil suspended from school under rule <sup>4</sup>[6(1)] shall not be allowed to attend the school during the period of suspension and shall be allowed to resume attendance thereafter.

**Note:-** See also rule 18 (3) in Chapter VI regarding the issue of Transfer Certificate to such pupils.

8. **Pupils suspended or dismissed not eligible for exemption from fees-** If a pupil is dismissed or suspended he shall not be eligible for exemption from the payment of fee granted <sup>5</sup>[under rule 6 of Chapter XII].

**Note:-** See also rules regarding the admission and re-admission of such pupils and the issue of Transfer Certificate to them.

9. **Punishment Register-** (1) Every school shall maintain a Punishment Register in Form 9.

(2) Particulars of every punishment awarded to the pupil shall be entered in the Punishment Register.

10. **Headmaster responsible for discipline -** (1) The Headmaster of a school shall be responsible for all matters connected with discipline in the school.

(2) The Headmaster may require any of his assistant teachers during holidays or outside school hours on week days, to do any work in connection with the school.

(3) Heads of schools are expected to promote manual labour and social service by students, the Boy Scouts and Girl Guides Movements, the



N.C.C and A.C.C in accordance with the instructions issued by the Department in this behalf.

**11. Headmaster's duties-** The Headmaster's duties shall include the following:-

- (i) to see that the rules and orders issued by the Department and Government are complied with;
- (ii) to maintain discipline in the school;
- (iii) to organise work in the school by framing time-tables, distributing work among the assistants, conducting tests and examinations and encouraging extracurricular activities;
- (iv) to effect promotions of pupils from Standard to Standard in accordance with the prescribed rules;
- (v) to supervise the work of teachers;
- (vi) to see that records, books and registers of the school are maintained in proper conditions and to attend to school correspondence promptly;
- (vii) to collect fees from the pupils through the teachers and remit the amount into the Treasury in the case of the Government and aided schools (or send it to the educational agencies, in the case of recognised schools) as per detailed instructions regarding levy collection, and remittance of fees;
- (viii) to maintain the school premises in a healthy, neat and tidy condition.
- (ix) to organise and conduct staff council in which all the teachers may be members and the Headmaster, the chairman.

**12. Duties of teachers-** It shall be the duty of the teachers-

- (i) to perform to the best of their abilities the teaching and other items of work allotted to them;
- (ii) to maintain discipline in the class room and to assist the Headmaster in maintaining the general discipline of the school;
- (iii) to conduct themselves in or outside the school in such a manner that their behavior would be a model for the pupils.

**Note:-** Teachers shall maintain Notes of Lessons for the subjects they teach.

**13. Undertaking external work-** No teacher or Headmaster shall undertake external work of any kind without the written permission of such

authority as the Government may by notification in the Gazette specify in this behalf.

**Note:-** Teachers are allowed to undertake private tuition work with the sanction of the Heads of the schools concerned, but no teacher shall be allowed to undertake such work for more than two hours a day and for more than four pupils.

- 14. Supervision Diary-** (1) The Headmaster shall maintain a Supervision Diary in respect of every teacher under him wherein he shall enter factual details regarding the teachers attention to duty and his observation relating to the teacher's work and conduct as a whole at least once in a term of the school year or to any particular lesson conducted by the teacher or to any special school activity in which the teacher is engaged.
- (2) The Headmaster may place the Supervision Diary of a teacher before that teacher for perusal and obtain his acknowledgment. A copy of the observations may be furnished to the teacher in case he wishes to offer any explanations and the explanation, if any, so offered shall form part of the record with the remarks of the Headmaster.]
- (3) The Supervision Diary shall be kept as a confidential record until the retirement of the teacher and it shall not be open to inspection by any person except the Headmaster, the teacher, the Manager, in the case of private schools, and the officers of the Department exercising control over the school.
- (4) When a teacher leaves one school and joins another, his Supervision Diary shall be forwarded to the Headmaster of the latter school.
- (5) When a teacher quits service his Supervision Diary shall be filled in the records of the school in which he was last serving.
- 15. Log Book and Factual Diary-** (1) The Headmaster shall maintain a Log Book in which he should enter all important events connected with the school such as the introduction of new books, apparatus, or courses of instruction, any plan of lessons approved by the Educational Officer, the visits of managers, absence, illness or failure of duty on the part of any of the staff, or any special circumstances affecting the school that may, for the sake of future reference or for any other reason, deserve to be recorded. No reflections or opinions of a general character shall be entered in the Log Book.

(2) The Headmaster shall also maintain a Factual Diary as per the departmental instructions on the subject. It shall be open for perusal for any teacher.

**Note:-** A Visitor's Book may be maintained in which distinguished visitors may record their observations about the school.

- 16. Cases not covered by the Rules-** Cases not covered by these Rules shall be reported to the Director through the Educational Officer for decision.
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1. Deleted by Legislative Assembly
2. Inserted by G.O. (P) 186/86 G.Edn. dt. 25-11-1986 published in Gazette dt. 27-1-1987.
3. Inserted by G.O (P) 42/65 dated: 25-1-1965 published in gazette dated. 19-2-1965.
4. Added by Ed (e special) 50398/59 EHD dated: 28-06-1959 published in Gazette dated: 30-06-1959.
5. Substituted by G.O (P) 716/63/Edn. dated: 21/10/1963 published in Gazette dated: 05-11-1963.

## CHAPTER X

### PROPERTIES OF AIDED SCHOOLS

1. Statements containing lists of all movable and immovable properties of aided schools should be sent by the Managers in Form 10 to the District Educational Officer having jurisdiction over the school in the case of Secondary and Training schools and to the Assistant Educational Officer having jurisdiction, in the case of Upper Primary and Lower Primary Schools. The Statement in the case of Upper Primary and Lower Primary Schools should be sent to the Assistant Educational Officer in duplicate. The Assistant Educational Officer will submit one copy of the statement to the District Educational Officer.
2. The District Educational Officer in charge of the area will be the Officer competent to give permission to create or make a sale, mortgage, lease, pledge, charge or transfer of possession in respect of any property of an aided school.
3. Any person aggrieved by an order of the District Educational Officer refusing or granting permission under sub-section (1) of section 6 of the Act may appeal to the Government against the order.
4. Every person preferring an appeal shall do so separately.
5. Every appeal preferred under the Rule shall contain all materials, statements, and arguments relating to the case and shall be complete in itself.
6. The appeal should be preferred within one month after date on which the order appealed against was issued, unless reasonable cause to the satisfaction of the appellate authority is shown for the delay.

## CHAPTER XI

**CONDUCT OF ENQUIRIES REGARDING ARREARS  
OF SALARY**

1. A teacher of an aided school to whom any salary or arrears of salary as contemplated in sub- section (2) of section 8 of the Act is payable by the Manager at the commencement of the Section, shall, in the event of dispute regarding the claim or the amount due, prepare and submit to the District Educational Officer in charge of the school through the Headmaster of the school, a statement, in writing in triplicate giving full details of the amount due to him from the Manager, enclosing also copies of records, if any, available with him supporting the claim.
2. The Headmaster shall forward the statement and enclosures to the District Educational Officer direct in the case of Secondary and Training School and through the Assistant Educational Officer concerned in other cases, and shall give his own remarks on the claim with due reference to the school records. The Assistant Educational Officer shall forward the claim to the District Educational Officer with his own remarks with due reference to the records in his office regarding the claim.
3. A copy each of the statement and the enclosures, if any, shall be given by the District Educational Officer to the Manager and the Manager shall be entitled to put in a rejoinder thereto within such time as may be fixed by the District Educational Officer.
4. The District Educational Officer shall not be bound to receive or consider any statement or rejoinder tendered after the expiration of the time fixed by the District Educational Officer under Rule 3.
5. The dispute will normally be decided by the District Educational Officer on the statement of the teacher, the rejoinder submitted by the Manager, the remarks of the Headmaster and the Assistant Educational Officer, and the connected record available. The District Educational Officer may hear the parties and their witnesses, if any, before a decision is taken. In case a hearing is deemed necessary, the District Educational Officer shall inform the teacher and the Manager about the date, time and place therefor.
6. The District Educational officer may proceed to decide the case notwithstanding any failure to put in a rejoinder by the Manager within due time and the absence of any or both the parties who, after due notice; refuse or neglect to attend.

7. An appeal shall lie to the Director\* from the order of the District Educational Officer.
8. The memorandum of appeal shall be forwarded along with connected records, statements, and arguments relating to the case and shall be complete in itself.
9. The appeal shall be preferred within one month from the date of the order appealed against unless reasonable cause to the satisfaction of the Director is shown for the delay.
10. The decision of the Director on the appeal shall be final.

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\* Powers under Rule 7 are delegated to the Deputy Directors by notification in Kerala gazette dated 24-6-80.

## CHAPTER XII

## LEVY AND COLLECTION OF FEES IN SCHOOLS

## 1. Rate of tuition and special fees in Government and aided schools

<sup>1</sup>[(1) Subject to such exemptions and concessions as Government may make by notification in the Official Gazette from time to time, tuition fees and special fees shall be collected from pupils at the rates given in the following schedule:-

## SCHEDULE

Standards	Special fees per year								
	Tuition fees per year	Games fee	Library fee	Laboratory and Technical subjects	Stationery fee	Hobbies and craft fee	Excursion, Scouting (Girl guides) Junior Red Cross, St. John Ambulance, Youth Festival, Physical Education Activities	Audio Visual Education	Festival Activities
	Rupees								
I to IV	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
V to VII	Nil	<sup>3</sup> [2.00	2.00	1.50	1.30	0.50	2.30	0.40	2.00*
VIII to X	Nil	<sup>4</sup> [3.00	6.50	6.00	4.00	0.50	3.00	2.00	2.00*

Provided that in the case of pupils studying in Standard VIII or IX for the third and further chances tuition fees at the rate of Rs. 48.00 per annum per pupil in addition to the Special fees prescribed shall be collected.

Provided further that the pupil belonging to Scheduled Castes/Scheduled Tribes shall be exempted from payment of Festival Activities Fees.

**Note:-** (1) No special fees shall be collected in school where no facilities exist for the utilization of fee for the purpose for which it is collected.

<sup>2</sup>[(2) x x x x x x]

(2) <sup>5</sup>[No fee other than those prescribed in sub-rule (1) and the admission fees specified in rule 2 shall be collected except with the sanction of the Government].

(3) The rates of fees prescribed in the Schedule to sub-rule (1) shall not be altered in respect of any pupil or any school except as provided in the fee concession rules.

**2. Admission fees** - (1) Admission fee at the rate of ₹[5] shall be realised from a pupil,-

(a) When he is promoted from Standard VII to Standard VIII in the same School.

**Note:-**If the pupil does not attend Standard VIII in the school on any day, but is transferred to any other school before the due date for the first instalment of fees, the admission fee is due to the latter school, and

(b) When he is admitted to any of the Standards VIII, IX, X or XI with transfer certificate or as a private study pupil in Standard VII.

**Note:-** When a pupil is admitted to a School with transfer certificate from another school, he shall be deemed to have been newly admitted even though he had been on the rolls of that school at some previous time.

(2) If a pupil's guardian has to leave the locality on account of his transfer to another station and the pupil is transferred from one school to another as a consequence, no admission fee shall be realised from the pupil on his admission to the latter school.

**3. Collection of tuition fees** - (1) The tuition fees for the whole year shall be collected in eight equal monthly instalments in June, August, September, October, November, December, January & February. Subject to Rule 7, the first instalment shall be collected on 10<sup>th</sup> of June and the subsequent instalments on the tenth of the month in which fees have to be paid. If the above dates happen to be holidays the fees shall become payable on the next working day.

(2) The instalment due for any month shall be deemed to be current fees for that month and if it is not paid till the last day of the month, it shall be deemed to be arrear fees thereafter. Unless otherwise specified, an instalment, arrear or current, shall be taken to include fines, if any, at the rates prescribed in these Rules.

**4. Fines** - (1) If an instalment is paid on the due date no fine shall be collected along with it. If the instalment is paid within one week from the due date the fine shall be 12 paise and if paid thereafter, the fine shall be



25 paise. <sup>7</sup>[The corresponding fine in respect of special fees not paid within one week from due date is 5 paise in Standards V to VII and 10 paise in Standards VIII to X. The rate of fine if paid after one week from due date shall be 10 paise in Standards V to VII and 15 paise from Standards VIII to X]. But the total fine collected from a pupil at one time shall not exceed Re.1 whatever be the number of instalments collected as arrears at that time.

(2) If a pupil who has not attended any school on any day from the commencement of a school year is newly admitted to a school at a time when one or more instalments have already become due, all such instalments shall be collected from him without fine at the time of admission.

Note:- This concession does not apply to cases of re-admission.

5. **Defaulters not be allowed to attend school-** If a pupil does not pay the instalment due for a month on or before the last day of the month he shall not be allowed to attend school and shall not be granted any leave of absence as long as he continues to be a defaulter but he may be allowed to resume attendance on payment of the instalment within fifteen working days.
6. **Exemption from payment of fees -** (1) A pupil who attends school on any day during a school year shall be liable to pay the fee for the whole year, but if any such pupil is removed from the rolls and if he does not attend school any day during the rest of school year the Educational Officer, may, for satisfactory reasons and subject to sub-rule (2) exempt the pupil from the payment of the instalments due after his removal from the rolls.
 

(2) No exemption under sub-rule (1) shall be granted to any pupil from the payment of the instalment for any month if he has been on rolls on any day during that month.

(3) A pupil who has not attended school on any day during a school year shall not be deemed liable to pay any fees for that year except when he applies for readmission or for a transfer certificate during that year.
7. **Fees to be collected only on the due dates -** (1) No instalment of fees shall be collected before the due dates, except in the cases of new admissions as provided in these Rules.

(2) When a pupil applies for admission to a school before the reopening day, the first instalment of fees shall be collected at the time of admission.

(3) When a pupil is newly admitted to a school on any day in any month after the re-opening of schools, the instalment for the month shall be collected at the time of admission unless it has been paid at the previous school.

**8. Fees to be realised at the time of issue of transfer certificate** - When a transfer certificate is issued to a pupil, the following fees shall be realised from him-

- (i) All the arrear instalments of previous years which he is liable to pay and from which no exemption has been granted under these Rules;
- (ii) All the arrear instalments of the current year; and
- (iii) The current instalment, if the certificate is issued on or after the due date.

**Note:-** (1) The current instalment is not due from the pupil if the certificate is issued before the due date.

(2) The same procedure should be followed when certified extracts from Admission Register are issued.

**9. Fees to be realised on re-admission** - When a pupil is readmitted to a school the following fees shall be realised from him:-

- (i) All the arrear instalments of previous years which he is liable to pay and from which no exemption has been granted under these Rules;
- (ii) All the arrear instalments of current year; and
- (iii) The current instalment of the month of re-admission whether the re-admission takes place before, on, or after the due date.

**10. Collection of fees from pupils migrating from other States-** In the case of pupil migrating from any school outside the State; credit shall be given to the fees paid by him in such school before his admission to a school in the Kerala State in the middle of a School year if his transfer is for good and sufficient reasons. On admission he shall pay the last instalment collected from the pupils prior to his admission.

11. **Collection of special fees** - <sup>8</sup>[(1) The special fees shall be collected as indicated in the Schedule below:-

SCHEDULE								
	Games fee	Library fee	Laboratory fees and fee for Technical subjects	Stationery fee	Hobbies and craft fee	Excursion, Scouting (Girl guides) Junior Red Cross, St. John Ambulance, Youth Festival, Physical Education Activities	Audio Visual Education	Festival Activities
<b>Upper Primary Schools:</b>		Rupees						
With 1 <sup>st</sup> Instalment	<sup>10</sup> 1.00	1.00	0.75	0.65	0.25	1.15	0.20	2.00*
With 5 <sup>th</sup> Instalment	1.00	1.00	0.75	0.65	0.25	1.15	0.20	-
<b>Secondary Schools</b>								
With 1 <sup>st</sup> Instalment	1.50	3.25	3.00	2.00	0.25	1.50	1.00	2.00*
With 5 <sup>th</sup> Instalment	1.50	3.25	3.00	2.00	0.25	1.50	1.00	-

<sup>9</sup>[x x x]

(2) If a pupil has paid the special fees in any school for a year he shall not be required to pay such fees for that year in any other schools.

(3) A pupil migrating from any school outside the state shall be required to pay the special fees for the year in full.

(4) Special fees collected in Government and aided schools shall be constituted into one fund and utilised <sup>11</sup>[in accordance with the instructions that may be issued by Government or the Director from time to time].

12. **Issue of receipts** - Receipts in Form 11 signed and dated by the Headmaster or by a member of the staff authorised by him shall be issued to every pupil for all fees collected from him. Carbon copy of every receipt should be filed in the school records.
13. **Fees to be credited to the Government** - The tuition fees including fines and admission fees realised from the Government and aided schools shall be credited to the Government.

<sup>12</sup>[x x x x]

- <sup>13</sup>[29. **Fees in recognised schools** - The tuition fees realised from pupils in a recognised school shall not exceed the following rates:-

Standard I to VII - Rs. 1000/- per pupil per year

Standard VIII to X- Rs. 1500/- per pupil per year

The special fees which can be collected from pupils in recognised schools shall not exceed one third of the rates specified above].

30. Nothing in this Chapter shall apply to Minority Schools, the management or teachers of which do not receive any kind of aid or grant or other financial help directly or indirectly from Government.

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1. Sub-rule (1) of rule 1 substituted by G.O. (P) 32/90 G.Edn. dated 21-2-90 published in Gazette dated 26-2-90.
  2. Note (2) omitted by G.O (P) No. 25/91/G.Edn. dated 21-2-91 for (2) Coupons with face value of Rs. 1.00 shall be issued for collection under "Festival Activities".
  - \* Substituted by SRO 1265/95 published in K.G. No. 40 dt. 30-10-95 for Rs. 1.00.
  3. Revised as 2.00, 2.00, 1.50, 1.30, 0.50, 2.30, 0.40 respectively by G.O (P) 120/02/GE dt. 18-05-02 but no amendment issued.
  4. Revised as 3.00, 6.50, 6.00, 4.00, 0.50, 3.00, 2.00 respectively by G.O (P) 120/02/GE dt. 18-5-02 but no amendment issued.
  5. Substituted by notification dated 7-4-1972 in gazette dated 25-4-1972 for "(2) pupils shall not be required to pay any fee other than those prescribed in the schedule to sub-rule (1) and the admission fees specified in Rule 2 except with the sanction of the Government".
  6. Revised as Rs. 5/- G.O.(P) 9/2002/G.E. dt. 5-1-2002. No amendment issued.
  7. Substituted for "The corresponding Fine" by G.O. (P) 32/77/G.Edn. dt. 21-2-77.
  8. Substituted by G.O. (P) 32/90 G.Edn. dated: 21-2-90 published in Gazette dated 26-2-90.
  9. Note omitted by G.O (P) No. 25/91/G.Edn. dated 21-2-91 it ran: "Coupons with face value of rupee one shall be issued for collection under :Festival Activities.
  - \* Substituted by SRO 1265/95 published in K.G. No. 40 dt. 30-10-95 for "Rs. 1.00".
  10. Revised as Rs. 1.00, 1.00, 0.75, 0.65, 0.25, 1.15, 0.20 & 1.00,0.75, 0.65, 0.25, 1.15, 0.20 and 1.50, 3.25, 3.00, 2.00, 0.25, 1.50, 1.00 and 1.50, 3.25, 3.00, 2.00, 0.25, 1.50 and 1.00 respectively as per GO (P) 120/02/G.Edn. dated: 18-05-2002, but no amendment issued.
  11. Substituted by G.O (P) 45/69/Edn. dated: 24-01-1969 published in Gazette dated 18-2-69 "in accordance with the rules 14 to 28" with effect from 1-6-69.
  12. Rules 14 to 28 omitted with effect from 1-6-69 by G.O (P) 45/69/Edn. dated: 24-01-69 as per notification published in Gazette dated: 18-2-69.
  13. Substituted by G.O (P) 243/99/G.Edn. Dt. 30-9-99. Prior to the amendment the fees were:-  
Standards 1 to IV- Rs. 240  
Standards V to VII- Rs. 360  
Standards VIII to X - Rs. 640.

## CHAPTER XIII

**GENERAL RULE RELATING TO THE CONDUCT OF TEACHERS**

Any person employed as a teacher in a school shall not be eligible to continue as a teacher if he;

- (i) is remuneratively employed in any profession other than teaching or undertakes any occasional remunerative extra work not specially permitted by the Rules, without the sanction of the Department;
- (ii) has been convicted of any offence involving moral turpitude;
- (iii) is physically unfit to serve efficiently as a teacher or is suffering from any contagious or communicable disease during the period he is so unfit or suffering;
- (iv) has been removed permanently from the Register of qualified teachers maintained under Rules previously in force;
- (v) behaves towards his pupils, their parents, the Headmaster, the Manager, or any Educational Officer or towards any body in any manner grossly unbecoming of a teacher;
- (vi) refuses to obey orders communicated to him by the officers of the Department or violates any of the Rules under the Act and other Rules applicable to him;
- (vii) refuses without sufficient grounds to undergo a course of training within a reasonable time after being required to do so;
- (viii) has completed the age of retirement fixed by the Rules or orders of the Government or the age of sixty whichever is less;

**Note:-** This does not affect the continuance till the end of the school year in cases where the date of superannuation falls within the course of the school year but not within one month from the date of reopening of the schools that year.

- (ix) is directly or indirectly, solely or in conjunction with other, the editor or the proprietor of any newspaper, magazine or periodical other than publication devoted to art, science, literature, or the teaching profession without the written sanction of the Director.\*

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\* The power is delegated to Deputy Directors of Education.

## CHAPTER XIV (A)

**CONDITIONS OF SERVICE OF AIDED SCHOOL TEACHERS**

<sup>1</sup>[<sup>2</sup>1. (1) Managers of Private Schools shall appoint only candidates who possess the prescribed qualification. As far as High School classes are concerned the appointment shall be made with due regard to the requirement of subjects as determined by Director of Public Instruction with reference to the curricula of studies. Whenever vacancy occurs, the manager shall follow the directions issued by Government from time to time, for ascertaining the availability of qualified hand <sup>3</sup>[and for filling up vacancy].

<sup>4</sup>[Note:- (1) A member of the non-teaching staff under the category of Clerks, Peons, Sweepers and other staff shall also be eligible for appointment as teacher provided he has the prescribed qualifications and that there is no teacher eligible for promotion or for appointment to such post under these rules.

Note:- (2) If there are more than one claimant for appointment as teacher under these categories, preference shall be given in the order of clerks, peons, sweepers and other staff. If there are more than one claimant under a particular category, the order of preference shall be according to the date of their first appointment, if their date of first appointment be the same, then preference shall be given with reference to age, the older being given first preference;]

(2) The age limit and the relaxation thereof for appointment applicable to teachers of Government Schools shall apply mutatis mutandis to teachers of aided schools. <sup>5</sup>[The date of determination of age for eligibility for appointment shall be the 1<sup>st</sup> January of the year in which the appointment is to be made.

<sup>6</sup>[(3) Subject to Rule 51A, candidates advised by the Kerala Public Service Commission shall be appointed as teachers in Schools managed by local self Government institutions.]

<sup>7</sup>[(4) In determining the requirement of subjects, the Director shall also issue such instructions as he may deem necessary for giving protection to teachers:-

- (i) who are in service and would have continued in service; and
- (ii) who stand relieved as per rule 49 or 52 or on account of termination of vacancies and who would have been eligible for reappointment under Rule 51A had there been no change in the requirement of subjects.]

- <sup>8</sup>[2. Appointment of qualified hands shall be deemed acting till they are confirmed]
3. Initial appointment of qualified teachers shall be on probation.

Provided that for the purpose of this Rule qualified teachers in service on the date on which this Rule comes into force and have a satisfactory continuous service of not less than one year, who shall be deemed to have completed their probation.

<sup>9</sup>[4. XXXX]

- <sup>10</sup>[5. Unqualified teachers appointed after 2-2-1965 and who acquire the prescribed qualification shall have preference for appointment to future vacancies in schools under the same Educational Agency.

**Note:-** (1) If more than one person acquire the prescribed qualifications, preference as among them shall be given to the person who acquired the qualification earliest. If more than one person acquired the prescribed qualification on the same date, the person with the earliest date of first appointment as an unqualified hand, shall be preferred.

(2) If there are claimants under this rule and rule 51A, preference shall be given to those coming under rule 51-A].

- <sup>11</sup>[5A. Qualified teachers who are retrenched by the opening of new schools or consequent on orders of Government relating to the course of studies or scheme of teaching <sup>12</sup>[or due to withdrawal of recognition of the school for any of the reasons specified in Rules 22, 22A or 23 in Chapter V and consequent closure of the school] shall be given preference for appointment to future vacancies in schools under the same Educational Agency or under other Educational Agencies].

6. (a) Teachers appointed under rule 3 shall be on probation for a total period of one year on duty within a continuous period of two years, <sup>13</sup>[Qualified teachers in the lower grade promoted to the higher grade under Rule 43 before completing their probation shall be on probation in the higher grade as if appointed under rule 3 in that category]. At the end of the period of probation the manager may issue an order declaring him to have satisfactorily completed his probation;

<sup>14</sup>[Explanation:- Broken periods of duty within a continuous period of two years can be reckoned for calculating the one year duty period. In such cases satisfactory completion of probation of the teacher concerned shall be declared by the Manager with retrospective effect from, the date on which he is found eligible/suitable for such

declaration of completion of probation].

(b) At any time before the expiry of the period of probation, the manager may with approval of the Educational Officer, by order extend the period of probation for a further period not exceeding one year if the work of the probationer is found to be unsatisfactory. In cases where the probation is extended, a condition shall, unless there are special reasons to the contrary, be attached in the order of extension of probation that the probationer's increment shall be stopped until he is declared to have satisfactorily completed his probation. Such stoppage of increment shall not be treated as a penalty, but only as a condition of extension of probation and shall not have the effect of postponing future increments after he has declared to have satisfactorily completed his probation.

(c) If the work of the probationer is found to be unsatisfactory at any time before the expiry of the period of probation or where such period of probation is extended, the manager may, with the approval of the Educational Officer, by order either terminate the probation and discharge him from service or in case probation has not been extended, extend the period of probation after giving him a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that where a probationer has been given a reasonable opportunity of showing cause against the imposition on him of any of the penalties specified in items (v), (vi) and (vii) of rule 65 and at the end of the disciplinary proceedings a tentative conclusion is arrived at to terminate his probation, a further opportunity of showing cause specifically against termination of his probation need not be given to him.

**Explanation:-** An opportunity to show cause may be given after arriving at a provisional conclusion on the suitability or otherwise of the probationer.

(d) The probation of a teacher may be terminated and the probationer discharged at any time by the manager for want of vacancy;

(e) Notwithstanding anything contained in this Rule the power specified herein may also be exercised by the Educational Officer or by any other higher authority].

7. As soon as a teacher is appointed in a school, the Manager shall immediately issue an appointment order to the teacher <sup>15</sup>[in Form 27] and the appointment shall be effective from the date on which the teacher is admitted to duty, provided the appointment is duly



approved.

<sup>16</sup>[XXXX]

<sup>178</sup>7A. (1) x x x

(2) Posts that may fall vacant on the closing date shall not be filled up till the reopening date <sup>179</sup>except in the case of <sup>180</sup>[non vacation staff].

<sup>181</sup>(3) Vacancies the duration of which is less than one academic year shall not be filled up.

<sup>17</sup>8 (1) Three copies of appointment order all signed by the Manager and the teacher, shall be forwarded by the Manager to the Educational Officer for approval together with such details, particulars and documents as may be required by the Director <sup>18</sup>[within fifteen days from the date of effect of the staff fixation order by which the additional posts are sanctioned or within fifteen days from the date of joining duty of the candidates] whichever is later in the manner prescribed by the Director:

<sup>19</sup>[Provided that where the Manager fails to forward the appointment order within the time specified above, he may apply to the <sup>20</sup>[Deputy Director (Education) in the case of delay up to six months or to the Director in other cases, for condonation of such delay and thereupon the <sup>19</sup>[Deputy Director (Education)] or the Director\* as the case may be for reasons to be recorded in writing condone the delay]

<sup>21</sup>[Provided further that the appointment order and the time limit specified in the sub-rule shall not be insisted in the case of conversion of part-time post into full time as per staff fixation and the filling up such post by promotion].

(2) The Educational Officer on receipt of the appointment order and other records mentioned in sub rule (1) may approve the appointment if it is in accordance with the provisions of the Act, the Rules and orders issued by the Government or the Director from time to time. After approval one copy shall be forwarded by the Educational Officer to the teacher through the Manager and another copy forwarded to the Manager to be filed in the school records. The approval may be given as expeditiously as possible <sup>22</sup>[at any rate not later than 30 days from the date of receipt of the appointment order and other documents mentioned in sub-rule (1)].

(3) If the approval of appointment is declined for any reasons the order declining approval showing reasons thereof shall be communicated to the teacher through the Manager.

(4) If the appointment order and other required particulars are not forwarded in the manner prescribed by Director within the time specified in sub-rule (1), it shall be deemed that no such appointment has taken effect.

(5) An appeal shall lie against the order declining approval of appointment issued by the Assistant Educational Officer or the District Educational Officer to the District Educational Officer or the <sup>23</sup>[Deputy Director (Education)] as the case may be. The decision of the appellate authority shall be final.

(6) No appeal shall be entertained unless it is preferred within 15 days from the date of receipt of the order appealed against.

(7) The manager shall give effect to the orders passed by the appellate authority forthwith.

(8) The violation of these provisions will be one of the grounds for withdrawal of recognition under rule 23 of Chapter V and action under rule 7 of Chapter III of the Kerala Education Rules.]

<sup>24</sup>[8A The Director may on his own motion or otherwise call for records of the orders relating to approval of appointments issued by the Subordinate Officers and revise the same:

Provided that order affecting the interest of a person shall not be passed under this rule unless the person concerned has been given an opportunity of making any representation which he may wish to make against such orders].

9. (1) The appointment order shall not be affected by any change in the Educational Agency or the Manager.

(2) Part-time teachers may, with the approval of the Educational Officer be allowed to work as such in more than one school, Government or aided, but not more than three; but no person shall be allowed to work as a part-time teacher in one school and at the same time as a full time teacher in another school.

10. <sup>25</sup>[**Transfers:-** Where more than one school is under the same Educational Agency, the Educational Agency may transfer any teacher from one school to another and in deciding on these transfers the principles followed in Government Schools shall be observed to the extent possible. The principles of transfer shall be as follows:-

(1) The chief and for most criterion for transfer of Headmaster <sup>26</sup>[ and teacher] shall be the seniority.

(2) Every Headmaster <sup>27</sup>[and teacher] shall be allowed to exercise choice of 3 or more schools.

(3) Exceptions to the seniority criterion shall be the bare minimum. Exception shall include close relatives of Jawans, Intercast marriage, Physically handicapped, other grounds for special consideration, compassionate grounds, persons who have only one year of service left for retirement etc,

(4) Cases coming under administrative interest shall include unsuitability, allegations of corruption, misuse of official position, disciplinary action, incompetence, and consistent poor performance.

(5) Cases of deviation from the seniority norms shall be appealable before the Director of Public Instruction, who shall decide the case.

(6) All exceptions to the general rule of seniority put together may not exceed 25% transfers.

(7) Mutual transfers on request shall not be entertained.

(8) The number of transfers shall be limited to twice or thrice a year]

- 11.** (1) A teacher serving in any school under one Educational Agency may be transferred to a school under another Educational Agency with the previous approval of the District Educational Officer provided the two Educational Agencies and the teacher agree in writing; and in such cases the number and date of the order of the District Educational Officer containing the approval shall be quoted in the Last Pay Certificate.

<sup>28</sup>[(2) A teacher serving in any Government School may be transferred to an aided school with the previous approval of Government provided the Educational Agency and the teacher agree in writing and in such cases the number and date of the order of Government containing the approval shall be quoted in the Last Pay Certificate].

<sup>29</sup>[Note:- The transfer under this rule may be to a post carrying the same scale of pay a higher scale of pay or a lower scale of pay. Provided that no transfer to a higher post shall be made if the person to be transferred does not possess the prescribed qualification for such post or if there are persons with the prescribed qualification in the school eligible for promotion to that post to which the transfer is proposed.

<sup>30</sup>[12. **Transfers:-** Transfers under rule 10 and 11 shall ordinarily be made only at the beginning of the School year]

13. Teachers who are transferred as per these Rules will continue to receive in the latter school the pay and the scale of pay they were receiving in the former school provided they are transferred to a post carrying the same scale of pay, and their rank in the new school will be fixed next below the junior most teacher in that particular grade in that school, except in the case of transfers under Rule 10 in which case the existing seniority will continue.

<sup>31</sup>[X X X X]

<sup>32</sup>[13A. When a teacher is transferred to a school under a different educational agency in a higher scale of pay <sup>33</sup>[X X X] he will draw the minimum in the higher scale provided his pay in the lower scale is below the minimum fixed in the higher scale. If he was drawing higher pay in the lower scale at the time of the transfer then he will draw the same pay in the higher scale. If this pay is not a stage in the higher scale he may be allowed the next lower stage plus the difference as personal pay which may be absorbed in the next increment;]

<sup>34</sup>[13B. The pay of a teacher who is appointed against a post carrying a lower time-scale of pay, by intermanagement transfer shall be fixed at the rate at which he was drawing in the previous appointment, if it represents a stage in the new scale or at the next lower stage if it is not a stage in the new scale, the difference being treated as personal pay to be absorbed in future increases of pay, provided that if he has previously held any post identical to that of the new appointment his new appointment shall be considered as a case of reversion and his pay regularised on that basis.]

14. In respect of transfers made under the orders of competent authority, joining time and allowances during joining time shall be regulated according to the provisions of the service regulations in force as applicable to officers of Government appointed after the 1<sup>st</sup> November 1956.

<sup>35</sup>[14(A). In the case of teachers who are governed by the rules in Chapter IV (C) the Rules in Chapter XI, Part I, Kerala Service Rules regarding deputation on foreign service applicable to Government employees shall mutatis mutandis apply subject to the following modifications.

(a) A copy of the order sanctioning transfer to foreign service must be communicated to the Headmaster of the school from where the teacher has been deputed for foreign service.

(b) The teacher shall intimate to the Headmaster the remittance of pension contribution and the Provident fund through the foreign employer.

(c) The Headmaster shall record in the Service Book, the amount of pension contribution and other particulars. The particulars of remittance of Provident Fund shall be intimated to the Accounts Officer (Provident Fund) and he will be responsible for watching the remittance regularly. The District Educational Officers will be responsible for watching the recoveries towards pension contribution and Provident Fund. The entries made by the Headmaster shall be verified by the Controlling Officers].

- 15. Charge reports and Last Pay Certificate:-** Teachers shall be admitted to duty or relieved from duty by the Headmaster under orders from the manager and the Headmaster shall assume charge or relinquish charge of office according to the directions of the Manager, the orders or the directions of the Manager, being in accordance with the provisions of the Kerala Education Act and the Rules thereunder and any other orders issued by the Government or the Department in conformity with the provisions of the Act and the rules thereunder.
- 16.** When a teacher is newly appointed in a school or is transferred to the school from some other school, the Manager shall forward a copy of the appointment order or the transfer order, as the case may be, to the Headmaster who shall admit the teacher to duty and report to the Manager the date and time of the teacher's admission to duty.
- 17.** When a Headmaster or a teacher deputed to be in charge of the duties of Headmaster assumes or takes over charge of that office, he shall forward to the Manager and the Educational Officer concerned a charge report in the prescribed form, which in case of transfer of charge from one person to another shall be signed by both.
- 18.** When a teacher or Headmaster is transferred from one school to another whether under the same Educational Agency or under a different Educational Agency, the Headmaster of the former school shall forward a Last Pay Certificate in the prescribed form to the Headmaster of the latter school, who shall make therein an entry relating to the date and time of the teacher's or Headmaster's joining duty. In the case of Headmasters, the Last Pay Certificate shall be countersigned by the Educational Officer.
- 19.** When a teacher or Headmaster is transferred from one school to another, his salary till his relief shall be drawn in the Pay Bill of the former school to which a certificate of relief in the prescribed form shall be attached; and his salary thereafter, including transit pay if any, shall be drawn in the pay Bill of the latter school, to which shall be attached

the Last Pay Certificate referred to in Rule 18 above and a certificate of admission to duty in the prescribed form.

20. **Service Records:-** Service Books in the Form as prescribed by Government shall be maintained for all aided and recognised school teachers.
21. Every teacher shall provide at his cost a Service Book and 3 copies of the form prescribed for History of Service.
22. The entries in the History of Service shall be a complete record of the previous service of the teacher till the opening of the Service Book for him.
23. The entries in the History of Service Form shall be completed in the manner prescribed by the Director.
24. One copy of the History of Service Form shall be deemed to be an Annexures to the Teacher's Service Book and shall be securely attached to the Service Book. The initial salary of the teacher at the time of commencement of the school as an aided school shall be fixed by the Director and entered in the History of Service Form or the Service Book.

Note:- In the case of any teacher appointed after the passing of these rules, the Annexure may be dispensed with if the teacher has no previous service at all.

25. The entries in the Service Book shall commence from a date not later than the teacher's first admission to service in an aided school.
26. The Headmaster shall be responsible to the Manager and the Department for the custody and the proper maintenance of Service Books and shall produce them for inspection by Departmental authorities whenever required to do so.

Note:- (i) Scrutiny of Service Books shall be one of the important items to be attended to by the Educational Officers during annual inspection.

(ii) The Service Book of the Headmaster shall be maintained by the Educational Officer.

27. The procedure for entries in the Service Book shall generally conform to the procedure followed in the case of Government servants and in cases of doubt the Headmaster may refer to the Educational Officer for instructions.

- <sup>36</sup>[28. The date of birth on page one of the Service Book shall be entered in words as well as in figures. Once the date of birth has been accepted and recorded in the Service Book it shall form conclusive evidence of the same in respect of all future transactions on the matter.

Note 1:- The date of birth to be entered in the Service Book at the time of the entry in service shall be that entered in the school Admission Register, Matriculation Book or SSLC Book. For making alteration to such entries relating to date of birth in the Service Book subsequently, the procedure laid down in the case of Government employees under GO(MS) 39/72-PD dated 22<sup>nd</sup> January 1972 and GO (MS) 123/75/PD dated the 16<sup>th</sup> June, 1975 which were made applicable to aided school staff (teaching and non-teaching) as per GO(Ms) 139/76/G.Edn. dated the 17<sup>th</sup> July, 1976, <sup>37</sup>[and also GO(P)No.45/91/P&ARD dated 30<sup>th</sup> December 1991, issued in modification of the existing orders in this matter] shall be followed and the conditions stipulated in these Government Order in regard to correction of date of birth shall be applicable to aided school staff (teaching and non-teaching) as well].

<sup>38</sup>[Note II:- The procedure laid down by the Government from time to time regarding alteration of date of birth in Service Book of Government employees shall, mutatis mutandis, be applicable to aided school staff (teaching and non-teaching) as well.]

<sup>39</sup>[Provided that the date of birth once entered and duly attested by the Educational Officer under Rule 29 shall be changed only under sanction obtained from Government].

29. The Educational Officer shall be the Attesting Officer for the entries in Part I of the Service Book (vide page 3 of the Service Book).
- <sup>40</sup>[30. The Headmaster shall be the Head of office or Attesting Officer for the entries in Part II of the Service Book (vide columns 8,11 and 18) except annual verification certificate. The annual verification certificate shall be attested by the Manager. <sup>41</sup>[The entries in Part II of the Service Book shall be verified annually by the Educational Officer also with reference to the original records in the schools during their inspections or the verification shall be conducted by them in their offices at their discretion. A record of such verification shall also be made by them in the Service Book.]
31. When a teacher is transferred from one school to another, the Headmaster of the former school shall forward the Teacher's Service Book, with entries completed, to the Headmaster of the latter school and obtain an acknowledgment thereof, which shall be preserved till the teacher leaves service.

32. When the services of a teacher are terminated permanently or in the event of death of the teacher, the Headmaster shall forward the Teacher's Service Book and History of Service Form with entries completed to the Educational Officer along with application for pension, provident fund or gratuity as the case may be for the teacher in accordance with the rules of procedure relating to pension and grant of gratuity and application shall be dealt with by the Educational Officer in accordance with the rules relating to grant of pension or gratuity.
33. If any teacher acquires any additional qualifications during his service, particulars thereof shall be entered in the Service Book by the Headmaster and attested by the Educational Officer.
- <sup>42</sup>[34. Every Management shall prepare and maintain <sup>43</sup>[in Form 11A] a staff list otherwise called the seniority list of teachers as specified below:-
- (a) In the case of High Schools, a combined seniority list of teachers specified in clauses (ii) and (ii A) of rules 3, Chapter XXIII shall be prepared.
- (b) In the case of Upper Primary School and Lower Primary school a combined seniority list of teachers if any, specified in clauses (iii), (iv) and (v) of Rule 3, Chapter XXIII shall be prepared.]
- <sup>44</sup>[35. If the Educational Agencies have more than one school in a District they shall be constituted into one unit and a common seniority list shall be prepared for all the schools in the unit together and shall be submitted to the concerned District Educational Officer for approval. If the Educational Agencies have schools in more than one District within a <sup>45</sup>[Revenue District] they shall be constituted as one unit and a common seniority list shall be prepared for all the schools in the unit together and submitted to the concerned <sup>45</sup>[Deputy Director (Education)] for approval. If the Educational Agencies have schools in more than one <sup>45</sup>[Revenue District] they shall be constituted as one unit and a common seniority list shall be prepared for all the schools together and shall be submitted to the Director for approval.

The District Educational Officer, the <sup>45</sup>[Deputy Director (Education)] and the Director, as the case may be may approve the list provisionally pending finalisation of appeals if any preferred by aggrieved teachers;]

<sup>46</sup>[Provided that the Educational Agency may at its option constitute the existing Girls High Schools and Training Schools for women under it as a separate Unit and draw up a separate seniority list for teachers in those institutions solely intended for women. New Girls Schools to be



opened by such Educational Agency shall be allowed to include the staff therein with the Girl's Section while those who do not have Girl's schools on the 24<sup>th</sup> July, 1962 as a separate unit, shall include the teachers in the new Girl's Schools in the common seniority list referred to in this rule. In preparing this list, the teacher's option to be in one list or the other will be ascertained.

**Note 1:-** The option under this proviso shall be exercised within one month from the 24<sup>th</sup> July, 1962 and shall be final.

<sup>47</sup>[**Note 2:-** The seniority list shall be made as on the 1<sup>st</sup> day of January of every year. The list should be made up to date and renewed every year. The supplementary list during a school year, showing the names of teachers appointed and got approved by the Controlling Officers, shall be sent by the Educational Agency to the authority competent to approve the list with copies to all sub controlling officers concerned before 31<sup>st</sup> May every year. The competent authority shall approve the list provisionally by 30<sup>th</sup> June and finally by 31<sup>st</sup> August every year.

**Note 3:-** In case the Educational Agency fails to comply with the provisions in Note 2 above it shall be held responsible and such failure on the part of the Educational Agency shall be deemed to be sufficient cause for taking steps referred to in sub-rule (2) of Rule 7 of Chapter III].

- <sup>48</sup>[**35 A.** If the Educational Agencies have only one Primary School, the seniority list in respect of that school shall be prepared and submitted to the Assistant Educational Officer having jurisdiction over the school, and the Assistant Educational Officer may approve the list provisionally pending finalisation of appeals, if any, preferred by aggrieved teachers].
- <sup>49</sup>[**36.** The staff list as provisionally approved shall be circulated to the teachers and representations if any received from the teachers within one month from the date of circulation, shall be submitted to the concerned officer competent to approve the list with the management's remarks within two months from the date of receipt of the list provisionally approved, to the authorities specified in rule 35. The list shall be maintained by the managements and produced whenever required by the Departmental authorities].
- <sup>50</sup>[**36A.** When schools under one Educational Agency are transferred to another Educational Agency with the approval of the competent authority the various categories of teachers in the schools so transferred shall be integrated with the corresponding categories of teachers already working on the date of transfer in the schools under

the Educational Agency to which the transfer is made. The common seniority of all teachers of the schools so transferred and the schools existing under the Educational Agency to which the transfer is made on the date of transfer, shall be decided according to the length of continuous service of all such teachers transferred to the Educational Agency and existing under it on the date of transfer subject to Rule 36 and sub-rule (2) of Rules 37.

Provided however that the Educational Agency to which the transfer is made shall have the option to treat the teachers in the transferred school who were in the service in that school on the date of such transfer, as a separate unit their promotions being confined to the posts in the transferred school. The option shall be exercised by the concerned agency with the approval of the Director and prior to the transfer of the school unless the question of deciding seniority of the teachers of the transferred school or schools is pending decision on 8<sup>th</sup> June, 1966].

<sup>51</sup>[37. (1) Seniority of a teacher in any grade in any unit shall be decided with reference to the length of continuous service in that grade in that unit provided the is duly qualified for the post]

<sup>52</sup>(2) In the case of teachers in the same grade in the same unit whose date of commencement of continuous service is the same, seniority shall be decided with reference to the date of first appointment. If the date of first appointment is also the same, seniority shall be decided with reference to age, the older being the senior.]

<sup>53</sup>Provided that the period of service rendered in the parent school or in another school by a teacher who is relived under Rule 52, shall be reckoned for seniority on his reappointment to the parent school.

<sup>54</sup>[38. (1) <sup>55</sup>[The Assistant Educational Officer]. The District Educational Officer, the <sup>56</sup>[Deputy Director (Education)] and the Director as the case may be may after considering the representations if any, and after hearing the parties, if they deem it necessary, finalise and approve the list with or without change and the list so approved shall be final.

<sup>57</sup>[(2) An appeal shall lie to the District Educational Officer the <sup>56</sup>[Deputy Director (Education), the Director and the Government respectively against an order passed by the Assistant Educational Officer, District Educational Officer, <sup>56</sup>[Deputy Director (Education) and Director under sub-rule (1)]

Provided that no appeal shall be entertained after the expiry of a period of one month from the date of receipt of the order.

39. The staff list shall be prepared with reference to the position existing on the date of commencement of the school as an aided school under the Act unless there is a Staff List already approved by the Department which conforms to these Rules and shall thereafter be maintained up to date.
40. When a teacher in any unit leaves service in that unit, or is transferred from one category of post to another in the same unit, a note to that effect shall be entered against his name in the last columns of the Staff List.
- <sup>58</sup>41. **Confirmation and promotion:-** A teacher who has or is deemed to have completed his probation satisfactorily <sup>59</sup>[shall be confirmed] in any permanent vacancy that may exist or arise in the grade with effect from the date of commencement of continuous service or the date of occurrence of the vacancy whichever is later.
42. Where more than one teacher is eligible for confirmation, the senior most among them shall be confirmed in the order of seniority]
43. <sup>60</sup>[Subject to rules 44, 45 and 51A] and considerations of efficiency and any general order that may be issued by the Government, vacancies in any higher grade of pay shall be filled up by promotion of qualified hands in the lower grade according to seniority, if such hands are available:

<sup>61</sup>[Provided that in the case of promotion to the post of High School Assistant (Subject), the minimum subject requirements alone need be satisfied, to safe guard the interests of trained graduates who are awaiting promotions as High School Assistants].

<sup>62</sup>[Provided further that where a Headmaster or a teacher who has been promoted under this rule faces retrenchment for want of vacancy, he shall be reverted to the category of post from which he has been promoted provided he is not eligible for protection in the retrenched post as per the orders issued by the Government from time to time.]

**Note :-** (1) A teacher in a lower grade of pay in one category of post is eligible for promotion to a higher grade of pay in another category of post provided.

- (i) he has the prescribed qualifications; and
- (ii) there is no teacher with the prescribed qualifications in the lower grade of pay of the category of post to which promotions are to be made.

<sup>63</sup>[**Note :-** (2) Promotion under this rule shall be made from persons possessing the prescribed qualifications at the time of

occurrence of vacancy].

<sup>64</sup>[43A- A teacher promoted from a Lower Scale of pay to a Higher Scale of pay shall have his initial pay in the higher scale of pay fixed applying rules 28 A and 37 of part I Kerala service Rules]. <sup>65</sup>[A refixation of pay will be allowed whenever there is change of pay in the lower time scale]

**Note 1.** The Government may in individual cases fix by special order the pay of an officiating teacher at an amount less than that admissible under these rules.

**Note 2.** If the teacher promoted to officiate in the higher post is reappointed to the lower post the service rendered in the higher post will count for increment in the lower time-scale to which he is reappointed.

<sup>66</sup>[**Note.** The above rule shall apply to all cases of appointments made from the non-teaching staff also]

<sup>67</sup>[43.B. (1) Notwithstanding anything contained in rule 43, posts of full time High School Assistants in a particular Language shall be filled up by promotion in the following order of preferences];

- (i) Lower Grade Language Teachers who have the prescribed qualifications in that Language for promotion to the post of High School Assistants in that language at the time of occurrence of the vacancy and who had given option in writing as per G.O.(MS) 612/Edn. dated 10-11-1964 to continue as Lower Grade Language Teachers.
- (ii) Part time High School Assistant in that Language.
- (iii) Other Lower Grade language Teachers in that Language.
- (iv) Regular Primary teachers having the prescribed qualifications.
- (v) Craft and Specialist teachers having the prescribed qualifications.
- (vi) If no teacher with the prescribed qualifications is available in the categories mentioned above, Lower Grade Language Teachers in any other Language having the prescribed qualifications.

<sup>68</sup>[**Note :-** Promotion under this sub-rule shall be made according to seniority from persons possessing the prescribed qualifications at the time of occurrence of vacancy].

(2) If qualified teachers as mentioned in sub-rule (1) are not available in schools under the same Educational Agency for promotion to the

post of High School Assistants in that language, qualified candidates from outside may be appointed to that post.

**43 C. (1)** Posts of part time High School Assistants in a particular language shall be filled up by promotion in the following order of preference:-

- (i) Lower Grade Language teachers in that language who have prescribed qualification.
- (ii) Regular Primary teachers having the prescribed qualification.
- (iii) Craft and Specialist teachers having the prescribed qualification.
- (iv) If no teacher with the prescribed qualification is available in the categories mentioned above, Lower grade language teachers in any other language having the prescribed qualification.

(2) If qualified teachers mentioned in sub-rule (1) are not available in schools under the same Educational Agency, qualified candidates from outside may be appointed.

Provided that teachers appointed against part time post of High School Assistants (Languages) from among the categories (i) to (iv) mentioned in sub-rule (1) may be allowed to draw the pay they are getting in the scales of pay at the time of promotion. The service put in by them against part time post of High School Assistants will be counted for increment, higher scale of pay in the lower grade and pension].

**44. (1)** <sup>69</sup>[The appointment of Headmasters shall ordinarily be according to seniority from the seniority list prepared and maintained under clause (a) and (b) as the case may be of rule 34]. The manager will appoint the Headmaster subject to the Rules laid down in the matter. A teacher if he is aggrieved by such appointment will have the right of appeal to the Department [XXX].

<sup>70</sup>[**Note:-** Whenever the Manager intends to appoint a person as Headmaster other than the senior claimant, the Manager shall obtain a written consent from such senior claimant renouncing his claim permanently. Such consent shall have the approval of the Educational Officer concerned].

<sup>71</sup>[(2) An appeal under sub-rule (1) shall lie to the Educational Officer.

(3) A second appeal shall lie to the District Educational Officer against the order of the Assistant Educational Officer passed on an appeal preferred under Sub-Rule (2). In the case of an order passed by the District Educational Officer under sub-rule (2), the second appeal shall

lie to the <sup>72</sup>[Deputy Director (Education)].

(4) No appeal or second appeal preferred under these rules shall be entertained unless it is preferred within one month of the date of <sup>73</sup>[receipt of the order appealed against].

<sup>74</sup>[44A. (1) Subject to the provisions contained in sub-rule (1) of rule 44, the minimum service qualification for appointment as Headmaster in Aided Complete High Schools/Training schools shall be twelve years of continuous graduate service <sup>75</sup>[with a pass in the test in Kerala Education Act and the Kerala Education Rules] <sup>76</sup>[and a pass in account Test (Lower) conducted by Kerala Public Service Commission.]

<sup>77</sup>[Provided that Headmasters of High and Training Schools, who were actually holding the said post on the eleventh day of June, 1974 shall stand exempted from passing the Account Test (Lower)].

<sup>78</sup>[Provident further that Teachers who have attained the age of 50 years shall stand exempted permanently from acquiring the test qualification specified in Sub rule (1)].

<sup>79</sup>[X X X X]

<sup>80</sup>[**Explanation:-** For the purpose of this rule, "Graduate Service" means all service of a teacher as High School Assistant, Training School Assistant, Headmaster of an incomplete High School, Headmaster of a complete Upper Primary School/Middle school or Headmaster of a Training School after acquisition of Collegiate training such as B.T, L.T. Or B.Ed. But in the case of such teachers appointed prior to 15-10-1957 their untrained service after graduation shall also be reckoned as "Graduate Service", provided that their appointments were not in accordance with the Madras Educational Rules].

<sup>81</sup>[**Note:-** A period of 8 years from 6-11-1968 is given to Headmasters or Aided complete High and Training Schools for passing the test in the Act and Rules. All appointments to the posts of Headmasters of Aided complete High and Training Schools during the period of 8 years from 6-11-1968 shall be provisional. If such persons do not secure the test qualification within the specified period they will be reverted].

<sup>82</sup>[44B.(1) Notwithstanding anything contained in Rule 61, in case of persons appointed to the posts of Headmasters of aided complete High/Training Schools prior to 6-11-1968 and who do not pass the test in the Act and Rules will continue as such but their increments falling after 6-11-1976 will be granted only after passing the test. They will be deemed to have satisfactorily completed their probation and will be eligible for increments in the scale of pay of Headmaster only after

passing the test]

<sup>83</sup>[**Note:-** The benefit of increment on passing the obligatory departmental tests will be given from the last day of the qualifying examination which shall be applicable in the same grade and for promotion to posts not involving change of duties].

<sup>84</sup>[(2) Teachers who have attained the age of 50 years shall stand exempted permanently from passing the tests]

<sup>83</sup>[**Explanation:-** Untrained Service of the teachers shall also be taken into account for computing the 25 years Service]

<sup>85</sup>[(3) Headmasters of complete High/Training Schools who have opted for the rules in Chapter XIV B and who can continue in service up to 60 years of age will be granted exemption from passing the tests if they have passed the age of 55 years].

**Explanation:-** For the purpose of this rule “service” means “aggregate qualified approved teaching service”].

<sup>86</sup>[**45.** Subject to rule 44, when the post of Headmaster of a complete Upper Primary School is vacant or when an incomplete Upper Primary School becomes a complete Upper Primary School, the post shall be filled up from among the qualified teachers on the staff of the School or Schools under the Educational Agency. The person appointed as Headmaster shall have passed the SSLC or equivalent Examination with TTC issued by the Board of Public Examination, Kerala or TCH issued by the Karnataka Secondary Education Examination Board, Bangalore or a pass in Pre-degree Examination with Pedagogy as an elective subject conducted by the University of Kerala or a Degree in any subject and B.Ed/ B.T/L.T conferred by or recognised by the Universities in Kerala or any other equivalent training qualification prescribed for appointment as Lower Primary School Assistant or Upper Primary School Assistant.]

<sup>87</sup>[**Note:-** The language/specialist teachers, according to their seniority in the combined seniority list of teachers shall also be appointed as Headmaster of U.P. Schools under an Educational Agency provided the teacher possesses the prescribed qualifications for promotion as Headmaster of U.P. School on the date of occurrence of vacancy].

**45A.** Subject to rule 44, when the post of Headmaster of a complete L.P. School is vacant or when an incomplete L.P. School becomes complete the post shall be filled up from among the qualified teachers on the staff of the school or schools under the Educational Agency. The person appointed as Headmaster shall have passed SSLC or equivalent

Examination with TTC <sup>88</sup>[issued by the Board of Public Examination, Kerala or T.C.H. Issued by the Karnataka Secondary Education Examination Board, Bangalore or a pass in Pre-degree Examination with pedagogy as an elective subject conducted by the University of Kerala or any other equivalent training qualification prescribed for appointment as primary school Assistant. In the case of those who are continuing as teachers with Standard VII or its equivalent with H.E.T.T.C. or its equivalent training qualification they shall have 12 years of continuous qualified service as Assistant for appointment as Headmasters of Lower Primary Schools].

<sup>89</sup>[Note:- The language / Specialist teachers according to their seniority in the combined seniority list of teachers shall also be appointed as Headmaster of L.P. School or schools under an Educational Agency, provided the teacher possesses the prescribed qualifications for promotion as Headmaster of L.P. Schools on the date of occurrence of vacancy].

<sup>90</sup>**[45B.** (1) Notwithstanding anything contained in rules 45 and 45A, Account Test (Lower) conducted by the Kerala Public Service Commission shall be an obligatory qualification to the teachers for promotion as Headmasters of Lower Primary and Upper Primary Schools.

(2) Every person who is holding the post of Headmaster in a lower primary school or an upper primary school on the date of these rules shall stand exempted from acquiring the qualifications specified in sub-rule (1).

<sup>91</sup>(3) In the case teachers awaiting promotion as Headmasters <sup>92</sup>[under rule 45 and 45A as the case may be] there shall be temporary exemption to them from acquiring the qualification specified in sub-rule (1) <sup>93</sup> [till 31<sup>st</sup> day of March 1988].

<sup>94</sup>[(4) Teachers who have attained the age of 50 years shall stand exempted permanently from acquiring the qualification specified in sub-rule (1).

(5) During the period of exemption allowed under sub-rule (3) promotions to the posts of Headmasters shall be made without insisting on the qualification specified in sub-rule (1) and those who fail to acquire the said qualification within the said period of exemption shall be reverted].

<sup>95</sup>**[45BB.** Notwithstanding anything contained in these rules, every person holding the post of Headmaster in a Lower Primary School or in an Upper Primary School as on the 10<sup>th</sup> of May 1988 and who has completed 50 years of age or 25 years of service on that date shall be



eligible for permanent exemption from acquiring the qualification specified in sub rule (1) of rule 45B.

Provided that this exemption shall not adversely affect the claim of a person fully qualified under the rules and eligible for promotion as on 10<sup>th</sup> May 1988 on a regular basis].

<sup>96</sup>**[45C. Temporary Promotion:-** (1) Where in any aided school, a qualified teacher is not available to be promoted as Headmaster in accordance with the provisions contained in rule 44, 44A, 45, 45A and 45B the appointing authority shall promote, the senior most teacher on the staff of the school or the schools under the Educational Agency as Headmaster, temporarily. Provided that in the case of High Schools and Training Schools the teacher so promoted shall be the senior most graduate teacher on the staff of the school or the schools under the Educational Agency who has put in at least 12 years of continuous graduate service as provided in sub-rule (1) of rule 44A of this Chapter <sup>97</sup>[and in the case of primary schools it shall be the senior most teacher possessing qualifications prescribed in rule 45 or, rule 45 A; as the case may be].

(2) A teacher temporarily promoted under sub-rule (1) shall be replaced as soon as possible by the member of the service who becomes entitled to the promotion under the rules.

(3) A teacher temporarily promoted under sub-rule (1) shall not be regarded as a probationer in the higher category or be entitled by reason only of such promotion to any preferential claim to future promotion to such higher category.

(4) If such person is subsequently promoted to the higher category in accordance with the rules, he shall commence his probation, if any, in such category from the date of such subsequent promotion or from such earlier date as the appointing authority may determine without prejudice to the seniority of others.

(5) The pay of the promote shall be fixed as provided in rule 43A.

<sup>98</sup>[Provided that in the case of Headmaster of Aided primary school the promotee is entitled to draw the scale of pay applicable to the Headmaster of Government School only on completion of the period of service as specified in sub-rule (1) of rule 1, Chapter XXVI, and in the case of Headmaster of Aided High Schools and training schools, the promotee is entitled to draw the departmental Headmaster's scale of pay only on completion of the period of service as specified in rule 3, Chapter XXVI. Those who have not completed the prescribed service qualification for drawing the respective departmental Headmaster's

scale of pay will be paid their grade pay and supervision allowance only].

(6) If no teacher with the prescribed service qualification is available on the staff of the school or the schools under the Educational Agency for temporary promotion as Headmaster under sub-rule (1) and the proviso there under, the senior most teacher on the staff of the school or the schools under the Educational Agency shall be appointed as Teacher-in-charge, provided that in the case of a High School, the teacher-in-charge should be the Senior most Graduate teacher on the staff of the school or the Unit, and he shall be replaced as soon as a fully qualified teacher as provided in the rules becomes available.

(7) The Teacher-in-charge so appointed under sub-rule (6) shall be eligible for his grade pay plus charge allowance fixed by Government. He shall be counted against the post of the Headmaster and the consequential vacancy shall also be filled].

46. Confirmations and promotions made in deviation of the Rules shall be subject to the approval of the Director.
47. Every teacher appointed in a permanent vacancy shall on confirmation be required to produce a health certificate in the Form given below with suitable modifications wherever necessary from a Medical Officer in Government service not below the rank of an Assistant Surgeon and the health certificate shall be securely attached to the Teachers Service Book.

#### **Form of Health Certificate**

I do hereby certify that I have examined .....  
 a candidate for employment in ..... School  
 and cannot discover that he has any disease, constructional affection of bodily  
 infirmity except ..... I do not consider this a disqualification for  
 employment as a teacher. The candidate's age is according to his own  
 statement about ..... years and by appearance about  
 ..... years. I further certify that he has had small pox that he  
 bears successful vaccination/that he is vaccinated now.

### Discharge, Relief and Resignation :-

<sup>99</sup>[48. No teacher shall be relieved before the expiry of the term of appointment without the previous approval of the Educational Officer].

49. <sup>100</sup>[Qualified teachers except Headmasters appointed in vacancies which are not permanent] which extend over the summer vacation and who continue in such vacancies till the closing date shall be retained in the vacancies during the vacation, if their continuous service as on the closing day is not less than eight months. The teachers so retained shall be entitled to the vacation salary. These teachers shall be relieved on the closing day if their continuous service as on that day is less than the aforesaid period. This rule shall not apply to teacher appointed in training vacancies].

<sup>101</sup>[Explanation:- For the purpose of this rule, 'Headmaster' includes Teacher-in-charge also].

50. If a vacancy terminates on a holiday or during the vacation, the period of the acting or temporary appointment in the vacancy shall be deemed to terminate on the last preceding working day.

51. When a vacancy in any category of post terminates necessitating the relief of a teacher, senior hands shall ordinarily be retained in preference to junior hands <sup>102</sup>[with due regard to the requirement of subjects determined by the Director under sub-rule (1) of rule 1 and to the instructions issued by him under sub-rule (4) of the Rule].

<sup>103</sup>[51A. Qualified teachers who are relieved as per Rule 49 or 52 or on account of termination of vacancies shall have preference for appointment to future vacancies <sup>104</sup>[in the same or higher or lower category of teaching posts, for which he is qualified that may arise] in schools under the same Educational Agency <sup>105</sup>[or an Educational Agency to which the school may be subsequently transferred] provided they have not been appointed in permanent vacancies in schools under any other Educational Agency].

<sup>106</sup>["Provided that a teacher who was relieved under rule 49 or rule 52 shall not be entitled to preference for appointment under this rule unless such teacher has a minimum continuous service of one academic year as on the date of relief:

Provided further that the first preference under this rule shall be given to protected teachers".]

<sup>107</sup>[Note 1. If there are more than one claimant under this rule the order of preference shall be according to the date of first appointment. If the date of first appointments is the same then preference shall be decided with reference to age, the older being given first preference. In making such appointments due regard should be given to the <sup>108</sup>[requirement of subjects and to the instructions issued by the Director under sub-rule (4) of rule 1] as far as High Schools are concerned].

<sup>109</sup>[Note 1A:- Fresh appointments to vacancies arising in the same or higher or lower category of teaching posts under the Educational Agency shall be made only after providing re-appointment to such teachers thrown out from service and protected teachers available under the Educational Agency.

**Explanation:-** For the purpose of this clause, "Protected teacher" means, a teacher who has been retrenched for want of vacancy after putting such length of regular service that may be specified by the Government or who is eligible for such Protection as per G.O(MS)No.104/69/Edn. dated 6-3-1969 or G.O(MS)No. 231/84/G.Edn. dated 27-10-1984 or any other orders issued by Government from time to time.]

<sup>110</sup>[Note 2. Manager should issue an order of appointment to the teacher by Registered post acknowledgment due and give a period of 14 (fourteen) clear days to the teacher to join duty. If the teacher does not join duty in time the Manager should give a further notice to the teacher stating that another person would be appointed instead and that the preferential right under this rule would be forfeited if not exercised within another 7 (seven) clear days. If nothing is heard during that time also, the preferential right under the rule will be regarded as forfeited]

<sup>111</sup>[51B. The Manager shall give employment to a dependent of an aided school teacher dying in harness. Government orders relating to employment assistance to the dependents of Government servants dying in harness shall mutatis mutandis, apply in the matter of such appointments]

52. (1)<sup>112</sup>[XXX] Teachers who are relieved on account of any reduction in the number of posts under orders of the department shall on reappointment in the same school or in another school under the same management or a different management start on the same pay as they were getting at the time of relief, whether the new appointment is permanent or not <sup>113</sup>[XXX]].

<sup>114</sup>[(2)<sup>115</sup>[XXX] Teachers thrown out from service due to the withdrawal of recognition of schools by the Department shall also be eligible to

draw the pay which they were getting at the time of withdrawal of recognition of the school on re-appointment in another school <sup>116</sup>[XXX].

53. A teacher shall not himself terminate his service before the expiry of the term of his appointment without the permission of the Educational Officer.
54. (1) If any teacher resigns his appointment in any aided school <sup>117</sup>[XXX] he shall not one-appointment, be eligible to count his service prior to his resignation for purposes of increment or seniority on re-appointment; but he shall only be deemed to commence service afresh.

(2) Applications for appointments under Government or in private schools or for service elsewhere from teachers employed in an aided school should be sent through the manager of the aided school.

55. **Supernumerary and Excess Teachers:-** The number of permanent teachers under each category in the staff list of any school or in all the schools under one Educational Agency shall not exceed the aggregate number of sanctioned posts under that category in that school or in that unit as the case may be : and excess hands, if any based on the strength of the classes <sup>118</sup>[fixed in accordance with sub-rule(1) of rule 12 of Chapter XXIII] will be retrenched by throwing out the junior most hands with due regard however to the <sup>119</sup>[requirement of subjects determined by the Director under sub rule (1) of rule 1 and to the instructions issued by him under sub rule (4) of rule 1 as far as High Schools are concerned].

Provided that a person who was confirmed before the date of commencement of section 12 of the Act under orders of the competent authority shall not be retrenched under this Rule but will be treated as supernumerary and absorbed in the next earliest vacancy in that school or in any other aided or government school as laid down in Section 13.

56. **Leave Rules:-** (1) In the matter of casual leave and all other kinds of leave, the teachers of aided schools shall be governed by the Rules for teachers of government schools in the Service Regulations for the time being in force.

<sup>120</sup>[Provided that the matter of leave, the teachers appointed for limited periods ie those appointed in short vacancies and those appointed in regular vacancies but not eligible for vacation salary under rule 49, shall be governed by the leave rules in Appendix VIII of Kerala Service Rules.]

<sup>121</sup>[(2) Teachers who are members of the Legislative Assembly shall be granted special leave without pay for attending the sessions of Legislature. Such leave may be combined with the vacation. The period of special leave granted under this rule shall count for increment but not for leave.]

<sup>122</sup>[(2A) Teachers who are members of the Legislative Assembly may be granted special leave without pay for attending the sessions of the Legislature and their work in their constituencies for one entire academic year at a time or for the entire period of membership of the Assembly. <sup>123</sup>[The period of such leave shall count for increments and higher scale of pay but not for leave and pension].

<sup>124</sup>[(3) Teachers who are members of the University bodies attending the meeting of such bodies in their official capacity shall be treated as on duty including the actual days taken for to and fro journey].

<sup>125</sup>[(4) A Teacher shall cease to be in service after a continuous absence of 5 years whether with or without leave].

<sup>126</sup>[(5) Teachers who are elected as Presidents, Chairman or Chairpersons of local bodies constituted under the Kerala Panchayat Raj Act, 1994 and the Kerala Municipalities Act, 1994, shall be granted special leave without pay for attending their duties under the said Acts for one entire academic year at a time or part thereof or for the entire period of their holding such office. The period of such leave shall count for increments, higher scale of pay and pension but not for leave, if so requested.

(6) Teachers who are elected as Presidents, Chairman or Chairpersons of local bodies, constituted under the Kerala Panchayat Raj Act, 1994 and Kerala Municipalities Act, 1994 and who are elected as Chairman or Chairpersons of standing committee constituted under such local bodies shall be granted duty leave upto 20 days in an academic year, without detrimental to their duties and responsibilities being a teacher in the school and to the academic interest of the students, for attending to the meetings of the concerned local bodies.

(7) Teachers who are elected as members of the local bodies, constituted under the Kerala Panchayat Raj Act, 1994 and the Kerala Municipalities Act, 1994, shall be granted duty leave upto 15 days in an academic year, without detrimental to their duties and responsibilities being a teacher in the school and to the academic interest of the students, for attending the meeting of the concerned local bodies].

<sup>127</sup>[(56A) (1) Notwithstanding anything contained in any of the rules in this Chapter, where a teacher unauthorisedly absents himself from duty for

participation in any strike it shall, cause interruption in service entailing forfeiture of his past service, and the Government may at its discretion decide that the period of such unauthorised absence be treated as "Dies Non".

(2) Where a teacher forfeits his past service under sub-rule (1) he shall lose the benefit of all increments earned by him in the scale of the pay of the post which he was holding at the time of interruption and such past service shall not count for purposes of increment or leave.

(3) Where the period of unauthorised absence is treated as "Dies non" the teacher shall lose the pay and allowances for the period and also the benefit of such period being counted for leave.

<sup>128</sup>[(3A) A teacher required or permitted to attend an obligatory departmental examination may be treated as on duty during the day or days of the examination and during the reasonable time required for the journey, if any, to and from the place of examination].

(4) When a teacher is placed under suspension for participation in a strike or for committing any act during the period of such strike, he shall not be eligible for any subsistence allowance for the period of such suspension.

**Note:-** (1) Refusal to do work though physically present at the place of duty by resort to chalk - down strike or stay-in-strike or other methods, will be treated as unauthorised absence constituting interruption in service and entailing forfeiture of past service, or at the discretion of Government as "Dies non".

(ii) An employee resorting to direct action for three hours or less on any day, will be disentitled to his pay and allowances for half a day and that if the period of agitation exceeds three hours in a day the whole days payment will be disallowed.

(iii) The period of unauthorised absence by an employee for participating in strike will be reckoned from the date of the first working day on which he makes such absence to the date of working on which he resumes his duties and that all the days (including the intervening holidays) during that period will be treated as "dies non" and further action taken on that basis. The holidays which immediately precede the period treated as "dies non" will however stand unaffected]

<sup>129</sup>[(iv) The period treated as "dies non" under these rules shall count for increment and pension].

<sup>130</sup>[57. The Headmaster shall be the competent authority to grant casual leave to teachers and non-teaching staff. The Educational Officer shall be the competent authority to grant casual leave to Heads of Schools. A copy of application for casual leave for the Headmaster shall be submitted to the Manager also for information].

<sup>131</sup>[58. (1) Subject to rule 57 and sub-rule (3) of this rule the Educational Officer shall be the competent authority to grant all kinds of leave other than study leave and special disability leave to teachers and non-teaching staff. The grant of study leave and special disability leave requires the sanction of the Government].

<sup>132</sup>[(2) On the receipt of an application for leave <sup>133</sup>[under sub-rule (1) the Headmaster shall forward same to the Educational Officer with his remarks through the Manager so as to enable him to make substitute arrangements. The manager shall forward the application for leave along with his remarks to the Educational Officer within three days from the date of receipt of the communication from the Headmaster. Copies of orders sanctioning leave shall be furnished to the Manager also in addition to the Headmaster].

<sup>134</sup>[Note:- In case the Headmaster does not forward the application for leave or the Manager does not forward the same to the Educational Officer within three days from the date of receipt of the application for leave, the Educational Officer may sanction the leave applied for.]

<sup>135</sup>[(3) The Headmaster of High /Training Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to grant all kinds of leave other than study leave and special disability leave to teachers and non teaching staff in their schools. Copies of orders sanctioning leave shall be furnished to the Manager also so as to enable him to make substitute arrangements wherever necessary:]

<sup>136</sup>[Provided that Headmasters of Aided High and Training Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age 50 years and completed 25 years of service and those Headmasters of Aided High and Training School who have and opted for Chapter XIV(B) of Kerala Education Rules and who have attained the age of 55 years and completed 25 years of Service shall grant all kinds of leave mentioned in sub-rule (3) even though they have not passed Account Test (Lower)]

<sup>137</sup>[(4) The Headmasters of Aided Primary Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall



be competent to grant all kinds of leave other than (a) Leave without allowances exceeding 120 days, (b) study leave and (c) Special Disability Leave to the Teaching and non-Teaching Staff in their schools. Copy of order sanctioning leave shall be furnished to the Manager also so as to enable him to make substitute arrangements whenever necessary.

Provided that Headmasters of Aided Primary Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age of fifty years and those Headmasters of Aided Primary Schools who have opted for Chapter XIV (B) of Kerala Education Rules and who have attained the age of Fifty five years shall grant all kinds of leave mentioned in sub-rule (4) even though they have not passed the Account Test (Lower)].

59. Particulars relating to leave granted other than casual leave, shall be immediately recorded in the Service Book.
60. Service qualifying for leave shall be reckoned from the date of commencement of continuous service as teacher in an aided school under the Act and leave standing to his credit till the date of commencement of service in the aided school under the Act shall be carried over and will stand to his credit.
61. **Increment:-** (1) <sup>138</sup>[Subject to rule (1A), the Educational Officers] shall be competent to sanction the increments when they fall due to teachers (including Headmasters). The Headmaster will move the Educational Officer through the Manager for sanction of the increments as and when they fall due and the Manager shall forward the increment certificates within a month <sup>139</sup>[with his remarks, if any on the conduct of the teacher].

<sup>140</sup>[**Note:-** (1) In case the Headmaster does not move the Educational Officer or the Manager does not forward the increment certificates within one month from the date on which increment falls due, the Educational Officers may sanction the increment already accrued.

(2) Wilful delay in forwarding the increment certificate shall be deemed as disobedience of departmental orders and instructions on the part of the Manager.]

[(1A) The Headmasters of High /Training Schools who have passed the account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to sanction the increments due to the teachers and non teaching staff in their schools. The first increment due to the teachers and non-teaching staff on satisfactory completion of probation

shall however be sanctioned by them only after declaration of satisfactory completion of probation under Rule 6.

<sup>141</sup>[Provided that Headmasters of Aided High /Training Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age of 50 years and completed 25 years of service and those Headmasters of Aided High and Training Schools who have opted for Chapter XIV (B) of Kerala Education Rules and who have attained the age of 55 years and completed 25 years of service shall sanction increment mentioned sub-rule (1A) even though they have not passed Account Test (Lower).

<sup>142</sup>[(1B) The Headmasters of Aided Primary Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to sanction the increments due to the teachers and non teaching staff in their schools. The first increment due to the teachers and non-teaching staff on satisfactory completion of probation shall however be sanctioned by them only after declaration of satisfactory completion of probation under rule 6.

Provided that, Headmasters of Aided Primary Schools who have opted for Chapter XIV (C) of the Kerala Education Rules and who have attained the age of Fifty years and these Headmasters of aided Primary Schools who have opted for Chapter XIV B of Kerala Education Rules and who have attained the age of Fifty five years shall sanction increment mentioned under sub-rule (1B) even though they have not passed the Account Test (Lower).

<sup>143</sup>[(2) Subject to the provision in sub-rule (2A) a qualified teacher shall be granted increments in the time scale of his post, if he has served the period necessary to earn them. The increment shall be granted from the first day of the month which it falls due.

(2A) A teacher appointed on probation shall draw his first increment in the time scale only with effect from the date of satisfactory completion of probation, but subsequent increments shall be drawn on the first day of the month in which they fall due]

<sup>144</sup>[2B) Delay in the declaration of satisfactory completion of probation of a teacher will not however, affect his future increments and these will accrue on the normal incremental dates]

<sup>145</sup>(3) X X X X]

<sup>146</sup>[4) All duty in a post on a time scale whether continuous or interrupted shall count for increment in that time scale]

<sup>147</sup>(5) All leave except leave without allowances taken otherwise than on medical certificate count for increments in the time scale applicable to a post in which a teacher was officiating at the time he proceeded on leave and would have continued to officiate but for his proceeding on leave.

(6) Service on deputation count for increment in the time scale applicable to a post in which a teacher was officiating at the time he proceeded on deputation and would have continued to officiate but for his proceeding on deputation].

- 62. Retirement:-** A teacher who completes the age of retirement during the course of an academic year but not within one month from the date of reopening shall continue in service till the close of the school for the mid-summer vacation. But if he is on leave on such date with no prospect of returning to duty or on leave from the commencement of the academic year to the date of superannuation he may be retired on the due date. If the teacher applied for any leave other than casual leave during the period of his continuance under this rule beyond the age of retirement he shall be retired forthwith.

<sup>148</sup>[Provided that in cases where the academic year is extended beyond the 31<sup>st</sup> day of March in any year a teacher to whom this rule is applicable shall retire on the last day of March itself.]

<sup>149</sup>[Provided further that the extended period of service beyond the actual date of superannuation of the teacher shall not be reckoned as qualifying service for promotion, increment and pension, and the provisions of sub-rule (c) or rule 60 of Part 1 of the Kerala Service Rules shall apply to the teacher.]

- 63.** If the date of superannuation falls within one month from the date of re-opening of the institution, he will cease to be on active duty on the date of re-opening. In such cases, he will be allowed special leave on full pay from the re-opening date till he gets superannuated.

<sup>150</sup>**63A.** For purpose of rules 62 and 63 <sup>151</sup>[the first of June] every year shall be deemed as the date of re-opening of all school including primary schools after summer vacation].

- 64. Disputes between the teacher and the Manager:-** An appeal shall lie to the District Educational Officer against the orders of the Assistant Educational Officer in regard to any dispute between the teacher and the Manager that might be referred to him and an appeal on the orders of the District Educational Officer shall lie to the Director\*. Such appeal shall be preferred within thirty days of the receipt of the Educational Officer's orders.

<sup>152</sup>**65.Discipline - Penalties:** - The following penalties may, for good and sufficient reasons and as herein after provided; be imposed upon teachers of aided schools, namely

- (i) Censure;
- (ii) Withholding of increments or promotion;

**Note:** (1) Withholding of increments or promotion referred to may be either permanent or temporarily for a specified period.

(2) Temporary period of withholding of increments or promotion shall not be less than six months and not more than three years. If the period is not specified in the order it will be deemed to be six months.

(3) Withholding of promotion shall not entail loss of seniority in that grade.

(4) A teacher whose promotion is withheld shall, if and when promoted to a higher grade or higher time scale subsequently on promotion take his place at the bottom of the higher grade or higher time scale.

(iii) (a) Recovery from pay of the whole or part of any pecuniary loss caused to the State Government by negligence or breach of orders;

(b) Recovery from pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to;

(iv) Reduction to a Lower rank in seniority list or to a lower grade or post or time scale.

**Note:-** (1) The reduction referred to may be either permanent or temporary for a specified period.

(2) Temporary period of reduction shall not be less than six months and not more than two years. If the period is not specified in the order the period of reduction shall be deemed to be six months.

(3) An order of reduction to a lower post or to a lower time scale shall entail loss of seniority.

(4) A teacher so reduced shall take his place in the lower grade or in the lower time scale at the top of the list of teachers in that grade or time scale. He shall be considered for promotion on completion of the specified period of reduction. On promotion, he shall take his place at the bottom of the higher grade or higher time scale.

(5) The previous service in the higher grade or time scale of a teacher who has been reduced to a lower post or lower time scale shall on re promotion to the higher grade or higher time scale count for increment.

- (v) Compulsory retirement
- (vi) Removal from service which shall not be a disqualification for future employment
- (vii) Dismissal from service which shall ordinarily be a disqualification for future employment
- (viii) Reduction of pension

**Note:-** (1) The penalty of reduction of pension shall be imposed in such a manner that pension will not be reduced to nothing or to a nominal amount.

(2) No punishment shall be imposed without giving the person affected an opportunity to show cause against the action proposed to be taken.

**Explanation:-** The following shall not amount to a penalty within the meaning of this Rule:-

- (i) Withholding of increments consequential to the extension of probation in accordance with the terms of appointment
- (ii) Termination of service:-
  - (a) of a teacher appointed on probation during or at the end of the prescribed or extended period of probation or
  - (b) of a teacher appointed to hold a temporary appointment on the expiration of the period of appointment.

<sup>153</sup>[66. X X X X]

<sup>154</sup>[67. **Suspension:** (1) The Manager may at any time place a teacher under suspension

- (a) when disciplinary proceedings against him are contemplated or are pending or
- (b) when a case against him in respect of any criminal offence is under investigation or trial or
- (c) when the final orders are pending in the disciplinary proceedings if the authority considers that in the then prevailing circumstances it is necessary, in public interest that the teacher should be suspended from service.

(2) The Government or an officer authorised by the Government under section 12A of the Act may suspend a teacher of an aided school:-

- (a) when any disciplinary proceedings are proposed to be taken against him or
  - (b) when disciplinary proceedings are pending against him.
- (3) A teacher who is detained in custody on a Civil, Criminal or other proceedings for a period exceeding 48 hours, shall be deemed to have been under suspension during that period and he cannot draw his pay and allowance, other than subsistence allowance, allowable under the rule till the final termination of such proceedings.

<sup>155</sup>[X X X X]

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a teacher under suspension is set aside in appeal, revision or review under these rules and the case is remitted for further enquiry or action or with any other direction the orders of suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(5) Where a penalty of dismissal removal or compulsory retirement from service imposed upon a teacher is set aside or declared or rendered void in consequence of or by a decision of a Court of Law and the authority on a consideration of the circumstances of the case decides to hold a further enquiry against him on the allegation on which the penalty of dismissal or removal or compulsory retirement was originally imposed the teacher shall be deemed to have been placed under suspension from the date of the original order of dismissal removal or compulsory retirement and shall continue to remain under suspension until further orders.

(6) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order.

(7) Whenever a teacher is placed under suspension he shall be paid such subsistence and other allowances as may be allowed to Government servants.

Provided that no teacher shall be placed under suspension by the manager for a continuous period exceeding 15 days without the previous sanction of the <sup>156</sup>[Deputy Director (Education)] in the case of Headmasters of Secondary Schools and Training school and of the Educational Officer in other cases.

(8) Where the orders of suspension is made by the manager he shall on

the same day report the matter together with reasons suspension to the Educational Officer and where the suspension is in respect of Headmaster of Secondary school and Training school such reports shall be sent to the <sup>156</sup>[Deputy Director (Education)] also in addition to the Educational Officer. The <sup>156</sup>[Deputy Director (Education)] if the suspension is in respect of Headmaster of a Secondary school or Training School and the Educational Officer in other cases shall thereupon make a preliminary investigation into the grounds of suspension. If on such investigations the authority is satisfied that there was no valid ground for the suspension he may direct the manager to reinstate the teacher with effect from the date of suspension and thereupon the teacher shall forthwith be reinstated by the manager. If the teacher is not actually reinstated the teacher shall be deemed to have been on duty. It shall then be open to the Department to disburse the pay and allowances to the teacher as if he were not suspended and recover the amount so disbursed from the manager. If on such investigation it is found that there are valid grounds for such suspension, permission may be given to the manager to place the teacher under suspension beyond 15 days if necessary. The authority mentioned above shall pass orders permitting the suspension or otherwise within said 15 days]

<sup>157</sup>[(8A) Notwithstanding anything contained in sub-rule (8) the authority who permitted the suspension beyond 15 days or any higher authority may at any time during the pendency of such suspension, review such permission and if such authority is satisfied that the teacher under suspension has to be reinstated in service for reasons to be recorded in writing cancel the permission already ordered under sub-rule (8) and direct the Manager to reinstate the teacher in service. On such order, the Manager shall reinstate the teacher forthwith failing which the provisions in sub-rule (8) will apply in such case]

<sup>158</sup>[(9) Cases where teachers suspended by Managers are continuing under suspension for a period exceeding <sup>159</sup>[six months] have to be reviewed and decision taken soon as to whether they should continue to be under suspension or not. The review shall be conducted by an Officer immediately superior to the Officer who issued permission to place the Officer under suspension beyond 15 days. In cases where the suspension is ordered by the Government or an Officer authorised under section 12A of the Act such review shall be conducted by the respective authority or any authority higher than the one which issued the order of suspension. The review contemplated under this sub-rule will not apply to cases of suspension in pursuance of criminal proceedings in a Court or detention or as a prisoner for debt where sub rule (3) of rule 67 and rule 67A apply].

- <sup>160</sup>[67A. A teacher against whom proceedings have been taken ( CHAPTER XIV A arrest for debt or criminal charge shall be considered as under suspension for any periods during which he is detained in custody or is undergoing imprisonment and not allowed to draw any pay and allowances during such periods other than subsistence allowance that may be granted in accordance with the rules, until the final termination of the proceedings taken against him <sup>161</sup>[X X X]].
68. The authority which may impose the penalty of censure on a teacher shall be the Headmaster or the Manager.
69. The authority which may impose the penalty of censure on a Headmaster shall be the Manager.
70. The authority which may impose the penalty of withholding increments or promotion or reduction to a lower stage in a time scale, shall be the Manager who shall consult the Headmaster before imposing the penalty and shall also get his action ratified by the Educational Officer.
71. The penalty of reduction to a lower rank in the seniority list or to a lower post or time scale may be imposed by the Manager on a Headmaster with the previous sanction of the \*Director in the case of Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the Educational Officer in the other cases; such penalty may be imposed by the Manager on a teacher in consultation with the Headmaster and with the previous sanction of the Educational Officer.
72. The penalty of recovery from pay of the whole or part of any pecuniary loss caused to the State Government by negligence or breach of orders can be imposed by the Educational Officer.
73. The penalty of reduction of pension can be imposed by the \*Director in the case of Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the Educational Officer in the other cases.
74. The penalty of compulsory retirement, removal, or dismissal from service can be imposed by the Manager only with previous sanction of the \*Director, in the case of teachers in the graduate teacher's scale and Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the District Educational Officer in the other cases.
- <sup>163</sup>[75. **Procedure for imposing major penalties** :- (1) (a) Whenever a complaint is received or on intimation from the authorised Officer as per Section 12(A) is recorded or on consideration of the report of investigation or for other reasons the manager is satisfied that there is



prima facie case for taking action against the teacher defined. Charges shall be framed and communicated to him with the statement of allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. The teacher shall be required to submit within a reasonable time to be specified in that behalf a written statement of his defence and also to state whether he desires to be heard in person. The teacher may on his request be permitted to peruse or take extracts from the records pertaining to the case for the purpose of preparing the written statement; provided the manager may, for reasons to be recorded writing refuse him such access if in his opinion such records are not strictly relevant to the case or it is not essential in Public interest to allow such access. After the written statement is received within the time allowed, the manager may if he is satisfied that a formal enquiry should be held into the conduct of the teacher, order that a formal enquiry may be conducted.

(b) The Manager shall forward the records of the case with a request to the <sup>164</sup>[Deputy Director (Education)] in the case of Headmasters of High Schools and Training Schools or to the Educational officers in other cases, that the formal enquiry may be conducted by that Officer or any other officer not below the rank of an Assistant Educational Officer authorised by that officer or an officer of the department appointed by the Director or Government.

(c) The Manager shall also intimate the Government or the authorised officer as the case may be, the date of initiation of the disciplinary proceedings and also the date of passing final order within 7 days from such dates.

(2) The Inquiring Authority may during the course of inquiry if it deems necessary, add to, amend, alter or modify the charges framed against the teacher in which case, the teacher shall be required to submit within a reasonable time to be specified in that behalf any further written statement of his defence.

(3) The teacher shall for the purpose of preparing his defence be permitted to inspect and take extracts from such official records as he may specify. Provided that such permission may be refused, if for reasons to be recorded in writing, in the opinion of the Inquiring Authority, such records are not relevant for the purpose or it is against the Public Interest to allow him such access thereto.

(4) On receipt of the further written statement of defence under sub-rule (3) or if no such statement is received within the time specified therefor or where the teacher is not required to file a written statement under the said sub-rule the Inquiring Authority may inquire into such

of the charges as are not admitted.

(5) The teacher may himself present his case before the Inquiring Officer and he may not be allowed to engage a legal practitioner for the purpose.

(6) The Inquiring Authority shall, in the course of the inquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The teacher shall be entitled to cross examine witnesses examined in support of the charge and to give evidence in person and to have such witnesses as may be produced, examined in his defence. The person presenting the case in support of the charges shall be entitled to cross examine the teacher and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material it shall record its reason in writing.

**Note:-** If the Inquiring Authority proposes to rely on the oral evidence of any witness the authority should examine such witness in the presence of the teacher and give an opportunity to cross-examine the witness.

(7) The teacher may present to the Inquiring Authority a list of witnesses whom he desires to examine in his defence. The Inquiring Authority will normally request such witnesses to appear before him to give evidence. Where the witness to be examined is any other teacher the Inquiring Authority will normally try to secure the presence of witnesses unless he is of the view that the witness's evidence is irrelevant or not material to the case under inquiry. Where the witness proposed to be examined by the teacher is any other person the Inquiring Authority will be under no obligation to summon and examine him unless the teacher himself produces him for examination.

(8) At the conclusion of the inquiry, the Inquiry Authority shall prepare a report of the inquiry, recording its findings on each of the charges together with the reasons therefor. If in the opinion of such authority the proceedings of inquiry establish charges different from those originally framed, it may record its findings on such charges provided that findings on such charges shall not be recorded unless the teacher has admitted the facts constituting them or has had opportunity of defending himself against them.

(9) The records of inquiry shall include:-

- (i) the charges framed against the teacher and the statement of the allegation furnished to him;
- (ii) his written statement if any;

- (iii) the oral evidence taken in the course of inquiry
- (iv) the documentary evidence considered in the course of the inquiry;
- (v) the orders; if any; made in regard to the inquiry;
- (vi) a report setting out the findings on each charges and the reasons therefor.

(10) After the inquiry authority shall forward the record of inquiry to the manager.

(11) If the Manager is of opinion that any of the penalties specified in items (iv) to (viii) of rule 65 should be imposed, he shall;

(a) Furnish to the teacher a copy of the report of the Inquiring Authority.

(b) Give him a notice stating the action proposed to be taken in regard to him and calling up on him to submit within a specified time which may not generally exceed one month such representation as he any wish to make against the proposed action provided that such representation, shall be based only on the evidence adduced during the inquiry.

(c) On receipt of the representation, if any and after taking into consideration the representation, final orders shall be passed by the manager imposing the penalty with the previous sanction of the competent authority.

(12) The procedure referred to above shall be conducted as expeditiously as the circumstances of the case may permit, particularly one against a teacher under suspension.]

**<sup>165</sup>[75A. Disciplinary powers of the Government or the authorised Officer :-**

Notwithstanding anything contained in rule 75, if a manager does not initiate appropriate action against the teacher, within a month from the date of intimation as specified in section 12(A) or after intimation of the disciplinary proceeding he is not completing the disciplinary proceedings within two months from the date of intimation of the disciplinary action. <sup>166</sup>[or if according to Government or the authorised officer the manager dropped the disciplinary proceedings without sufficient grounds or imposed a penalty not proportionate to the gravity of charges proved] then the Government or the authorised officer as the case may be shall take appropriate disciplinary action against the teacher concerned. But in extraordinary cases for reasons to be recorded in writing the Director may on the application of the manager extend the time allowed to the manager to complete the disciplinary action. The procedure prescribed in rule 75 shall mutatis

mutandis be followed by the Government or the prescribe CHAPTER XIV A  
in the matter of imposing major penalties]

**76. The procedure for imposing minor penalties:-** (1) No order imposing any of the penalties specified in items (i), (ii) and (iii) of Rule 65 shall be passed except after (a) the teacher is informed in writing of the proposal to take action against him and of the allegation on which it is proposed to be taken and given opportunity to make any representation he may wish to make, (b) such representation if any is taken into consideration.

- (2) The record of proceedings in such cases shall include:-
- (i) a copy of the intimation to the teacher of the proposal to take action against him;
  - (ii) a copy of the statement of allegations communicated to him;
  - (iii) his representation if any, and
  - (iv) the orders of the case together with the reasons therefor.

**77.** (1) The powers regarding imposition of the penalties given by the foregoing rules can be exercised by higher authorities or their own accord <sup>167</sup>[subject to the provisions contained in section 12A]

<sup>168</sup>[X X X X]

(2) Where in any case a higher authority has imposed or declined to impose a penalty, a lower authority shall have no jurisdiction to proceed in respect of the same case.

(3) The fact that a lower authority has imposed or declined to impose a penalty in any case shall not debar a higher authority from exercising its jurisdiction in respect of the same case.

(4) The order of a higher authority imposing or declining to impose in any case a penalty shall supersede any order passed by a lower authority in respect of the same case.

<sup>169</sup>[77A. Notwithstanding anything contained in Rules 75, 76 and 77.

- (i) where a penalty is imposed on a teacher on the ground of conduct which had led to his conviction on a criminal charge: or
- (ii) where the authority imposing the penalty is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said rules; or
- (iii) where such authority for reasons to be recorded in

writing is satisfied that in the interest of the S  
the State, it is not expedient to follow such procedure,  
Such authority may consider the circumstances of the  
case and pass such order thereon as it deems fit]

78. Where, on promotion or transfer, a teacher is holding an appointment in another category or grade; no penalty shall be imposed upon him in respect of his work or conduct before such promotion or transfer except by an authority competent to impose the penalty upon a teacher in the latter category or grade as the case may be.
79. **Appeal against orders of suspension:-** A teacher may appeal against an order of suspension to the authority to which the authority which made or is deemed to have made the order is immediately subordinate. <sup>170</sup>Where previous sanction for the continuance of suspension has been accorded then the appeal shall lie to the next higher authority to whom the authority who accorded sanction is subordinate.
2. Where previous sanction for the continuance of suspension has been accorded then the appeal shall i.e to the next higher authority to whom the authority who accorded sanction is subordinate.
80. **Appeal against orders imposing penalties :-** A teacher shall be entitled to appeal from an order imposing on him any of the penalties specified in Rule 65 to the next higher authority to whom the former authority is subordinate.
81. **Appeal to whom lies:-** Where sanction has been accorded for the imposition of any of the penalties by any authority then the appeal shall lie to the next higher authority to whom the authority who accorded sanction is subordinate.
- 81A. Managers are lower or subordinate authorities for the purpose of these Rules in relation to Educational Officers. <sup>171</sup>[Deputy Directors (Education), the Director, the Government or the authority empowered by the Government.
82. **Period of limitation for appeal:-** No appeal under these Rules shall be entertained unless it is submitted within a period of two months from the date on which the appellant received a copy of the order appealed against:

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

**Note :-** The appellate authority which receives a copy of submitted direct should not take any action on such copy until the period for receipt of the copy of the appeal forwarded through the appropriate channel or a period of one month whichever is earlier is over.

- 83. Form and contents of appeal:-** (1) Every person submitting an appeal, shall do so separately and his own name.

(2) The appeal shall be addressed to the authority to whom the appeal lies shall contain all material statement and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself:

- 84. Submission of appeals:-** Every appeal shall be submitted to the authority which made the order appealed against through the head of the institution to which the appellant belongs or belonged and through the Manager:

Provided that a copy of the appeal may be submitted to the appellate authority.

- 85. Withholding of appeals:-** (1) The authority which made the order appealed against may withhold the appeal if:

- (i) it does not comply with any of the provisions in Rule 83 or 84; or
- (ii) it is not submitted within the period specified in Rule 82 and no cause is shown for the delay or
- (iii) it is repetition of an appeal already decided and no new facts or circumstances are adduced; or
- (iv) it is addressed to an authority to which no appeal lies under these Rules:

Provided that an appeal withheld only on the ground that it does not comply with the provisions of Rules 82 and 83 shall be returned to the appellant and if re-submitted within one month thereof after compliance with the said provision shall not be withheld.

(2) Where an appeal is withheld the appellant shall be informed of the fact and the reasons therefor.

(3) When an appeal is withheld, the authority withholding the appeal shall forward copy of the order communicated to the teacher to the appellate authority.

- 86. Transmission of appeals:-** The authority which made the order

appealed against shall without any avoidable delay, transr  
 appellate authority every appeal which is not withheld under Rule 85  
 together with its comments and the relevant records.

**87. No appeal from an order withholding an appeal:-** No appeal shall lie against the withholding of an appeal by a competent authority.

**88. Consideration of appeals:**(1) In the cases of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provision of Rule 67 and having regard to the circumstances of the case the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in Rule 65, the appellate authority shall consider.

- (a) Whether the facts on which the order was based have been established;
- (b) Whether the facts established afford sufficient grounds for taking action;
- (c) Whether the procedure prescribed in these Rule have been complied with and if not whether such non-compliance has resulted in violation of any of the principles of natural justice;
- (d) Whether the findings are justified and
- (e) Whether the penalty imposed is excessive, adequate or inadequate and pass orders:-

(i) setting aside, reducing, confirming or enhancing the penalty or

(ii) remitting the case to the authority which imposed the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case:

Provided that -

(i) the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent to impose.

(ii) no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making such representation as he may wish to make against such enhanced penalty provided that such representations shall be based only on the evidence adduced during the inquiry.

89. **Implementation of orders on appeal:-** The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.
90. **Review of orders by appellate authorities:-** The authority to which an appeal against an order imposing any of the penalties specified in Rule 65 lies may of its own motion or otherwise call for the records of the case in a disciplinary proceedings, review any order passed in such a case and pass such orders as it deems fit, as if the teacher has preferred an appeal against such orders:

Provided that no application for review shall be entertained after the expiry of one month from the date of passing the order:

Provided further that no action under this rule shall be instituted more than one year after the date of the order to be reviewed.

91. <sup>172</sup>[When a teacher who has been dismissed, removed, retired compulsorily or suspended is reinstated in service or would have been reinstated but for his retirement on superannuation while under suspension, rules for the time being in force relating to Government servants in the matter shall mutatis mutandis apply]
- <sup>173</sup>92. **Revision:-** <sup>174</sup>[(1)] Notwithstanding anything contained in these rules the Government, may on their own motion or otherwise, after calling for the records of the case, revise any order passed by a subordinate authority <sup>175</sup>[in respect of matters contained in this Chapter] which is made or is appealable under these Rules:-
- (a) confirm modify or set aside the order;
  - (b) impose any penalty or set aside, reduce confirm or enhance the penalty imposed by the order;
  - (c) remit the case to the authority which made the order or to any other authority directing such further action or enquiry as they consider proper in the circumstances of the case or
  - (d) pass such other order as they deem fit;

Provided that -

(i) an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty provided that such representation shall be based only on the evidence adduced during the enquiry;

(ii) if the Government propose to impose any of the penalties specified in items (iv) to (viii) of Rule 65 on a case where an inquiry be held and



thereafter on consideration of the proceedings of such inquiry giving the person concerned an opportunity of making any representation which he may wish to make against such penalty pass such orders as they deem fit. CHAPTER XIV A

<sup>176</sup>[**Explanation:-** For the purpose of this proviso and sub rule (ii) the person concerned shall include the Manager of a School whose orders are sought to be revised by the Government].

<sup>176</sup>[(2) Nothing contained in the proviso to sub-rule (1) shall be deemed to require the Government to give an opportunity for personal hearing to the person concerned and it shall be sufficient if:-

(i) Whether the Government propose to revise an order on their own motion, a copy of the grounds on which the order is proposed to be revised, or

(ii) Whether the Government propose to revise an order in pursuance of a revision petition filed by a party, a copy of the revision petition is furnished to the person concerned along with a notice requiring him to make representation, if any, in the matter in writing a period specified in the notice and the Government pass final orders in revision after consideration of such representation].

<sup>177</sup>[**93. Review only of original orders:-** Government shall on application of the party, review the original orders. There shall be only one review and application for review shall be made within a period of two months from the date of the order].

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1. Rules 1 to 6 substituted by G.O(P) 52/65/Edn. dt.30/1/1965 published in gazette dt.2-2-1965.
  2. Rule 1 Substituted by G.O.(P) 94/72/S.Edn. dated 4-7-1972 published in Gazette dt.18-7-1972 for: "(2) Subject to the qualifications laid down by Government from time to time in respect of teachers of Government and aided schools and subject to the following restrictions teachers of aided schools may be appointed as (a) permanent, (b) acting, (c) temporary".
  3. Added by G.O. (P) 157/73/G.Edn. dated 17-9-1973 in Gazette dated 23-10-1973.
  4. Inserted as per G.O. (P) 132/82/G.Edn. Dated 17-9-1982 published in gazette dated 19-10-1982.
  5. Added as per G.O.(P) No.183/81/G.Edn. dated 20-10-1981 published in gazette dated 24-11-1981.
  6. Substituted by G.O.(P)No.110/2000/G.Edn. dated 3-4-2000 published in gazette dated 6-4-2000.
  7. Inserted by G.O(P) 112/74/G.Edn. dated 11-6-1974 in gazette dated 27-8-1974.
  8. Substituted by G.O.(P) 94/72/S.Edn. dated 4-7-1972 gazette dated 18-7-1972 for "2. Appointment of unqualified teachers made under Rule 2(1) and 2A of Chapter XXI shall be deemed as acting till they are confirmed".
  9. Omitted by G.O. (P) 239/68/Edn. dated 23-5-1968 published in gazette dated

4-6-1968. The omitted rule was "Permanent appointment of teachers made among from the qualified teachers who have completed their probation satisfactorily." CHAPTER XIV A

10. Substituted G.O.(P) 94/72/S.Edn. dated 4-7-1972 published in gazette dated 18-7-1972 for "5. Unqualified teachers appointed under Rule 2 and who acquire the prescribed qualifications subsequently shall have preference for appointments to future vacancies in schools under the same Educational Agency:
11. Added by G.O.(P) 256/68/Edn. dated 30-5-1968 in gazette dated 11-6-1968.
12. Inserted by G.O.(P) 302/69/Edn. Dated 22-7-1969 in gazette dated 5-8-1969.
13. Added by G.O.(P) 25/77/G.Edn. dated 12-2-1977 in gazette dated 8-3-1977.
14. Substituted by G.O.(P) 135/86/G.Edn. dated 7-8-1986 published in Gazette dated 23-9-1986.
15. Inserted by G.O.(P) 99/62 dated 7-2-1962 published in gazette dated 13-2-1962.
16. Omitted by G.O.(P) 426/60 Edn. dated 30-8-1960 published in Gazette dated 13-9-1960.
17. Substituted by G.O.(P) 199/69/Edn. dated 15-5-1969 published in gazette dated 10-6-1969.
18. Substituted for the words "Within one week from the date of receipt of the fixation order or one week from the date of joining duty of candidates" by notification dated 13-9-1972 in gazette dated 26-9-1972.
19. Substituted by G.O.(P) 189/79/G.Edn. dated 12-11-1979 published in gazette dated 4-12-1979. The proviso to rule 8(1) was first introduced by G.O.(P) 23/74/G.Edn. dated 5-2-1974 empowering the RDD to condone delay up to two months. Then the proviso was amended by G.O.(P) 243/76/G.Edn. Dated 11-12-1976 to condone delay beyond two months but up to six months by the Director. Further it was amended by G.O.(P) 41/79/G.Edn. dated 7-4-1979 for the 4<sup>th</sup> time.
20. Substituted by G.O(P)No.217/79/Edn. dated 26-12-1979 in gazette dated 28-12-1979. for "RDD"
- \* Power delegated to Joint Director by G.O(P) 127/79 G. Edn. dated 1-8-1979 published on 28-8-1979.
21. Added by G.O.(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 with effect from 03-01-1981.
22. Inserted by G.O.(P) 41/79/G.Edn. dated 7-3-1979 published in gazette date 3-4-1979.
23. Substituted by notification No. GO(P)No.217/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979.
24. Aided by G.O.(P)78/78/G.Edn. dated 21-6-1978 in gazette dated 4-7-1978.
25. Substituted by G.O.(P) 105/89/G.Edn. dated 4-7-1989 published in Gazette dated 10-7-1989 "for 10". Transfers. Where more than one school is under the same Educational Agency, the Educational Agency may transfer any teacher from one school to another and in deciding on these transfers the principles followed in Government schools shall be observed".
26. Added by G.O.(P) 93/05/G.Edn. dated 19/3/2005 published in gazette dated 30-3-2005.
27. Added by GO(P)No.78/78/G.Edn. Dated 21-6-1978 published in Gazette dated 4-7-1978.
28. Rule 11 renumbered as sub rule (1) and sub rule (2) was added by G.O.(P)33/79/G.Edn. dated 23-2-1979 in gazette dated 13-3-1979.
29. Added as per G.O(P) 206/80/G.Edn. Dated 8-12-1980 published in gazette dated 20-1-1981.
30. Substituted by GO(P)No.68/71/G.Edn. dated 4-6-1971 as per notification in

- gazette dated 8-6-1971 for; "12. Transfers under rule 10 and ordinarily be made only during the monsoon vacation of the school
31. Proviso to Rule 13 omitted by GO(P)No.206/80/G.Edn. dated published in Gazette dated 20-1-1981. CHAPTER XIV A
32. Added by notification GO(P)No. 215/65/G.Edn. dated 24-4-1965 in gazette dated 11-5-1965.
33. Omitted by G.O.(P) 206/80/G.Edn. dated 8-12-1980 gazette dated 20-1-1981.
34. Added as per G.O.(P) 206/80/G.Edn. dated 8-12-1980 published in gazette dated 20-1-1981.
35. Inserted by GO(P)No.392/70/G.Edn. as per notification 4-9-70 in gazette dated 6-10-70.
36. Substituted by G.O(P) 104/84/G.Edn. dated 11-6-1984 published on 26-6-1984 for "28 The date of birth on page 1 of Service Book shall be entered in words as well as in figures.  
Note:- The date of birth shall be that entered in the School Admission Register, Matriculation Book or SSLC Bool".
37. Added by G.O(P) 70/99/G.Edn. dated 22-3-1999 published in Gazette dated 22-3-1999 w.e.f.30-12-1991.
38. Added by G.O(P) 70/99/G.Edn. dated 22-3-1999 published in Gazette dated 22-3-1999 with effect from 30-12-1991.
39. Added by G.O(P) 54/80/G.Edn. dated 12-5-1980 published in Gazette dated 24-6-1980.
40. Substituted by GO(P)No.493/62 dated 27-7-1962 and published by notification in gazette dated 7-8-1962. The original rule was "30. The Headmaster shall be the head of office or Attesting Officer for the entries in Part II of the Service Book. (vide columns 8,11 and 18)
41. Inserted by notification GO(P)No.442/63/G.Edn. dated 8-7-1963 and published in gazette dated 16-7-1963.
42. Substituted by G.O(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 for "34. Seniority List:- Every management shall prepare and maintain in the prescribed form a staff list, otherwise called seniority list of teachers". The amendment shall be deemed to have come into force on 3-1-1981.
43. Substituted for "in the Prescribed form" by G.O.(P) 176/84 dated 27-8-1984 published on 9-10-1984 with effect from 15-6-1983.
44. Substituted by notification GO(P)No.439/64/G.Edn. dated 14-8-1964 and published in gazette dated 1-9-1964. The original Rule 35 was "If there are two or more schools under the same Educational Agency they shall be constituted into one unit for the purpose of staff list; and a common seniority list shall be prepared for all the schools in the unit together. The Educational Agencies shall submit the common seniority list to the Director within three months from the date on which this rule comes into force".
45. Substituted by G.O(P) 219/79/G.Edn. dated 26-12-1979 for "Region "and "RDD".
46. Added by GO(P)No.467/62/G.Edn. dated 14-7-1962 published notification in gazette dated 24-7-1962.
47. Added as per G.O (P) 56/81/Edn. Dated 2-4-1981.
48. Added by notification GO(P)No.75/67/G.Edn. Dated 16-2-1967 published in gazette dated 28-2-1967.
49. Substituted by GO(P)No.439/64/G.Edn. Dated 14-8-1964 published in gazette dated 1-9-1964.
50. Added by G.O.(P)No.271/66/Edn. dated 30-5-1966 published on 17-7-1966.
51. Substituted by GO(P)No.574/62/G.Edn. dated 28-8-1962 published by

- notification in gazette dated 18-9-1962 for “37. Seniority of a teacher in any grade in any unit shall be decided with reference to the date of first appointment in that grade in that unit, provided he is duly qualified for the post on that date”.
52. Substituted by G.O(P) 112/78/G.Edn. dated 22-8-1978 in gazette dated 12-9-1978 for “(2). In the case of teachers in the same grade in the same unit whose date of first appointment is the same, seniority shall be decided with reference to age, the older being senior”. This sub-section was introduced by notification published in gazette dated 19-3-1963.
  53. Added by GO(P)No.39/2010/G.Edn. dated 23-07-2010 published in Gazette dated 23-07-2010.
  54. Inserted by notification by GO(P)No.439/84/G.Edn. dated 14-08-64 and published notification in Gazette dated 01-09-64.
  55. Added by GO(P)No.317/67/Edn. dated: 22-07-67 and published in Gazette dated: 15-08-67.
  56. Substituted by G.O.(P) 217/79/G.Edn. Dated 26-12-1979 published in Gazette dated 28-12-1979 for the words Regional Deputy Director.
  57. Substituted by GO(P)No.317/67/G.Edn. dated 22-7-1967 published in notification in gazette dated 15-8-1967.
  58. Substituted by GO(P)No.52/65/G.Edn. dated 30-1-1965 published in gazetted dated 2-2-1965 For “**41. Confirmation and promotion** Acting teachers shall be confirmed only in the order of seniority and only if eligible for confirmation.
  42. Probationary teachers shall be confirmed at the end of the period of probation if their work and conduct have been found satisfactory”.
  59. Substituted for the words “may be confirmed” by GO(P)No.239/68/G.Edn. dated 23-5-1968 published in Gazette dated 4-6-1968.
  60. Substituted by GO(P) 187/05/G.Edn. Dated 17-6-2005 published in gazette dated 25-6-2005.
  61. Inserted with effect from 22-4-1986 by G.O(P)185/86/G.Edn. Dated 22-11-1986 published in gazette dated 6-1-1987.
  62. Inserted by G.O.(P) 187/05/G.Edn. Dated 17-6-2005 published in gazette dated 25-6-2005.
  63. Inserted as per G.O(P) 191/82/G.Edn. dated 16-12-1982 in Gazette dated 15-2-1983.
  64. Substituted by G.O.(P) 197/74/G.Edn. dated 8-10-1974. The original rule was “43A. A teacher promoted from a lower scale of pay to a higher scale of pay may draw as initial pay in the higher scale the next higher stage above his pay in the lower scale irrespective of whether the pay in the lower time scale is a stage in the higher time scale or not. If his substantive pay after promotion happens to exceed the officiating pay, he may draw his substantive pay in the officiating post”.
  65. Added by G.O.(P) 38/77/G.Edn. dated 2-3-1977 in Gazette dated 5-4-1977.
  66. Inserted by G.O.(P) 9/93/G.Edn. dated 14-1-1993 published in gazette dated 14-1-1993.
  67. Rule 43B and 43C inserted by G.O.(P) 71/72/S.Edn. dated 22-5-1972 in gazette dated 12-9-1972.
  68. Inserted as per G.O.(P) 191/82/G.Edn. dated 16-12-1982 published in Gazette dated 15-2-1983.
  69. Substituted by G.O(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 for “Appointment of Headmasters shall ordinarily be according to seniority”. The amendment came into force on 3-1-1981.
  70. Added by G.O(P) 27/76/G.Edn. dated 12-2-1976 in gazette dated 2-3-1976.

71. The last sentence in rule 44 deleted and the existing rule 44 renumbered as sub-rule (2) and added as sub-rule (2), (3) and (4) by GO(P)No.373/63 dated 7-6-1963 published by notification in gazette dated 25-6-1963 for; "The appeal shall be preferred within one month of the date of the order appealed against".
72. Substituted for Regional Deputy Director of Public Instruction by G.O(P) 217/79/G.Edn. dated 26-12-1979 published on 28-12-1979.
73. Inserted by GO(P)No. 876/63/G.Edn. Dated 4-12-1963 as per notification in gazette dated 24-12-1963.
74. Inserted by G.O(P) 45/68/G.Edn. dated 31-1-1968 in Gazette dated 13-2-1968.
75. Added by G.O(P) 479/68/G.Edn. dated 6-11-1968 in Gazette dated 10-12-1968.
76. Added by G.O(P) 149/76/G.Edn. dated 7-8-1976 in Gazette dated 31-8-1976.
77. Substituted with effect from 31-8-1976 by G.O(P) 27/87/G.Edn. Dated 31-1-1987. Published in Gazette dated 24-2-1987.
78. Added by SRO 237/97 Published in Gazette No.13 dated 1-4-1997 with effect from 2-3-1982.
79. Sub-rules (2) and (3) of Rule 44A omitted by G.O(P) 222/89/G.Edn. dated 28-11-1989 published in gazette dated 30-11-1989.
80. Inserted by G.O(P) 123/75/G.Edn. dated 30-5-1975 in Kerala gazette dated 24-6-1975.
81. Substitute by GO(P)No.52/76/G.Edn. dated 1-4-1976 published in gazette dated 28-4-1976.
82. Substitute by G.O(P) 52/76/G.Edn. dated 1-4-1976 in gazette dated 27-4-1976.
83. Added by G.O(P) 188/76/G.Edn. dated 30-9-1976 published on 16-11-1976.
84. Substituted by SRO 237/97 published in Gazette no 13 dated 1-4-1997 with effect from 2-3-1982 for "persons who attain the age of 50 years will be granted permanent exemption from passing the tests".
85. Added by G.O(P) 321/70/S.Edn. dated 16-7-1970 in Gazette dated 28-7-1970.
86. Substituted by G.O(P) 22/2008/G.Edn. dated 25-1-2008 published in gazette dated 30-1-2008.
87. Inserted by G.O(P) 273/84/G.Edn. dated 18-12-1984 in gazette dated 12-2-1985.
88. Inserted by G.O (P) 24/87/G.Edn. dated 31-1-1987 published in Gazette dated 7-7-1987.
89. Inserted by G.O(P) 273/84/G.Edn. dated 18-12-1984 in Gazette dated 12-2-1985.
90. Added by G.O(P) 156/78/G.Edn. dated 3-11-1978 in Gazette dated 19-12-1978.
91. Substituted by G.O(P) 259/84/G.Edn. dated 28-11-1984 in Gazette dated 2-7-1985. The Sub-rule came into force from 19-12-1978.
92. Inserted by G.O(P) 135/86/G.Edn. dated 7-8-1986 published in Gazette dated 23-9-1986.
93. Substituted by G.O(P) 139/86/G.Edn. dated 12-8-1986 published in Gazette dated 2-9-1986 with effect from 1-4-1986 for "31<sup>st</sup> day of March 1986".
94. Substituted by G.O(P) 24/82/G.Edn. dated 24-2-1982 published in the Gazette dated 2-3-1982 for "Teachers who have attained the age of 50 years and who have completed 25 years of service shall stand exempted permanently from acquiring the qualification specified in sub rule (1)".
95. Added by G.O(P) 226/89/G.Edn. dated 28-11-1989 published in Gazette dated 30-11-1989.
96. Substituted by G.O(P) 222/89/G.Edn. dated 28-11-1989 published in Gazette dated 30-11-1989.
97. Added by G.O(P) 106/97/G.Edn. dated 25-3-1997 with effect from 28<sup>th</sup> day of November 1989.
98. Added by G.O(P) 106/97/G.Edn. dated 25-3-1997 with effect from 28<sup>th</sup> day of

- November 1989.
99. Introduced by GO(P)No.52/65/G.Edn. dated 30-1-1965 published in gazette dated 2-2-1965.
  100. Substituted for the words "Qualified teachers except Headmaster appointed in vacancies" by GO(P)No.24/73/G.Edn. dated 19-7-1973 published in the gazette dated 21-8-1973.
  101. Added by G.O(P) 148/79/G.Edn. dated 1-9-1979 in gazette dated 30-10-1979.
  102. Substituted by G.O(P)112/74/G.Edn. dated 11-6-1974 in gazette dated 27-8-1974 "with due regard to the requirement of subjects so far as secondary schools are concerned".
  103. Added by G.O(P) 287/66/G.Edn. dated 20-6-1966 published in Gazette dated 17-7-1966.
  104. Inserted by G.O(P) 187/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
  105. Added by G.O(P) 226/98/G.Edn. dated 22-6-1998 with effect from 1<sup>st</sup> January 1985.
  106. Added by G.O(P) 121/05/G.Edn. dated 16-4-2005 published in Gazette dated 27-4-2005.
  107. Added by G.O(P) 94/72/G.Edn. dated 4-7-1972 published in Gazette dated 18-7-1972.
  108. Substituted by G.O(P) 112/74/G.Edn. dated 11-6-1974 published on 27-8-1974 for requirement of subjects'.
  109. Inserted by G.O(P) 187/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
  110. Added by G.O(P) 55/77/G.Edn. dated 23-3-1977 published in Gazette dated 26-4-1977.
  111. Inserted by G.O(P) 55/90/G.Edn. dated 30-3-1990 published in Gazette dated 30-3-1990.
  112. The word "Permanent" Omitted by G.O(P) 174/70/G.Edn. dated 10-4-1970 published in Gazette dated 28-4-1970.
  113. The words "and their service prior to relief shall count for increment after re-appointment" were deleted by G.O(P) 59/76/G.Edn. dated 30-3-1976 published in gazette dated 11-5-1976.
  114. Rule 52 renumbered as sub-rule(1) and sub-rule (2) added by G.O(MS)7/63 dated 4-1-1963 published in gazette dated 15-1-1963.
  115. The word "permanent" omitted by GO(P)No.174/70/G.Edn. Dated 10-4-1970 published in gazette dated 28-4-1970.
  116. The words "Provided their reappointment is within one year of the withdrawal of recognition" omitted by G.O(P) 775/63/G.Edn. dated 23-11-1963 published in gazette dated 3-12-1963.
  117. Omitted by G.O(MS) 307/61/Edn. dated 29-5-1961 published in gazette dated 30-5-1961.
  118. Substituted by G.O(P) 391/64/Edn. dated 25-7-1964 published in gazette dated 4-8-1964.
  119. Substituted by G.O(P) 112/74/G.Edn. dated 11-6-1974 published on 27-8-1974 for "requirement of subjects in Secondary School".
  120. Added by G.O(P) 237/84/G.Edn. dated 6-11-1984 published in Gazette dated 25-12-1984.
  121. Added by notification in Gazette dated 30-6-1959 as per Ed (e. special) 50398/59/EHD dated 28-6-1959.
  122. Added by GO(P)No.56/77/G.Edn. Dated 7-4-1972 published as per notification dated in Gazette dated 25-4-1972.
  123. Substituted by G.O(P) 227/98/G.Edn. dated 22-6-1998 with effect from 1-10-1991.

124. Sub-rule (3) renumbered as sub rule (4) by GO(P)NO.84/71/G.] CHAPTER XIV A  
5-7-1971 as per notification published in gazette dated 20-7-1971.
125. Added as sub-rule (3) by notification in gazette dated 2-2-1965. Then it was renumbered as sub rule (4) as per GO(P)No.84/71/G.Edn. dated 5-7-1971 by notification in the gazette dated 20-7-1971.
126. Inserted by G.O(P) 188/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
127. Added by G.O(P) 109/73/G.Edn. dated 30-6-1973 published in Gazette dated 1-7-1973.
128. Inserted by G.O(P) 16/78/G.Edn. dated 4-2-1978 published in gazette dated 28-2-1978.
129. Added by G.O(P)No.164/73/G.Edn. dated 1-10-1973 published in gazette dated 6-11-1973.
130. Substituted by GO(P)No.171/71/G.Edn.dated 3-12-1971 published in gazette dated 21-12-1971 for "57. The Headmaster shall be the competent authority to grant casual leave.  
Note - The manager shall be the competent authority to grant casual leave to the Headmaster. If the Manager is also the Headmaster, the Educational Officer shall be the competent authority to grant him casual leave".
131. Substituted by G.O(P) 173/74/G.Edn. Dated 4-9-1974 in gazette dated 15-10-1974 for "subject to rule 57 the Educational Officer shall be the competent authority to grant leave other than study leave. The grant of special leave such as study leave and special disability leave requires the sanction of Government".
132. Rule 58 renumbered as sub-rule (1) of that rule and added sub-rule (2) GO(P)No.493/62/G.Edn. dated 27-7-1962 by notification in gazette dated 7-8-1962.
133. Substituted for the words "other than casual leave" by GO(P)No.171/71/G.Edn. Dated 3-12-1971 by notification in gazette dated 21-12-1971.
134. Added by G.O(P) 3/75/G.Edn. dated 1-1-1975 published in Gazette dated 28-1-1975.
135. Added by G.O(P) 173/74/G.Edn. dated 4-9-1974 published in Gazette dated 15-10-1974.
136. Added by G.O(P) 123/77/G.Edn. dated 30-5-1977 published in Gazette dated 9-8-1977.
137. Inserted by G.O(P) 174/88/G.Edn. dated 1-12-1988 published in Gazette dated 3-1-1989.
138. Substituted for "the Educational Officer" by G.O(P) 173/74/G.Edn. dated 4-9-1974 published in gazette dated 15-10-1974.
139. Added by G.O(P) 173/74/G.Edn. dated 4-9-1974, published in gazette dated 15-10-1974.
140. Added as per notification in gazette dated 28-8-1962.
141. Added by G.O(P) 123/77/G.Edn. dated 30-5-1977 published in gazette dated 9-8-1977.
142. Inserted by G.O(P) 174/88/G.Edn. dated 1-12-1988 published in gazette dated 3-1-1989.
143. Substituted by G.O(P) 214/81/G.Edn. dated 28-11-1981 published in gazette dated 22-12-1981.
144. Inserted with effect from 2-2-1965 by G.O(P) 40/87/G.Edn. dated 11-2-1987 published in gazette dated 24-3-1987.
145. Omitted by GO(P)No.52/65/G.Edn. dated 30-1-1965 as per notification in gazette dated 2-2-1965.

146. Sub-rule (4) substituted and sub-rules (5) and (6) have been added by G.O(P) 95/87/G.Edn. dated 24-4-1987 published in gazette dated 12-5-1987, sub rule (5) has been given effect from 21-2-1964.
147. Sub-rule (4) substituted and sub-rules (5) and (6) have been added by G.O(P) 95/87/G.Edn. dated 24-4-1987 published in gazette dated 12-5-1987, sub rule (5) has been given effect from 21-2-1964.
148. Added by G.O(MS) 66/84/G.Edn. dated 31-3-1984 published in gazette dated 31-3-1984.
149. Added by G.O(P) 3/2007/G.Edn. dated 5-1-2007 Published in gazette dated 5-1-2007 with effect from 15-5-1986.
150. Substituted by G.O(P)164/70 dated 4-4-1970 published in gazette dated 21-4-1970.
151. Substituted for the words "the 2<sup>nd</sup> of May" by G.O(P)68/71/S.Edn. dated 4-7-1971 published in gazette dated 8-6-1971.
- \* Delegated to DD(E) by G.O(P) 52/80/G.Edn. dated 7-5-1980 published in Gazette dated 24-6-1980.
152. Substituted by notification in Gazette date 2-2-1965.
153. Omitted by GO(P)No.52/65/G.Edn. dated 30-1-1965 notification in gazetted dated 2-2-1965.
154. Substituted by notification No.61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
155. Omitted by GO(P)37/78/G.Edn. dated 31-3-978 published in gazette dated 16-5-1978.
156. Substituted by GO(P)217/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979 for "R D D".
157. Added by G.O(P) 274/84/G.Edn. dated 18-12-1984 published in gazette dated 19-2-1985.
158. Added by G.O(P) 17/78/G.Edn.dated 4-2-1978 in Gazette dated 14-3-1978.
159. Substituted by G.O(P)43/80/G.Edn. dated 26-3-1980 in Gazette dated 22-4-1980 for "one year".
160. Added by G.O(P)44/68/G.Edn. dated 31-1-1968 published in Gazette dated 13-2-1968.
161. Omitted by G.O(P)37/78/G.Edn. dated 31-3-1978 published in Gazette dated 16-5-1978.
162. Inserted by GO(P) 315/68/G.Edn. dated 4-7-1968 on gazette dated 16-7-1968.
- \* The power delegated to Deputy Directors by notification published on 24-6-1980.
163. Substituted by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
164. Substituted by GO(P)317/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979 for "R D D".
165. Added by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
166. Inserted by GO(P) 48/77/G.Edn. dated 18-3-1977 in gazette dated 26-4-1977.
167. Inserted by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
168. Deleted as per the above GO(GO(P)NO.61/70).
169. Inserted by GO(P) 247/67/G.Edn. dated 6-6-1967 published in gazette dated 20-6-1967.
170. Added by GO(P) 234/77/G.Edn. dated 2-12-1977 published in gazette dated 27-12-1977.
171. Substituted by GO(P) 217/79/G.Edn. dated 26-12-1979 published in gazette



- dated 28-12-1979 for "R D D".
172. Substituted by GO(P)180/81/G.Edn. dated 14-10-1981 published in gazette dated 5-1-1982 for "When a teacher who has been dismissed, removed or suspended is reinstated, rules for the time being in force relating to Government servants in the matter shall mutatis mutandis apply".
  173. Rules 92 and 93 added by GO(P)52/65/G.Edn. dated 30-1-1965 in gazette dated 2-2-1965.
  174. Rule 92 renumbered as sub rule (1) by GO(P)153/78/G.Edn. dated 1-11-1978 published in gazette dated 19-12-1978 and sub rule 2 was inserted.
  175. Inserted by GO(P) 243/76/G.Edn. dated 11-12-1976 published in Gazette dated 28-12-1976.
  176. Inserted by GO(P)153/78/G.Edn. dated 1-11-1978 in gazette dated 19-12-1978.
  177. Added by GO(P) 52/65/G.Edn. dated 30-1-1965 published in gazette dated 2-2-1965.
  178. Rule 7A(1) and its proviso deleted by G.O (P) 150/78/G.Edn. dated: 28-10-78.
  179. Added by G.O(P) 495/69/Edn. dated: 22-12-1969 published in Gazette dated: 06-01-1970.
  180. Substituted for "Headmasters" by G.O (P) 67/84/G.Edn dated: 03-04-84 published in Gazette dated: 26-06-84.
  181. Substituted by G.O (P) No. 121/05/G.Edn. dated: 16-04-05 published in Gazette dated: 27-04-05 for "3 vacancies the duration of which is two months or less shall not be filled up by any appointment.

\*CHAPTER XIV (AA)

**CONDITIONS OF SERVICE OF TEACHING AND NON-  
TEACHING STAFF OF RECOGNISED UNAIDED  
SCHOOLS**

1. (a) Managers of Recognised Unaided Schools shall appoint only such candidates as teaching and non-teaching staff who possess the qualifications prescribed for the respective posts in Government Schools;

(b) Whenever a vacancy occurs, the manager shall follow the directions issued by the Government from time to time, for ascertaining the availability of qualified hands and for filling up of that vacancy;

(c) The age limit and the relaxation thereof for appointment as applicable to candidates for appointment under Government Schools/Aided School shall mutatis mutandis apply to the candidates for appointment as member of staff of these schools:

Provided that those teaching and non -teaching staff of recognised unaided schools in service at the commencement of the Kerala Education (Amendment) Rules 1990 and who do not possess the qualifications required under this sub-rule shall be given two years time to acquire such qualifications:

Provided further that the Government may for reasons to be recorded extend the said period for a further period not exceeding two years.

2. The teaching and non-teaching staff of these schools shall be paid salary every month by cheques drawn on managements' accounts in Nationalised or Scheduled Banks.
3. The services of any member of the teacher or non- teaching staff shall not be terminated by the management without conducting a domestic enquiry and without giving the member an opportunity of being heard in that enquiry.

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\* This chapter introduced by G.O. (P) 55/90/G.Edn. dated 30-03-90 published in gazette dated 30-3-90.

## \*CHAPTER XIV (B)

**CONDUCT RULES**

1. Every teacher shall at all times maintain a high example of personal and professional integrity and devotion to duty.
2. [x x x x x] Deleted by Leg. Assembly.
3. Teachers are at liberty to become members of, make deposits in and take part in the promotion of co-operative societies.
4. No teacher shall enter into any pecuniary arrangement for the resignation by any of them or for the taking of leave for the benefit of the other. Should this Rule be infringed, any nomination or appointment consequent upon such resignation or leave will be cancelled and such parties to the arrangement as are still in the service will be suspended pending the orders of competent authorities.
5. No teacher shall, except with the previous sanction of the Government take part in the promotion, registration or management of any Bank or Company.
6. No teacher shall serve or accept paid employment in any Company or mutual benefit Society or Co-operative Society or act as an agent whether paid by salary or commission to any insurance Company or society. Where however no remuneration is accepted, there is no objection to a teacher's taking part in the management of a mutual benefit society if he has first obtained the sanction of the District Educational Officer and if a certificate to the effect that the work undertaken will be performed without detriment to his official duties is furnished.
7. No teacher shall except with the previous sanction of the Government engage directly or indirectly in any trade or business or undertake any employment:

Provided that a teacher may without such sanction undertake honorary work of social or charitable nature, or work of a literary, artistic, or scientific character, subject to the condition that his official duties do not thereby suffer; but he shall not undertake or shall discontinue such work if so directed by the Government.

[x x x x x]

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Deleted by Leg: Assembly

- [8 to 13 x x x x x x]
14. No teacher shall except with the previous sanction of the Director own wholly [x x] or conduct or participate in the editing or management of any newspaper or other periodical publication. Such sanction will be given only in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character such for instance as art, science or literature.
- [15. x x x x x x] Deleted by Leg: Assembly.
16. When a teacher is suspended he must give his address to the Manager, the Headmaster and the Educational Officer and also to the Officer, if any, holding an enquiry into his conduct.
17. Teachers are at liberty to become members, representatives, or office bearers of Service Associations formed by them and Government may recognise them.
18. No teacher who has a wife living shall contract another marriage without first obtaining the permission of the Government notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him.
- [19. to 22 x x x x x x] Deleted by Legislative Assembly.
23. No teacher shall engage himself in any kind of activity prejudicing normal functioning of the School.
24. The Government may, by general or special order, direct that any power exercisable by it under these Rules, shall, subject to such conditions, if any as may be specified in the order be exercisable also by such officer or authority as may be specified in the order.

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\* This chapter is applicable to teachers appointed before 1-10-1964. For those appointed on after 1-10-1964 the rules in chapter XIV C shall apply.

CHAPTER XIV <sup>1</sup>[(C)

## CONDUCT RULES

1. The Rules in this Chapter shall apply to-
  - (i) Teachers of aided schools who are in service on 1-10-64, and who opt under Rule 2 to be governed by these Rules; and
  - (ii) Teachers appointed after 1-10-1964;
  - (iii) <sup>2</sup>[Provided that nothing contained in this Chapter shall apply to teachers who continue in service after attaining the age of 55 on or before 4-5-67].
  
2. Subject to the provisions of Rule 1 teachers who are in service on 1-10-1964 shall be given the option either to continue under the Rules in chapter XIV (B) or to come under these Rules. Such option shall be exercised within a period of three months from the commencement of these Rules or within such further time as Government may specify in this behalf. The option once exercised shall be final. Teachers who have not exercised any option within the prescribed period shall be deemed to have opted these Rules.
 

<sup>3</sup>[x x x x]
  
- <sup>4</sup>[2A. (i) Teachers who have opted to continue under the rules in Chapter XIV (B) and who have not attained the age of 55 on 4-5-1967 shall be given a further option to come over to the rules in this Chapter or to remain under the Rules in Chapter XIV (B), <sup>5</sup>[The provisions of Chapter VIII of part 1 of the Kerala Service Rules relating to compulsory retirement, as amended from time to time, shall mutatis mutandis apply to teachers who remain under the rules in this chapter or who re-opt from the rules under Chapter XIV(B) to the rules in this chapter;]
  
- (ii) Teachers who have opted to come under the rules in this chapter consequent on the raising of the age of retirement to 58 shall be given a further option to revert to the rules in Chapter XIV (B).
  
- (iii) The option referred to in sub-rules, (i) and (ii) above shall be exercised on or before 29-8-1967. The option once exercised shall be final].
  
- <sup>6</sup>[2B. (i) Teachers who have opted to continue under the rules in Chapter XIV (B) and who have not attained the age of 55 on 30-6-1969 shall be given a further option to come over to rules in this chapter. Those who re-opt from the rules under Chapter XIV (B) to the rules in this chapter shall retire on completion of 55 years of age.

(ii) The option shall be exercised within three months from 30-6-1969].

<sup>7</sup>[2C. Notwithstanding anything contained in rules 2, 2A and 2 B teachers who have opted to continue under the rules in Chapter XIV (B) and who have not attained the age of 55 may opt to the rules in this Chapter at any time. Option once exercised shall be final. Those who opt to be governed by the rules in this Chapter shall not be entitled for any arrears of salary on account of such re-option].

### 3. **Definition-**

In these Rules unless the context otherwise requires-

(a) Member of a teacher's family includes:-

- (i) The wife, child or step-child of such teacher whether residing with him or not and relation to a teacher who is a woman, the husband residing with her and dependent on her; and
- (ii) any other person related, whether by blood or by marriage to the teacher or such teacher's wife or husband and wholly dependent on such teacher but does not include wife or husband legally separated from the teacher or child or step-child who is no longer in any way dependent upon him or her or of whose custody the teacher has been deprived by law.

(b) Words importing the masculine gender shall be taken to include the feminine, if circumstances so require.

4. Every teacher shall at all times maintain a high example of personal and professional integrity and devotion to duty.

5. **Gift, gratuity and reward** - Save as other wise provided in these Rules, no teacher shall, except with the previous sanction of Government, accept or permit any member of his family to accept directly or indirectly on his own behalf or on behalf of any other person, any gift, gratuity or reward from a person not related to him.

6. A teacher may accept from any person a complimentary gift of flowers or fruits or similar articles of trifling value but all teachers shall use their best endeavours to discourage the tender of such gift.

7. A teacher may accept or permit a member of his family to accept from a person who is his personal friend a wedding gift of a value which is reasonable in all the circumstances of the case. All teachers shall use their best endeavours to discourage the tender of such gifts and such acceptance or permission shall be reported to Government and if Government so require, the gift shall be returned to the donor.

8. If a teacher cannot, without giving undue offence; refuse a gift of a substantial value he may accept the same, but shall unless, the Government by special order otherwise direct, deliver the gift to Government for decision as to its disposal.
9. **Public demonstration in honour of teachers-** Save as otherwise provided in these Rules, no teacher shall except with the previous sanction of \*Government-
  - (a) receive any complimentary or valedictory addresses, accept any testimonial or attend any public meeting or entertainment held in his honour; or
  - (b) take part in the presentation of a complimentary or valedictory address or of a testimonial to any other teacher or to any person who has recently quitted the service in aided schools, or attend a public meeting or entertainment held in honour of such other teacher or person; or
  - (c) take part in the raising of a fund to be expended in recognition of the service of any other teacher or of a person who has recently quitted service in aided schools for any purpose whatsoever.
10. Subject to the provisions of any general or special order of Government, a teacher may attend a farewell entertainment of a substantially private and informal character held with regard to himself or to any other teacher or to a person who has recently quitted the service in aided school on the occasion of his retirement from service or departure from the station of himself or such other teacher or person. In accepting the invitation the teacher should if necessary, make it clear that the function must be substantially private and on no account take the character of a public entertainment, that no address should be presented to him or to the other teacher and that the organizers will discourage the publication of the proceedings of the entertainment in the press.
11. **Presentation of trowels etc. at the ceremonial functions -** (a) No teacher shall, except with the previous sanction of the Government receive any trowels, key or other similar articles offered to him at a ceremonial function such as laying of a foundation stone or the opening of a public building.
  - (b) A teacher who receives an invitation to preside at such function should, if he decides to accept it, invariably inform the promoters that he can attend only on the understanding that no presentation of any kind is made.

- 12. Subscriptions** - Except with the previous sanction of \*Government or of some authority empowered in this behalf by Government, no teacher shall ask for or accept or in any way participate in the raising of subscription of other pecuniary assistance or take part in any collection of money for any public or local or other purpose.
- 13. Purchase of resignation etc-** No teacher shall enter into any pecuniary arrangement for the resignation by any of them or for taking of leave for the behalf of the other. Should this Rule be infringed any nomination or appointment consequent upon such resignation or leave will be cancelled by the Educational Officer and such parties to the arrangements as are still in service will be subject to disciplinary proceedings.
- 14. Lending or borrowing** - (i) No teacher shall -
- (a) directly or indirectly engage in the business of money- lending; or
  - (b) except with the previous sanction of Government, lend money to any person possessing land or at interest to any person; or
  - (c) save in the ordinary course of business with a bank or firm of standing borrow money from, or otherwise; place himself under pecuniary obligation to any person subordinate or superior to him or any one else within the local limits of his authority; or
  - (d) except with the previous sanction of \*Government, permit any member of his family to enter into any transaction of the nature of those prohibited in the case of teachers.

Provided that-

- (i) Clause (b) does not preclude the making of advances of pay to private servants even if they possess land;
  - (ii) Clause (c) does not preclude the acceptance of a purely temporary loan of a small amount free of interest, from a personal friend or the operation of reasonable credit account with a bonafide tradesman;
  - (iii) this sub-rule shall, in its application to dealings of a teacher with a Co-operative Society registered or deemed to have been registered under the Co-operative Societies Act or under similar law, be subject to such relaxation as \*Government may by special or general order, direct.
- 15.** The above Rule does not prevent a teacher from borrowing money from a Co-operative Society of which he is a member, provided that where the borrowing is on personal security, the surety shall not be



- one subordinate to him.
16. The prohibition as regards the lending and borrowing of money applies to all loans, credits, advances, supply of articles or accommodation at unduly low rates or for insufficient consideration and to sales of property for inordinate prices.
  17. The fact that a teacher lending money is acting as an executor, administrator or as a trustee without profit or advantage to himself in no way affects the prohibition.
  18. A teacher who belongs to joint Hindu family carrying on the business of money- lending as an ancestral profession is exempted from the prohibition.
  19. A teacher is prohibited from having pecuniary relations with any pupil or ex- pupil or parent or guardian of a pupil or ex-pupil or with the staff or establishments of the school in which he is employed. A person who has ceased to be a pupil of the teacher for a period of over two years will not be regarded as an ex-pupil for the purpose of this Rule.
  20. **Litigation** - No teacher shall without the written permission of the District Educational Officer (i) take or transfer in his name any actionable claim or decree; (ii) concern himself in any litigation in which he has no direct personal interest.
  21. **Buying and selling houses and other valuable property** - Save in the case of transaction conducted in good faith with a regular dealer a teacher who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value one thousand rupees with any person residing, possessing immovable property or carrying on business in the locality in which he is employed shall declare his intention to \* Government. The declaration shall state fully the circumstances, the price offered or demanded and in the case of disposal otherwise than by sale, the method of disposal and the teacher shall thereafter act in accordance with such orders as may be passed by \*\*Government.
  22. The Director of Public Instruction or any other officer authorised by Government may exercise the powers of Government for the purpose of the above Rules in respect of teachers serving in aided schools. He is at liberty to refer any case to Government for advice or orders if he considers such a course desirable.
  23. **Investments** - (a) No teacher shall speculate in investments. For purpose of this Rule, the habitual purchase and sale of securities of

notoriously fluctuating value shall be deemed to be speculation in investments.

(b) No teacher shall make or permit any member of his family to make any investments likely to embarrass or influence him in the discharge of his official duties.

**Note:-** If any question arises, as to whether a security or an investment is of the nature referred to above, the decision of the Government thereon shall be final.

- 24. Membership of Co-operative Societies** - Teachers are at liberty to become members of, make deposits in, and take part in the promotion of Co operative Societies.
- 25. Promotion and management of Companies** - No teacher shall take part in the promotion, registration or management of any Bank or Company.

Provided that a teacher may in accordance with the provisions of any general or special order of Government take part in the promotion, registration or management of a Co-operative Society registered or deemed to be registered under the Co-operative Societies Act.

- 26.** No teacher shall serve or accept paid employment in any company, mutual benefit Society or Co-operative Society or act as an agent whether paid by salary or commission, to any insurance Company or Society, where, however, no remuneration is accepted, there is no objection to a teacher's taking part in the management of a mutual benefit society if he has first obtained the sanction of the <sup>8</sup>[Deputy Director (Education)] and a certificate to the effect that the work undertaken will be performed without detriment to his duties.
- 27.** <sup>9</sup>[Teachers shall be at liberty to take part in the promotion of Co-operative Societies or Co-operative Banks and to serve in any Committee or Board appointed or constituted for the Management of such societies or Banks provided that their activities are confined to such societies or Banks as are situated within the limits of the educational districts in which they are employed].
- 28. Private trade or employment-** No teacher shall except with the previous sanction of Government, engage directly or indirectly in any trade or business or under take any employment;

Provided that a teacher may, without such sanction undertake honorary work of a social or charitable nature or occasional work of a literary, artistic or scientific character subject to the condition that his

duties do not thereby suffer; but he shall not undertake or shall discontinue, such work if so directed by the Government;

Provided further that a teacher may, without such sanction undertake work connected with examination (including examinership) conducted by Universities, Public Service Commission and other Examining bodies under the State Government or Central Government or by the London Chamber of Commerce, and accept the remuneration therefor on condition that such work does not interfere with his normal duties; but he shall not undertake more than three examinership in a year.

**Explanation-** Canvassing by a teacher in support of the business of insurance agency, commission agency etc., owned or managed by his wife or any other member of his family shall be deemed to be a breach of this Rule.

29. No teacher shall publish any book without obtaining the previous permission of the Government. The Director of Public Instruction is authorised to exercise this power in respect of teachers. He may refer any case to Government for advice or orders if he consider such a course desirable. The following conditions shall be imposed whenever permission is granted-

- (1) that the work connected with the publication of the book does not interfere with the normal duties of the author;
- (2) that the author does not canvass in support of the sale of copies of the book;
- (3) that while giving the description of the author on the title page or else where, care is taken to make it clear that the work is not officially sponsored.
- (4) that an introduction is included in the book explaining the school, in which the author is working or was working while writing the book and that is not an official publication.
- (5) that the designation of the author does not appear on the title page or chapter headings;
- (6) that a proof copy of the book is submitted to the Director of Public Instruction for perusal and return;

Provided that such permission shall not be necessary for teachers in aided schools while publishing text-books and books of literary character and research papers. It shall however, be their responsibility to ensure that such publications neither reveal any information of a confidential nature nor contain any matter which may embarrass the Government. In case of doubt the teacher concerned shall obtain the previous permission of the Government for publishing the work.

30. **Insolvency and habitual indebtedness-** A teacher shall avoid habitual

indebtedness. If a teacher is adjudged or declared an insolvent, or has incurred debts aggregating to a sum which in ordinary circumstances he could not repay within a period of two years or if a part of his salary is frequently attached for debt, has been continuously so attached for a period of two years he should be presumed to have contravened this Rule and is liable to be removed from service provided that such removal will not ordinarily result in the forfeiture of the pension which the person concerned would then be entitled to under the Rules had he been invalidated from service. But he need not be so deemed if he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence he could not have foreseen or over which he had no control and had not proceeded from extravagant or dissipated habits. The burden of proving such special circumstances will always be upon the teacher concerned.

31. A teacher who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the head of the school or Educational Officer.
32. On receipt of information that a teacher has been declared an insolvent or that his salary is being continuously attached as contemplated in Rule 30 the Headmaster shall communicate the fact forthwith to the Educational Officer for such action as may be called for under Rule 30 above.
33. The plea that the insolvency or indebtedness has been caused by standing security for other persons shall in no case be accepted as an excuse for abating the action under these Rules.
34. A teacher who has been removed from service from an aided school on account of insolvency shall not be eligible for re-employment in any branch of public service or in aided school.
35. **Contribution of articles to non- Government publications-** Teachers are permitted to contribute articles of a scientific, literary or technical character to any journal, magazine or similar publication, provided that such article does not reveal any information of a confidential nature and that the publication will not in any way embarrass the administration.
36. **Communication with Press -** No teacher shall except with and during the continuance of previous sanction of Government own wholly or in part, or conduct or participate in the editing or management of any news paper or other periodical publication. Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character such for instance, as art,

science or literature. The sanction is liable to be withdrawn at the discretion of Government.

<sup>10</sup>[36A. No teachers shall without the previous sanction of Government, in any manner give aid or participate in the editing, publishing or management of any publication which contains commercial advertisements or shall become a member of any group of teachers or Government servants which brings out such publication].

**37. Communicating with members of the Legislature-** No teacher shall approach any member of the Legislature with a view to having any grievance made the subject matter of interpellations or discussion in the Legislature. Any such disclosure will be liable for disciplinary action.

**38. Discussions of the policy or action of Government -** Subject to the provisions of any law for the time being in force relating to election to Parliament, State Legislature and Local Bodies:-

(a) No teacher shall, by any utterance, writing or otherwise discuss or criticise in public or at any meeting or association or body, any policy pursued or action taken by Government nor shall he in any manner participate in such discussion or criticism;

Provided that nothing contained in this Rule shall be deemed to prohibit a teacher from participating in discussion at any private meeting solely of teachers, in aided schools or of any recognised association of teachers, of matters of academic nature and matters which affect the personal interests of such teachers individually, or generally.

**Explanation -** Nothing contained in this Rule shall be constructed to limit or abridge the power of Government requiring any teacher to publish and explain any policy or action of Government in such manner as may appear to them to be expedient or necessary.

(b) A teacher shall not, except in the discharge of his duties preside over or take part in the organization or occupy a prominent position at or address any non-official meeting or conference at which it is likely that speeches will be made or resolution will be proposed or passed criticising the action of Government or requesting Government to take certain action other than to make grants admissible under Government rules or orders in support of educational or similar institutions.

**Note -** Regularly convened meeting of associations of teachers recognised by Government, and of committees or branches of such associations are not non official meetings for the purpose of this Rule.

39. No teacher shall engage himself or participate in any demonstration which is prejudicial to the interest of the sovereignty and integrity of India, the security of State, friendly relations with foreign States, public order, decency or morality or which involves contempt of court, defamation or incitement to an offence.

<sup>11</sup>[39 (A) No aided school teacher shall engage himself in antiseccular activities which tend to create communal disharmony.

**Note:-** The provisions under this rule shall apply mutatis mutandis to all categories of aided school teachers and non-teaching staff irrespective of their option to Chapters XIV (B) or XIV (C) or XXIV (A) or XXIV (B), as the case may be].

40. **Publication of documents and communication to the press in the name of teachers and public speeches** -No teacher shall, in any document published by him or in any communication made by him to the press or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing:-

- (a) the relation between the Government and the people or any section thereof;
- (b) the relation between the Government and the Government of India; and
- (c) the relation between the Government and any other Indian State or any foreign country.

41. A teacher who intends to publish any document or to make any communication to the Press or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by Rule 40 may arise, shall submit to Government a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver and shall thereafter act in accordance with such orders as may be passed by Government.

42. **Evidence before committees:-** No teacher shall give evidence before a public committee except with the previous sanction of Government.

43. No teacher giving such evidence shall criticise the policy or decisions of the Government or any other Government provided that expressions of opinion by a teacher on purely academic matters shall not be construed as criticism.

44. Rule 42 and 43 do not apply to evidence given before statutory committees which have power to compel attendance and the giving of

answers nor to evidence given in judicial enquiries.

45. No teacher shall take part in or in any way assist any movement or activity which is or tends directly or indirectly to be subversive of Government as by law established nor shall he permit any member of his family to do so.

**Explanation:-** A teacher shall be deemed to have permitted person to take part in or assist a movement or activity within the meaning of the above Rule, if he has not taken precaution and one everything in his power to prevent such person so acting, or if, when he knows or has reason to suspect that such person is so acting, he does not at once inform the Government or the Educational Officer.

46. Seditious propaganda or the expression of disloyal sentiments by a teacher will be regarded as sufficient ground for dispensing with his services.
47. A teacher proposing to take part in a non official conference or meeting held in any place in the Kerala State must obtain the prior sanction of the Government:-

Provided that such sanction shall not be necessary in respect of conferences in which a teacher may participate in the course of duty or conferences convened to discuss academic, scientific, technical, literary, religious, or similar subject and participation there in is not likely to embarrass Government in his relationship with the public in any manner. In cases of doubt the teacher should apply to Government and obtain orders.

48. **Vindication of acts and character of teachers as such:-** No teacher shall except with the previous sanction of Government have recourse to any court or the press for the vindication of his official acts or character from defamatory attacks.

Nothing in this Rule shall derogate from the right of a teacher to vindicate his private acts or character.

49. No teacher shall, except with the previous sanction of Government, accept from any person or body of persons compensation of any kind for any malicious prosecution brought against him or any defamatory attacks made on his public acts or character unless such compensation has been awarded by a competent court.
50. **Membership of Association** – No teacher shall join or continue to be a member of, an Association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

**51. (a) Conditions for recognition -** (1) No association of teachers or association purporting to represent teachers or any class thereof shall be recognised unless it satisfies the following conditions. namely:-

(i) The Association must ordinarily consist of a distinct class of teachers<sup>12</sup>[and must represent not less than 25% of the total strength of that class].

<sup>13</sup>[**Note -** (1) The Director will satisfy himself about the prescribed minimum representative strength and report to Government, while forwarding the application from Service Association for grant of recognition].

<sup>14</sup>[**Note -** (2) The following group of teachers in the School Education Department will be treated as distinct classes for the purpose of the above rule.

**Secondary Schools:-**

1. Headmasters,
2. High School Assistants for subjects.
3. High School Assistants for Languages
4. Specialist teachers and Craft Teachers.

High School Assistants will include all graduate teachers irrespective of the subject which they teach. High School Assistants (Language) will include teachers of all languages. Specialist teachers will include teachers in Music, Drawing, Physical Education, Needle work, etc.

**Primary Schools (including U.P. & L.P.)**

1. Headmasters of Primary Schools.
2. Primary School Assistants.
3. Language teachers in Primary Schools
4. Specialist teachers and Craft Teachers in Primary Schools]

(ii) Every teachers of the same class must be eligible for membership of the Association, and

(iii) Person who are not teachers shall not be office bearers of the Association; and

(iv) The Association must not be formed on a territorial or communal basis.

(2) The Association shall not be, in any way, connected with or affiliated in any association, which does not, or any federations of Associations which does not satisfy condition (i)



(3) The Association shall not be, in any way, connected with any political party or organisation.

**(b) Rules to be observed by Service Associations** – Government shall withdraw the recognition granted to any association; if it violates any of the following Rules-

(1) The Association shall not seek assistance of any political party or organization to represent the grievances of its members, or indulge in any seditious propaganda, or expression of disloyal sentiments.

(2) The Association shall not resort to any strike or threat of strike as a means of achieving any of its purpose or for any other reason.

(3) The Association shall have the following Rule incorporated among its Rules;- "A strike or threat of a strike in schools shall never be used as a means of achieving any of the purposes of the Association".

(4) The Association shall not except with the previous sanction of Government;

- (i) issue or maintain any periodical publications,
- (ii) permit its proceedings to be open to the press, or publish any representation on behalf of its members, in the press or otherwise.

<sup>15</sup>[(4A) No publication issued by the Association shall contain commercial advertisements]

(5) The Association shall not engage in any political activity

(6) The Association shall not:-

- (i) Pay, or contribute towards any expenses incurred by a candidate for any election to a legislative body whether in India or elsewhere or to a local authority or body;
- (ii) Support by any means, the candidature of any person of such election;
- (iii) Undertake or assist in the registration of electors or the selection of candidate for such election; and
- (iv) Maintain or contribute towards the maintenance of any member of a legislative body or of local authority or body

(7) Government may require the regular submission for their information copies of the rules of the Association and the annual statement of its account and of lists of its members.

(8) The funds of an Association shall consist exclusively of

subscriptions from members and grants, if any, made by the Government or the money collected with the prior sanction of the Government and shall be applied only for the furtherance of the objects of the Service Association.

**Note:-** The Association shall not ask for or collect money (other than subscriptions from members of the Association) without obtaining the prior sanction of the Government.

(9) Any amendment of a substantial character in the rules of the Association shall be made only with the previous approval of the Government and any other amendment of minor importance shall be communicated through proper channel for transmission to the Government for information.

(10) The Association shall not do any act or assist in the doing of any act, which if done, by a teacher would contravene any of the provisions of the teachers conduct rules.

(11) The Association shall not address any communication to a foreign authority except through the Government which shall have the right to withhold it.

(12) Communications addressed by the Association or by any office bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language.

(13) Federation or a Confederation of Associations shall affiliate only recognised Associations, and if the recognition accorded to any of the Associations affiliated to a Federation or a Confederation of Associations is withdrawn, the Federation or confederation of Association shall forthwith disaffiliate such Association.

(14) The Association shall cease to be affiliated to Federation or Confederation of Associations whose recognition under these Rules is withdrawn by the Government.

**(C) Procedure for making representation -** (1) Representation from such associations whether made orally, by deputation or presented in writing, may be received by Government Offices, notwithstanding anything contained in the Rules relating to the submission of petitions and memorials by teacher provided that no representations or deputations will be received except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the Association.

(2) Government may specify the channel through which

representations from the Association shall be submitted and authority by whom deputations may be received.

52. Any class of teachers who desire to organise themselves into an Association for the purpose of safeguarding their conditions of service and to make representation to Government on service matters shall apply to Government through the Director of Public Instruction for recognition of the Association along with a copy of the draft rules. The rules of the Association shall conform to the conditions prescribed in Rule 51 and in addition shall specifically provide that the Association shall not resort to any strike or other activities calculated to paralyse or embarrass Government. Government may suggest such changes in the rules as may be deemed necessary and on their incorporation the Association may be granted recognition.
53. Government shall withdraw the recognition granted to any Association if it violates any of the conditions prescribed for its recognition or if it resorts to any strike or activities calculated to paralyse or embarrass Government.
54. **Influencing superior authority for furtherance of interest-** No teacher shall direct or attempt to bring any political or other outside influence to bear upon any superior authority for the furtherance of his interest. The penalty for the contravention of this Rule shall be the withholding of promotion from him either permanently or for such period as the competent authority may determine.

**Explanation** – A teacher causing his own case to be made the subject of an interpellation in the legislature contravenes this Rule.

55. **Broadcast from Radio Station** – No teacher shall deliver a broadcast talk at a Broadcasting Station on any subject without the previous permission of the <sup>16</sup>[Deputy Director (Education)].

A teacher who is invited or who wishes to deliver a broadcast talk shall intimate to the <sup>16</sup>[Deputy Director (Education)] through the proper channel, the subject on which he proposes to talk and if it is a subject directly or indirectly connected with his official duties or if so required, shall submit the full text of the talk for their approval before it is delivered.

56. The provision of Rule 55 do not in any way prevent the acceptance of engagements by teachers from a Broadcasting Station of the All India Radio for music or other similar performances, school broadcast programmes and the remuneration there for.
57. <sup>16</sup>[Deputy Director (Education)] may refer any case to Government for

orders if he considers such a course desirable.

58. **Teachers not to partake in any strikes** -No teacher shall engage himself in any strike or incitement thereto or in similar activities. Concerted or organised refusal on the part of teachers to receive their pay will entail severe disciplinary action.
59. **Teacher under Suspension** - When a teacher is suspended, he must give his address to the Head of his Office and if he is himself the Head of an office, to the Educational Officer and Manager, he must also give his address to the officer, if any, holding an enquiry into conduct.
60. **Consulting Medical Practitioner for the purpose of obtaining leave** - It shall be the duty of every teacher who consults a Medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the result of such consultation. Omission on the part of the teacher to do this or any false statement made by him to a medical practitioner in this respect will entail disciplinary action.
61. No teacher shall except by endorsement on a written application submitted by duly qualified candidate officially through him recommend to any selecting, appointing or promoting authority or to any individual who is a member of any such authority or of its staff, any candidate for any post under the service of Government.
62. **Consequences of resignation-** The premature resignation from the school entails forfeiture of past service and of any retiring allowance to which the teacher who prematurely resigns would otherwise have been eligible.
63. **Bigamous Marriages-** (i) No teacher who has a wife living shall contract another marriage without first obtaining the permission of the Government, notwithstanding that such subsequent marriage is permissible under personal law for the time being applicable to him.  
  
(ii) No woman teacher shall marry any person who has a wife living without first obtaining the permission of the Government.
64. **Drinking-** Subject to the provisions of any law relating to intoxicating drinks or drugs for the time being in force in any area no teacher shall:-  
  
(a) while on duty, be under the influence of such drinks or drugs; or  
(b) appear in a public place in a state of intoxication; or  
(c) habitually use such drinks or drugs to excess.
65. **Personal representations to the Governor or the Ministers-** It is

improper for a teacher who makes any representation to Government through the official channel to approach the Governor or the Ministers with advance copies thereof or with personal representations.

Provided that a teacher who has not received any reply to a representation made to the appropriate authority within three months, may make a written representation to Government with a copy of the representation sent to the appropriate authority and with a statement that no reply has been received to that representation.

66. **Interpretation** - If any question arises relating to the interpretation of these Rules, it shall be referred to the Government whose decision thereon shall be final.
67. **Delegation of powers**- The Government may, by general or special order, direct that any power exercisable by it under these Rules (except the powers under Rule 66 and this Rule) shall subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

1. Added G.O. (P) 52/65 Edn. dated 30-1-65 in gazette dated 2-2-65.
2. Substituted by amendment published in gazette dt. 1-8-1967 with effect from 4-5-1967. The proviso as it stood originally was the same but changed the date 1-10-64 as 4-5-1967. In the meanwhile by notification published in gazette dated 19-7-66 the age of superannuation was raised to 58 years and so the date was changed to 1-7-66 in proviso to Rule 2. Immediately the date of superannuation was revised as 55 years.
3. Omitted by notification published in gazette dated 1-8-1968.
4. Added by G.O. (P) 326/Edn. dated: 25-7-67 as per notification in gazette dated 1-8-1967.
5. Substituted by G.O. (P) 150/82/G.Edn. dated 18-10-82 published in gazette dated 18-10-82 with effect from 31<sup>st</sup> March 1982.
6. Added by G.O (P) 211/69/Edn. dated: 21-05-69 published in gazette dated 10-6-1969.
7. Added by G.O.(P) 130/71/S.Edn. dated: 23-9-1971 in Gazette dated 12-09-72.
  - \* Delegated to Dy. Director of Education and the District Educational Officers as the case may be by G.O(P) 52/80/G.Edn. dated 7-5-1980 in gazette dated 24-6-1980.
  - \*\* Delegated to Dy. Director of Education and the District Educational Officers.
8. Substituted by G.O (P) 217/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979 for "R D D".
9. Substituted by G.O. (P) 131/68/Edn. dated: 23-03-1968 as per notification in gazette dated 2-4-1968.
10. Inserted by G.O. (P) 48/73/S.Edn. dated: 13-4-1973 published in gazette dated 22-5-1973.
11. Added by G.O(P) 116/75/G.Edn. dated:17-5-75 and published in gazette

dated 10-6-1975.

12. Inserted by G.O (P) 125/71/ S.Edn Dated: 13-9-1971 published in gazette dt. 29-2-1972.
13. Added by G.O (P) 125/71/S.Edn. dt. 13-9-1971 published in Gazette dt. 29-2-1972.
14. Added by G.O. (P) 198/77/G.Edn. dt. 26-9-1977 published in Gazette dt. 18-10-1977.
15. Inserted by G.O (P) No. 48/73/S.Edn. dated 13-4-73 published in gazette dated 22-5-1973.
16. Substituted by G.O (P) 217/79 dated: 26-12-1979 published in gazette dt. 28-12-1979 for "RDD".

## CHAPTER XV

## INSPECTION OF SCHOOLS

1. For administrative control and the inspection of schools, the State shall be divided into Educational Districts each comprising specified areas. Each Educational District shall be in the charge of a District Educational Officer. Each District Educational Officer shall have administrative control over all schools in the Educational District except as otherwise provided in rule 6 and he shall be subordinate to the Director.
2. Each Educational District shall be divided into a number of sub districts each under the charge of an Assistant Educational Officer who shall be immediately subordinate to the District Educational Officer.
3. The area of jurisdiction of each District Educational Officer and Assistant Educational Officer will be fixed by the Government.
4. Secondary Schools, Training Schools and Special Schools shall be under the immediate administrative and inspectional control of the District Educational Officer.
5. Primary Schools (Lower and Upper) including Basic primary Schools shall be under the immediate administrative and inspectional control of the Assistant Educational Officer.
6. <sup>1</sup>[Model Schools attached to the Government Training Colleges] shall be under the immediate administrative and inspectional control of the Principals of the respective Training Colleges, who in respect of the Model Schools shall combine in themselves the functions and powers of a District Educational Officer.
7. The Inspector for Muslim Education shall be responsible for the organisation and supervision of the teaching of Arabic in all Schools in the State and he shall be immediately subordinate to the Director\*.
8. In addition to the officers referred to in the foregoing Rules any Officer may, with the sanction of the Government be deputed by the Director to act as inspecting officer for particular purposes.
9. The Educational Officer shall:-
  - (1) Control and be responsible to his superior for the efficient working of all schools placed in his charge in accordance with the provisions of

the Kerala Education Act, 1958, the Rules issued under it, and such other orders or instructions as may be in force from time to time.

- (2) Supervise and be responsible to his superior for the efficiency of the work of all Officers subordinate to him;
- (3) have a full and accurate knowledge of the Educational conditions and circumstances of every locality within his jurisdiction and bring to the notice of the superior and the Local Educational Authority (if any) any change in these conditions or circumstances which may affect the progress of education;
- (4) have an accurate knowledge of the subject taught in the schools under his control and of the different methods adopted in teaching those subjects, and to keep himself informed of changes in such method, except in regard to subjects in which he has not specialised;
- (5) Inspect and report on schools under his control, in accordance with the Rules and orders in force from time to time and with such other general or special directions as may be given from time to time by his superior;
- (6) advise and generally assist Managers, Headmasters, and teachers in all matters relating to school management, organisation, teaching discipline, equipment, library and laboratory facilities accommodation, organisation of extra- curricular activities, and use of holidays, and illustrate the best method of teaching by giving model lessons;
- (7) function as a link between school and school disseminating to one the good practice and procedure he has seen in others;
- (8) inform, advise and generally assist school managers in all matters relating to applications for recognition or grant;
- (9) associate himself with bodies or associations for the advancement of sound education;
- (10) check carefully all bills and accounts passing through his hands and prevent all unnecessary or wasteful expenditure of public money;
- (11) submit promptly to his superior, or as may be required to such other Officer such returns or informations as may be called for, periodically or otherwise;
- (12) administer the rules with firmness, tact, and with impartiality contribute to the solution of difficulties by disinterested and well-informed judgments, and be accessible to all persons who may have legitimate business to transact with him;
- (13) act in any matter herein or otherwise not specified in accordance with the orders of his superior; and
- (14) see that there is no overlapping of schools in the area under his jurisdiction and where there is such overlapping suggest through the Local Educational Authority (if any) practical measures having due regard to the circumstances of each case, for remedying the defect.



10. In addition to the duties specified in Rule 9 it shall be the duty of all Educational Officers to assist their superiors when called upon to do so by the latter in the inspection of schools and other institutions under the direct control of those superior officers.
11. The Inspector of Muslim Education shall be responsible for the supervision of instruction in Arabic in all schools. It is his duty to watch the progress of the education of the Muslims in the State in general and to suggest measures for its improvement.
12. In their inspection work, the educational Officers should look upon themselves, above all, as consultants and collaborators whose duty it is to discuss with Headmasters and teachers and Manager their difficulties and problems and to help them in finding satisfactory solutions. It should be realised that the main role of an inspector should be to study the problems of each school and view them comprehensively in the context of educational objectives to formulate suggestions for improvement, and to help the teachers to carry out his advice and recommendations.
13. All arrangements for inspection of schools shall be based on the principle that each school be inspected thoroughly at least once in each school year and visited at other times as frequently as circumstances will permit. The District Educational Officers should also visit as many schools as possible in the direct charge of their subordinate Assistant Educational Officers.
14. The two principle factors which constitute the proper scrutiny of a school shall be inspection and Examination. Inspection means the process of seeing a school at work, during its ordinary routine course, noting the suitability of the building, the sanitary condition; the arrangement and organisation of classes, the furniture and apparatus; how the accounts and registers are kept, order and discipline, the relation between the teachers and the taught, and specially the method of teaching. Examination of pupils (when on inspection) means the process of testing the pupils so as to see if the instruction imparted and the mode of such instruction are sound; whether the teaching and discipline are such as to exert a right influence on the manners, the conduct and character of the pupils and further to see whether faults detected by failure in examinations have been or are being corrected; also to see how far subordinate officers have made suitable reports. Inspection, or at least a part of it, should usually come first and the examination of pupils afterwards.

Note:- The Educational Officer may utilize the services of experts in the Department for the inspection of the academic work of the school more especially in respect of subjects in which he is not sufficiently conversant.

15. Seven days' notice of the date of an annual inspection shall be given by the Educational Officers to the Headmaster of the school concerned with the intimation that work in the school should be carried on in accordance with in the usual routine on the day of inspection so that the Educational Officer may have an opportunity of seeing how the school is managed; the work of the several teachers conducted and the discipline maintained etc. A notice shall also be sent to the Manager in the case of private schools. The notice shall be accompanied by a blank inspection Report Form in triplicate and shall contain a request that the statistical information required for the inspection Report be entered in the Forms by the day of inspection and that it be ready in the school on that day. In the case of private schools one copy of the blank inspection Report Form may be sent to the manager and two copies to the Headmaster. Previous intimation shall also be given in respect of inspections relating to applications for recognition and grant. No notice of any kind shall be given regarding any other visit by an Educational Officer for inspection.
16. The inspection of a school shall invariably be held in the school premises, and ordinarily on the usual school days, and within the recognized hours of the school work. The registers, records and accounts, may, if or in so far as they do not require to be checked by the presence of the pupils, be examined either previous to the assembly or after the dispersal of the pupils for the day.
17. The annual inspection of a school shall have among its principal objects the following-
  - (a) ascertain exactly the extent to which the schools complies with the provisions of the Education Act, the Rules under it, and of such Standing Orders, Notices, Circulars, etc, as have been issued in connection therewith.
  - (b) to test the efficiency of teaching and discipline and of all arrangements made for these purposes;
  - (c) to assist Managers, Headmasters and teachers with information and advice on all matters connected with the well- being of the schools; and
  - (d) to ascertain exactly the extent to which the school meets the educational requirements of the locality and the nature of its relationship with other schools in the same locality.
18. Inspections should always be conducted with reference to the remarks and instructions recorded on previous occasions by the Educational Officers concerned. The series of reports on a school will thus constitute a

body of consistent and cumulative criticism and will be material assistance in the development of the school.

19. The results of each annual inspection shall be embodied in the inspection report of which the Educational Officers shall prepare three copies. One copy shall be forwarded to the immediate superior officer who shall pass such orders as may be deemed necessary and the other copy shall be forwarded for appropriate action to the Manager in the case of private schools and to the Headmaster in the case of Departmental Schools. The orders if any passed by the Superior Officer shall also be communicated to the Manager/Headmaster.
20. Surprise visits to school shall be conducted by the Educational Officers at least once in a school year in addition to the visits referred to in Rule 13. The special aim of the surprise visit to schools without previous intimation should be to see the school in its normal condition without special preparation for inspection. During these occasional visits the Educational Officer shall (i) note the extent to which the defects, if any, observed at the last annual inspection have been removed; (ii) examine the attendance, admission, progress, and account registers; (iii) observe the general condition of the school in respect or order, cleanliness, and sanitation; (iv) note the number of Scheduled Casts, Scheduled Tribes, and Backward Class pupils and (v) make such other notes or observations as are of importance. The facts noted should be duly communicated to the immediate superior and the Headmaster and the Manager concerned.

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1. Substituted for the words 'Model Schools attached to the Training Colleges' by G.O (P) No. 205/63 dated: 25-03-1963 as per notification published in Gazette dated 9-4-63.

\* The powers of the Director under Rule 7 are delegated to the Deputy Directors (Education) within their respective jurisdiction as per G.O (P) 52/80/G.Edn. dated: 7-05-1980 published in Gazette No. 26 dated: 24-06-1980.

## CHAPTER XVI

## EDUCATION ADVISORY BOARD

1. In order to constitute a meeting of the Board, the quorum shall be eight.
2. If the Chairman is absent from any meeting, the Board shall choose another member from among themselves to act as Chairman.
3. In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.
4. If a member is absent from two consecutive meetings of the Board without the permission of the Chairman, he can be removed from the Board.
5. The Board may require the attendance of officers at any of its meeting if such a course is deemed necessary for the discharge of its duties.
6. The Director of Public Instruction shall be the Secretary of the Board.
7. A record of the proceedings of each meeting of the Board shall be kept by the Secretary.
8. The Secretary shall prepare draft minutes of the meetings of the Board for approval and signature by Chairman. The minutes and the resolutions of the Board shall be presented to the Government by the <sup>1</sup>[Secretary] with such details as are relevant thereto.
- <sup>1</sup>[8A. The Secretary shall present annually, before the 1<sup>st</sup> day of March every year, to the Government a report as to the advice tendered to the Government on matters coming before the Board during the previous year and the Government shall within six months from the date of receipt of such report, cause a copy thereof, together with a memorandum explaining in respect of the matters, if any, where the advice of the Board was not accepted, the reason for such non- acceptance, to be laid before the Legislative Assembly].
9. The Board shall generally meet once in six months and at such time and for such period as the Chairman may determine. The meetings of the Board shall ordinarily be held in the office of the Director of Public Instruction.

10. The members may send suggestions for consideration of the Board fourteen days in advance of the date of the meeting.
11. The non- official members of the Board shall be paid travelling and daily allowance from the funds of the Education Department at the rates admissible to first class officers and official members shall be paid travelling and daily allowance at the rates admissible under the Rules in force relating to the grant of such allowances. If any of the members of the Board is a member of the Legislative Assembly, he will be paid travelling allowance and daily allowance at the rates admissible to members of the Legislative Assembly. The entire expenditure for the Board will be met from funds, which will be provided in the Budget of the Education Department.

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1. Inserted by G.O.(P) 228/98/G.Edn. dated: 22-06-1998.

## CHAPTER XVII

ELECTION OF MEMBERS TO THE LOCAL  
EDUCATIONAL AUTHORITIES

## A

## PREPARATION OF ELECTORAL ROLLS

1. There shall be a Local Educational Authority for each of the Educational District in the State.
2. The electoral rolls for each constituency in a Local Educational Authority shall be prepared and revised by the District Educational Officer of the Educational District concerned.
3. (1) The electoral roll for each constituency shall come into force immediately on its final publication.  
  
(2) The said electoral roll shall thereafter be revised in every subsequent year.
4. If for any reason the electoral roll is not revised in any year as required by rule 3 (2) the validity or continued operation of the electoral roll shall not thereby be affected.
5. The District Educational Officer, on application made to him for the correction of an existing entry in the electoral roll of the constituency, shall if he is satisfied, after such enquiry as he thinks fit, that the entry relates to the applicant and is erroneous or defective in any particular, amend the entry accordingly.
6. Any person who has acquired the right to vote in a constituency after the period specified in Rule 8 and whose name is therefore not included in the electoral roll of the constituency, may apply to the District Educational Officer for the inclusion of his name in that roll. If an application so made is rejected an appeal she lie within ten days to the Director and his decision shall be final.
7. As soon as the electoral roll for a constituency is ready, the District Educational Officer shall publish draft of such roll by making copies thereof available for inspection in his office and in the offices of the

Assistant Educational Officers under him and displaying a notice to the effect in the said Offices.

8. Every claim for the inclusion of a name in the electoral roll and every objection to an entry therein shall be lodged within a period of fifteen days from the date of publication of the draft roll under Rule 7. The claims and objections shall be disposed of by the District Educational Officer after such enquiry as he thinks fit. An appeal over the decision of the District Educational Officer shall lie to the Director within ten days from the date of disposal of the claim or objection by the District Educational Officer.
9. The District Educational Office shall prepare a list of amendments to carry out the decision on the claims and objections referred to in Rule 8 and any other amendments he may find necessary on correcting any clerical errors subsequently discovered in the roll.
10. The District Educational Officer shall thereafter publish the roll, together with the list of amendments by making a complete copy thereof available for inspection and displaying a notice to the effect at his office and in the Offices of the Assistant Educational Officers under him and on such publication the roll together with the list of amendments, shall be the electoral roll, for the constituency:

Provided that the District Educational Officer, at any time, correct any clerical error that he may discover in the electoral roll.

11. (1) For the purpose of the annual revision of the electoral roll for any constituency, a list of amendments to the electoral roll for the time being in force shall be prepared.  
(2) When any such list of amendments to an electoral roll for a constituency has been prepared, the electoral roll for the constituency for the time being in force together with such list of amendments, shall be published in draft in the manner specified in Rule 7 and the provisions in Rules 8 to 10 shall, as far as may be, apply in relation to every such roll (including the list of amendments) as they apply in relation to the main electoral rolls.  
(3) When the electoral roll together with the list of amendments is finally published, the electoral roll shall be deemed to have been revised accordingly and the roll so revised shall come into force immediately on such final publication.
12. Copies of the electoral rolls and lists of amendments shall be furnished by the District Educational Officers to the Returning Officer concerned.

**B****CONDUCT OF ELECTIONS**

- 13.** The Government shall by notification in the Gazette call upon the constituencies specified in Section 17(2) (b), (c), (d) and (e) of the Act to elect members of the Local Educational Authorities in accordance with the provisions of the Act and of the Rules and orders made there under. The notification shall specify in particular;
- (a) the last date and time for making nominations and the place at which and the Returning Officer to whom the nomination paper shall be delivered;
  - (b) the date, time and place for scrutiny of nominations;
  - (c) the last date and time for the withdrawal of candidatures;
  - (d) the date and time before which the ballot papers with the vote recorded thereon should reach the Returning Officer; and
  - (e) the date on which and the time at which the votes will be counted and the result of the elections will be announced.
- 14.** The Revenue Divisional Officer in charge of the revenue administration over the local area shall be the Returning Officer for election to the Local Educational Authority for each local area and it shall be the general duty of the Returning Officer at any election to do such acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and the Rules and the orders made thereunder.
- Note-** If there are more than one Revenue Divisional Officer in charge of revenue administration over a local area, the Revenue Divisional Officer having charge over the area which is the Head quarters of the District Educational Officer in charge of the local area shall be the Returning Officer.
- 15.** The Returning Officer shall furnish copies of the above notification to the managers of aided schools in the local area who are entitled to vote and shall give publicity to the notification among the teachers in Government and aided schools and the members of the Panchayaths, the Municipal Councils, or Corporation in the local area who are entitled to vote, through the Headmasters of the schools, the President of the Panchayaths, and the Commissioners of the Municipal Councils or Corporation as the case may be. The Returning Officer shall, while furnishing copies of the notification invite nominations of candidates for the election. The nomination papers shall be in the form 12 appended to these Rules.



16. The nomination paper completed in the prescribed form and signed by the candidate and by an elector of the constituency as proposer shall be delivered to the Returning Officer by the candidate in person or by his proposer. A candidate shall not be deemed to be nominated unless he deposits or causes to be deposited a sum of Rs. 25 in the Treasury.
17. The Returning Officer shall examine the nomination papers on the date and time fixed therefor and in the presence of the candidates and/ or their proposers and shall affix to his notice board a list of valid nominations. The Returning Officer may reject any nomination on the ground that the candidate is not qualified for being chosen to fill a seat or that there has been a failure to comply with any of the provisions relating to the conduct of the election or that the signature of the candidate or his proposer is not genuine. If a nomination paper is rejected the Returning Officer shall record thereon a brief statement of his reasons for such rejection.
18. After the expiry of the date fixed for withdrawal of candidature, the Returning officer will publish in the Gazette a list of contesting candidates and shall also communicate the list to the electors concerned in the same manner as specified in Rule 15.
19. If there is no contest, the result of the election will be forthwith announced by the Returning Officer. If there is a contest, the voting shall be conducted by the Returning Officer in the manner specified below by postal ballot. The ballot paper shall be in form 13 appended to these Rules.
20. (1) Along with the list of contesting candidates, the Returning Officer Shall send to the Managers of aided schools entitled to vote a postal ballot paper by registered post and shall at the same time enter on the counter foil of the ballot papers the name of the elector to whom the ballot paper is sent. In the case of Graduate teachers and Non-Graduate teachers the ballot papers shall be sent to the electors by registered post through the Head of the school in which they are working and the numbers of the ballot papers furnished to each school shall be noted in the counter foil bearing the first serial number of the ballot papers furnished to that school. The same procedure will be followed for sending ballot papers to the members of the Panchayats, Municipal Councils or Corporation in the local area, the ballot papers being sent through the Presidents of the Panchayats or Commissioners of Municipal Councils or Corporation as the case may be.  
  
(2) Along with the ballot paper, the Returning Officer shall also send for the use of elector:-

- (a) a declaration in Form 14;
- (b) a cover in Form 15;
- (c) a large cover addressed to himself in Form 16;

**Note:-** One cover each of suitable size will be supplied to the Heads of schools for putting in the covers in Form 15 received from the Graduate teachers of the schools and one cover for putting in the covers received from the non-Graduate teachers. Similar covers will be supplied to Panchayat Presidents and Commissioners of Municipal Councils/ Corporation for putting in the covers received from the voters. In other words separate covers in Form 16 are not required for each elector in these constituencies.

- (d) Instructions for the guidance for the elector in Form 13.

(3) After ballot papers have been issued to all the electors in the manner specified above, the Returning Officer shall seal up in a packet the counterfoils of all such ballot papers and record on the packet a brief description of its contents; the name of the constituency, and the date on which he seals it.

(4) No election shall be invalidated by reason that the elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these Rules.

**21.** (1) The elector shall record his vote on the ballot paper in accordance with the directions contained therein; he shall then secure the same in the cover in Form 15.

(2) The elector shall sign the declaration in Form 14 in the presence of and have the signature attested by a Member of the Legislative Assembly, or a member of a Panchayat, Municipal Council, or Corporation, or the Headmaster or a teacher of a Government or aided school.

**22.** (1) After an elector has recorded his vote and made his declaration he shall return the ballot paper and his declaration to the Returning Officer (direct or through the Head of the Institution in the case of Managers and through the Heads of the schools and the Panchayat Presidents and Commissioners of Municipal Councils/ Corporation as the case may be in the other cases), so as to reach him before the date and time fixed in that behalf.

(2) The Heads of schools, the Presidents of the Panchayats, and the Commissioners of the Municipal Councils or Corporation shall send the following by registered post to the Returning Officer as soon as the election is over and in any case so as to reach the Returning Officer not later than the date and time fixed for the receipt of ballot papers by the Returning Officer:-

- (i) A sealed packet containing the covers in Form 15,
- (ii) A sealed cover containing a list of the electors to whom ballot papers were supplied with the number of the ballot papers supplied noted against each:-
- (iii) A sealed cover containing the declarations signed by the electors;
- (iv) A sealed cover containing the unused ballot papers; and
- (v) A ballot paper account showing the number of ballot papers received, their serial numbers, the number used; their serial numbers, and the number unused and their serial numbers.

The contents of each cover should be prominently noted on the outside of the cover. The covers (ii) and (iv) shall not be opened by the Returning Officer. The covers containing the declarations signed by the electors shall be kept in a separate packet and sealed by the Returning Officer before the counting of votes is commenced.

(3) If any cover containing the postal ballot paper is received by the Returning Officer after the due date, the Returning Officer shall note thereon the date and time of its receipt and shall keep all such covers together in a separate cover.

(4) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing the ballot papers received by him.

- 23.** Votes shall be counted by, or under the supervision and direction of the Returning Officer and the candidates and an agent authorised by the candidate shall have a right to be present at the time of counting.
- 24.** If an equality of votes is found to exist between any candidate, the Returning Officer shall forth with decide between the candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

25. When the counting of the votes has been completed, the Returning Officer shall forthwith declare the result of the election and shall report the result to the Government and the Director of Public Instruction.
26. If a candidate by whom or on whose behalf the deposit has been made withdraws his candidature in the manner and within the time specified the deposit shall be returned to the person by whom it was made.
27. If the candidate is not elected and the number of votes polled by him does not exceed one-sixth of the total number of votes polled the deposit shall be forfeited to the Government.
28. All complaints regarding the conduct of the election will be disposed of by the District Collectors in charge of the area and their decision shall be final. The complaints shall be preferred within three months from the date of announcement of the election by the Returning Officer. For the purpose of examination and disposal of the complaints the sealed packets referred to in Rule 20(3) and the sealed covers referred to in Rule 22(2) (ii) and (iv) may be opened by the District Collector.

## CHAPTER XVIII

**RULES FOR THE WORKING OF THE LOCAL  
EDUCATIONAL AUTHORITIES**

1. In order to constitute a meeting of the Local Educational Authority the quorum shall be four.
2. If the President is absent from any meetings the Local Educational Authority shall choose a member from among themselves to act as the President.
3. In the case of an equality of votes on any matter, the President, shall have a second or casting vote.
4. If a member is absent from three consecutive meetings of the Local Educational Authority, he can be removed from the Local Educational Authority with the sanction of Government, a resolution for such removal being passed at the next meeting of the Local Educational Authority. However the Local Educational Authority may, if it so considers condone such absence of a member twice during the term of office of the said Authority.
5. The Local Educational Authority shall have power to require the attendance of Officers of the Education Department of rank below that of the District Educational Officer and who are in service in the local area, at any of its meetings if such a course is deemed necessary for the discharge of its duties.
6. The District Educational Officer having jurisdiction in the local area (Ex. officio member) shall be also the Secretary of the Local Educational Authority.
7. A record of the proceedings of each meeting of the Local Educational Authority shall be kept by the Secretary.
8. The Secretary shall prepare draft minutes of the meetings of the Local Educational Authority for approval and signature by the President. The minutes and the resolutions of the Local Educational Authority shall be sent to the Director of Public Instruction by the District Educational Officer, the Secretary of the Local Educational Authority and the Director of Public Instruction shall submit the minutes and resolutions to the Government.

9. The Local Educational Authority shall meet at least once in three months and at such time and for such period as the President may determine. The meetings of the Local Educational Authority will ordinarily be held in the office of the District Educational officer (Ex. officio member) Fifteen days clear notice shall be given to each member before meetings of the Local Educational Authority are convened.
10. The members may send suggestions for consideration of the Local Educational Authority seven days in advance of the date of the meeting.
11. The non -official members of the Local Educational Authority will be paid travelling and daily allowance at the rates admissible to second class officers and official members will be paid the usual travelling allowance and daily allowance admissible under the service Regulations. If any of the members of the Local Educational Authority is a member of the Legislative Assembly he will be paid travelling allowance and daily allowance at the rates admissible to members of the Legislative Assembly. Contingent expenses of the Local Educational Authority and the travelling and daily allowance of the non-official members will be met from the provision made for the purposes in the Budget of the Education Department.
12. Schemes for the development of the education each year and an estimate of the expenses for holding of conferences and exhibitions or adoptions of other measures as contemplated in Section 18 (iii) of the Act shall be submitted to the Government by the Local Educational Authority as far as possible before the 10<sup>th</sup> of January of the preceding school year or before such date as may be fixed by the Government with copy to the Director.

## CHAPTER XIX

**CONSTITUTION AND FUNCTIONING OF LOCAL  
EDUCATION COMMITTEES**

1. There shall be a Local Educational Committee constituted under Section 24(1) of the Act for a group of Primary Schools situated within an area of about 3 to 4 square miles in the area of compulsion.
2. The Local Education Committee will consist of -
  - (i) a member elected by the Headmasters of Lower Primary Schools in the area from among themselves;
  - (ii) the Headmaster of the Upper Primary School in the area and if there are more than one Upper Primary School, one of the Headmasters elected by them from among themselves;
  - (iii) a member elected by the Managers of Aided Primary Schools in the area from among themselves;
  - (iv) one member elected by the Panchayats and Municipal Councils or Corporation in the area;
  - (v) two members nominated by the Government. They shall be persons of experience in education and shall be acquainted with the educational conditions prevailing in the area. One of the members shall be a member from among the Scheduled Castes & Tribes and other educationally Backward classes.

The Headmaster of the Upper Primary School in the area shall be the Convener of the Committee and the President may be elected by the members from among those elected or nominated under clauses (iii), (iv) and (v).

Any member of the Committee shall cease to be a member if he is absent for two consecutive meetings of the Committee without the permission of the President.
3. Three members shall form the quorum.
4. The names of schools that may come under the jurisdiction of each committee shall be determined by the Assistant Educational Officer having jurisdiction over the area: The District Educational Officer and the Assistant Educational Officer having jurisdiction in the area shall have the right to attend any meetings of the Committee in the area.

5. Every Committee appointed as per Rule 2 shall function for a period of three years and shall thereafter be reconstituted. Any person appointed to fill a vacancy occurring in the office of the member previous to the expiry of his term of office shall hold office only so long as the member in whose vacancy he is appointed would have held office if the vacancy had not occurred
6. The Government shall have the power to dissolve any Committee which in their opinion does not function properly.
7. The Committee shall attend to all the duties prescribed to be done by it by the Act and the Rules passed there under.
8. The President shall convene meetings of "the Committee for the transaction of business on such dates at such time as he may arrange. The meetings will ordinarily be held in the office of the Convener of the Committee.
9. The Committee shall meet ordinarily once in two months and shall maintain a correct record of its proceedings. The minutes of the Committee shall be open to inspection by any officer of the Education Department.
10. The Committee shall obtain and keep a record of such information as may be necessary for the purpose of discharging its functions. The Registrar of Births and Deaths in charge of the area shall in particular supply such information as may be required by the Committee for the maintenance of the registers referred to in clauses (a) and (b) of sub-rule (1) of Rule 11. Any request of the Committee for information regarding non-attendance of children shall immediately be complied by the Headmaster of every primary school and Headmasters of High and Higher Secondary and Training Schools with Primary sections attached in the area.
11. (1) In addition to the minutes of the proceedings required to be kept under Rule 9 the Committee shall maintain the following records :-
  - (a) A register of children of the age group 6 to 14 in the area.
  - (b) A register of children of age group 0 to 6 in the area.
  - (c) A file of certificates of exemption granted by the Committee under Rule 15.
  - (d) A register of children in its area who are physically and mentally unfit for ordinary education.



- (e) A register of complaints made and cases taken against defaulting guardians.
- (2) The Convener shall be in possession and shall be responsible for the correct preparation of all the records required to be maintained by the Committee.
12. Cards containing particulars of children of the age group 0 to 14 shall be written out for every house in each area of compulsion by the Convener or the member appointed by the Committee, as the case may be, and shall be handed over to the guardians of the children duly attested by him for the purpose of identification. The registers referred to in clauses (a) and (b) of sub-rule (1) of Rule 11 and the cards handed over to the guardians, shall contain particulars of the children, parents or guardian, their occupation and income, age of the children, and other details.
  13. The Committee shall consider the question of providing for special education for those children who are physically or mentally unfit for ordinary education and take up the matter with the heads of institutions for special education in the State.
  14. All communications with the Committee shall be made through the President.
  15. Every application for the exemption of a child from attendance in a primary school shall be made by the guardian to the Committee in the area except in the case of applications contemplated in Section 27 (1) of the Act. The application shall state the grounds on which exemption is applied for. The Committee shall consider such application in its meetings and grant exemption certificates in deserving cases as contemplated in Section 27 (2) of the Act.
  16. It shall be the duty of the Headmaster of every Primary School in an area of compulsion and the Headmasters of High and Higher Secondary and Training Schools with Primary section attached in the area, to prepare a list of the pupils of the age group 6 to 14 in the rolls of the school and to furnish it to the Local Education Committee along with particulars regarding the parents or guardians of the children, the age of child, etc. in such manner and such time as required by the Committee so as to enable the Committee to identify the names with the names in their Registers. The Headmasters shall like-wise prepare and furnish to the Committee a defaulter's list showing the list of pupils who have been admitted but have failed to attend the school as prescribed by the Local Education Committee under Section 22 (iv) of the Act.

17. The Convener of the Committee shall prepare a defaulters' list for the area with reference to the names in the Registers and records maintained under rule 11 and the lists received from the Headmasters in the area and by such other methods as may be decided by the Local Education Committee.
18. The Local Education Committee may scrutinize and revise if necessary the defaulters' list, organize visits to guardians, or do such propaganda as may be considered desirable to attract the defaulters' into schools or to advise the guardians, investigate all cases in which children who should be at school have been absent and shall perform such duties as are necessary to implement the provisions of the Act in regard to attendance at schools and to ensure that the employment, if any, of children does not interfere with their attendance in the Government or private schools.

## CHAPTER XX

**TAKING OVER OF MANAGERMENTS OF SCHOOLS  
OR ACQUISITION OF SCHOOLS**

1. Taking over management of schools and fixation of rent:- (1) Whenever it appears to the Government that the manager of any aided schools has neglected to perform any of the duties imposed by or under the Act or the Rules made thereunder, and that in the public interest it is necessary to take over the management of the school, action shall be taken under these Rules for taking over the management of such schools for a period not exceeding five years, as the Government may decide.

(2) A notice shall be issued to the Manager of the schools and the Educational Agency, if any, in Form 18 to show cause within 10 days why action should not be taken for taking over of the management of the School.

(3) The objections, if any, received from the Manager and the Educational Agency, in response to the notice, shall be duly considered by the Government and if they are satisfied that there is no necessity to take over the management of the school, the Government shall order the withdrawal of the notice issued under sub-rule (2).

(4) If, however, the Government decide to take over the management of the school overruling the objections, if any, they may issue orders to the Collector to take such steps as may be necessary for the purpose.

[x x x x ]

2. <sup>2</sup>[(1) The Collector shall, on receipt of Government Orders under sub-rule (4) of rule 1 or under subsection (2) of section 14 of the Act, as the case may be take possession of the school immediately either by himself or by any officer authorised by him in this behalf. The claims for payment of rent under subsection (5) of section 14 of the Act may be made to the Collector.

(2) If any person refuses or fails to comply with the order of taking over of management, the Collector or any other Officer duly empowered by him in that behalf shall take possession of the school, and for that purpose use such force as may be necessary. A detailed list of lands, buildings and movable properties belonging to the school shall be prepared in duplicate. The list shall be attested by the manager or representatives of the Educational Agency and two respectable persons of the locality. Once

copy of the list shall be delivered over to the Manager or representatives of the Educational Agency, who shall be required to acknowledge receipt of such copy in the copy of the list retained by the Officer. If the manager or the representative of the Educational Agency refuses to acknowledge receipt of the copy, the same shall be affixed in a prominent place in the school]

3. The Collector shall cause a statement being prepared in Form 21 showing the annual rent and the total rent to be paid to the person or persons interested for temporary taking over of management of the school.

The statement may be got verified through an officer of Public Works Department not below the rank of an Assistant Engineer, if the Collector considers that such a step is necessary.

4. The Collector may also require the Manager of Educational Agency of the school to make and deliver to him at such time and place as may be fixed by him, a statement of the annual rent and total rent claimed for the period of management by Government, of the school, giving the basis on which the annual rent is claimed.
5. The Collector shall consider the claims preferred under the foregoing Rules and shall pass an award in Form 22 showing the annual rent to be paid for the temporary taking over of the management of the school, the total rent to be paid for the whole period of the management by Government and also the instalments of payment, having regard to the rates of rent prevailing in the locality for similar properties. In passing the award the Collector shall take into account the Government aid or grant, if any, given to the school and deduct from such award the rental value of such aid or grant calculated on any yearly basis. Copies of the awards shall be given free of costs to the interested person or persons on application.

<sup>3</sup>[The person receiving the annual rent fixed by the Collector shall be bound to undertake the annual maintenance and repairs to the building from time to time as directed by the Controlling Officer of the school. If the person fails to carry out the annual maintenance and repairs the officer appointed as Manager shall carry out the annual maintenance and repairs, meeting the expenditure from the maintenance grant of the school, and the expenditure so incurred shall be deducted from the amount of annual rent and the balance rent, if any due to him, alone need be paid as rent.

**Note:-** The Expression "interested person" includes all persons claiming any interest in the rent to be paid on account of the taking over of management.

6. **Acquisition of school-Mode of ascertaining value of the schools for payment of compensation:** - When Government are satisfied that it is necessary to take over an aided school for the reason stated in sub-section (8) of section 14 of the Act or any category of aided schools in any specified area or areas for any of the reasons stated in section 15 of the Act, they shall publish a notification in Form 23 (1) or (2) as the case may be, in the Gazette and the school or schools specified in such notification shall vest in the Government absolutely with effect from the date specified in the notification subject to exemption if any granted under section 16 of the Act.

No notification under this Rule so far as taking over of any category of aided schools in any specified area or areas as contemplated in Section 15 of the Act is concerned shall be issued unless the proposal for taking over is supported by a resolution of the Legislative Assembly.

7. The Collector or any officer empowered by him in that behalf shall take possession of schools on the date specified in the notification and for that purpose, may use such force as may be necessary.
8. (1) Compensation for the schools acquired shall be paid to the Manager or Educational Agency or to other persons entitled thereto. Such compensation shall be fixed on the basis of the market value of the school as on the date of the notification issued under Rule 6. In computing the compensation the amount of aid or <sup>4</sup>[grant given by the Government, the amount of public contribution received and the amount of special fees utilised for the acquisition] construction or improvement of any property movable or immovable, for the purposes of the school shall be deducted from the total amount of compensation. In the case of movable property the compensation payable shall be the market value thereof on the date of notification or the actual cost thereof less the depreciation whichever is lower.
- (2) Where the person entitled to the compensation is a limited owner or has no power of disposal over the property acquired, or there is a dispute regarding the person entitled to compensation, the procedure followed in land acquisition case shall be adopted.
9. The Collector shall cause a valuation statement being prepared in Form 24. The statement shall be got verified by an Officer of the Public Works Department not below the rank of an Assistant Engineer, if and when found necessary.
10. The Collector shall issue notice in Form 25 to the Manager or the representatives of the Educational Agency or to other persons entitled to

receive the compensation amount, calling upon them to prefer claims and objections, if any, to the amount of compensation fixed in the valuation statement; on the date specified in the notice.

11. The Collector shall consider the evidence adduced on the date fixed for the enquiry or on any other date to which the enquiry may be adjourned and shall make an award under his hand in Form 26. Copies of the award shall be given free of cost on application to the persons entitled to compensation.
12. If the Collector and all the persons entitled to compensation in regard to any school, agree as to the amount of compensation allowed, the Collector shall make an award under his hand for the same.
13. **General:-** Service of a notice under these Rules shall be made by delivering or tendering a copy thereof to the person mentioned therein. When such person cannot be found, the service may be made to any adult member of his family residing with him and if no such adult member can be found, the notice may be served by affixing a copy on the outer door of the house in which the person therein named ordinarily dwells or carries on business or on the outer door of the school concerned.
14. The manager or the Educational Agency shall make the school records available for reference to the Collector or Officer or Officers authorised by him for ascertaining the actual cost of movable properties, the year of purchase, and the amount of aid or grant given by the Government for the acquisition, construction, improvement, or maintenance of any property of the school.
15. If any immovable property which shall be exempted under Section 16 of the Act is proposed by mistake to be taken over or acquired, the Manager or the Educational Agency shall apply for exemption of such property immediately on receipt of and in any case not later than the date fixed in the notice referred to in sub-rule (2) of Rule 1 or in the notification referred to in sub-rule (5) of Rule 1 or Rule 6 as the case may be. The application shall be made in writing to the Government by registered post with copies to the Collector, the Director and the Educational Officer.
16. An award made under these Rules should not be revised or amended by the Officer making the award even though the persons interested may consent to the revision or amendment.
17. Appeals to the District Court -(1) Every person interested and who has not accepted the order as per the award made under Rule 5 or 11, as the case

may be, or who is not satisfied with the apportionment of the amount of rent or of compensation as between the persons entitled thereto, may, by written application, to the Collector within 60 days of the date of such order, require that the matter be referred by the Collector to the District Court within the jurisdiction of which the school is situated, for the determination of the claim and the Collector shall make the reference accordingly.

(2) The application shall state the grounds on which objection to the order is taken.

18. In making the reference, the Collector shall state for the information of the Court, the situation of the school with particulars of the immovable and movable properties, the amount of rent or of compensation awarded, and the grounds on which the amount of rent or of compensation was determined.
19. The Court shall cause a notice to be issued specifying the day on which the Court will proceed to determine the objection and directing the applicant and other interested persons, if any, to appear before the Court on that day.
20. The scope of the enquiry in such proceedings shall be restricted to a consideration of the interest of the persons affected by the objection. The proceedings shall be taken in open Court.
21. (1) In determining the amount of rent or of compensation the Court shall take into consideration the basis fixed in the Act and these Rules.  
  
(2) The amount awarded by the Court shall not exceed the amount claimed by the applicant before the Collector.
22. (1) Every award passed by the Court shall be in writing signed by the judge and shall be deemed to be a decree under the Code of Civil Procedure, 1908.  
  
(2) The award made by the Court shall state the amount of cost incurred and the interest to be paid.
23. (1) The payment of the amount of rent or of compensation should be made within three months from the date of award except in cases in which applications for reference to Courts have been made by interested persons under Rule 17. The amount of rent or of compensation if not paid within a period of three months from the date of award, for any reason other than

the default of the claimants to receive payment, shall bear interest at 4 percent from the date of expiry of three months. A notice should be sent to the persons interested intimating that the amounts as per the award should be claimed either personally or through a duly authorised agent within a time to be specified in the notice.

(2) In cases in which reference to Court has been made the amounts awarded shall be deposited in court.

(3) If any person interested does not appear within the time specified the amount due shall be paid into the Treasury as revenue deposit. The Collector shall give notice to the persons interested, of such deposit in the Treasury. The amount so deposited shall be paid whenever the persons entitled thereto claim it in the same manner as ordinary revenue deposits.

**24.** Nothing in the Rules in this Chapter shall apply to Minority schools.

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1. Sub--rule (5) omitted by G.O. (P) 245/87/G. Edn. dated 17-12-1987 published in gazette dated 17-12-1987 with effect from 1-6-1987. The omitted portion is "(5) In cases of emergency where the Government are satisfied that the management of the school has to be taken over immediately in the interests of the pupils of the school, they may publish a notification in the Gazette in Form 19 and on the expiry of the period specified in the notification and subject to exemption, if any, granted under Section 16 of the Act, issue orders to the Collector for taking over the management of the school".
2. Substituted by G. O. (P) 245/87/G. Edn. dt. 17-11-87 with effect from 1-6-87 published in Gazette dt. 17-12-87.
3. Added by G. O. (P) 133/74/G. Edn. dated 15-7-1974 and published in gazette dated 27-8-1974.
4. Substituted for "grant given by the Government for the acquisition" by notification published in gazette dt. 5-3-1968.



**\*CHAPTER XXI****RECRUITMENT OF TEACHERS TO AIDED SCHOOLS**

1. ... ..
2. ... ..
3. ... ..

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\* This Chapter came into force on 01/07/1961 but omitted by G.O (P) No. 94/72/S.Edn. dated: 04/07/1972 published in Gazette dated: 18/07/1972.

## CHAPTER XXII

### **TRANSITIONAL PROVISION**

Notwithstanding anything contained in these Rules the course of studies in Schools with standards I to XII in force on the date of publication of these Rules also continue upto the end of 1961 and references to Standards IV, V, VI, VII, VIII, IX, X and XI in these Rules in their application to the said course shall be construed as references respectively to Standards IV, V, VI, VII, VIII, IX, X, XI and XII of the said course.

<sup>1</sup>[CHAPTER XXIII**FIXATION OF STRENGTH OF TEACHERS IN DEPARTMENTAL AND AIDED SCHOOLS**

<sup>2</sup>1. The strength of teaching staff of Lower Primary schools shall be fixed in accordance with the following principles:-

(a) in every school working on shift system there shall be -

- (i) one post of Headmaster; and
- (ii) the number of Lower Primary School Assistants shall be equal to one half of the total number of divisions in the standards working on shift system reduced by one, fraction, if any, being counted as one; plus the number of divisions in standards working on non- shift basis.

(b) In schools which do not work on shift system, there shall be-

- (i) One post of Headmaster; and
- (ii) As many posts of Lower Primary School Assistants as the number of class divisions reduced by one.

(c) To the number arrived at as per (a) or (b) above, the number of sanctioned posts of specialist teachers shall be added and the resulting figures shall be the total number of teachers to whom salary may be paid]

<sup>3</sup>2. Notwithstanding anything contained in any other rule in this Chapter no post of Specialist Teacher shall be allowed to continue in any Lower Primary School or Lower Primary Section of Upper Primary or High School except for the continuance of the qualified teachers who were actually holding the said post on the Sixth day of March, 1979.

Provided that the Specialist Teachers appointed in Lower Primary Schools or Lower Primary Sections of Upper Primary Schools or High Schools after the 6th day of March, 1979 and whose appointments were approved shall be allowed to continue as such till their retirement, resignation, death or transfer and the posts of such Specialist Teachers shall be allowed to continue for their such continuance till they vacate the posts."

<sup>4</sup>2A (1) In Lower Primary School if Arabic is introduced in Std. I, a post of Arabic Language teacher may be sanctioned if the number of Muslim pupils studying Arabic is not less than 10 and the post shall be allowed to continue <sup>5</sup>[if the strength of the Muslim pupils studying Arabic in Standard continues to be not less than 10 or] if there is an average of 7 Muslim pupils in one Standard or an aggregate of 28 Muslim pupils in all the four Standards to study Arabic, the post shall be sanctioned either as

part-time or full time as per Rule 7].

<sup>6</sup>[Provided that if the average strength of Muslim pupils studying Arabic is less than 7, the post shall only be part time].

<sup>7</sup>[(2) In Lower Primary Schools, posts of Arabic Language Teachers may be sanctioned as shown below subject to the restrictions specified in sub-rule (1) above.

No. of periods per week	No. of posts and nature of posts
4 and above but below 15	1 Part time
15 and above but below 29	1 Full time
29 and above but below 54	2 Full time
54 and above but below 79 and so on	3 Full time.]

3. The strength of the teaching staff in Upper Primary and Secondary Schools shall be fixed on the basis of the number of recognized class divisions and periods of work. The various posts of teachers shall be referred to by the following designations:-

(i) Headmaster.

(ii) High School Assistant.

<sup>8</sup>[ii A) High School Assistant - Language-

(a) Malayalam	(d) Sanskrit	(g) Urdu
(b) Tamil	(e) Hindi	(h) Latin
(c) Kannada	(f) Arabic	(i) Hebrew, etc.]
<sup>9</sup> (J) English]		

(iii) Upper Primary School Assistant.

(iv) Lower Primary School Assistant.

(v) Language Teacher

(a) Malayalam	(d) Sanskrit	(g) Urdu
(b) Tamil	(e) Hindi	(h) Latin
(c) Kannada	(f) Arabic	(i) Hebrew, etc.]

(vi) Specialist Teacher

(a) <sup>10</sup> [Drawing Teacher]	(b) <sup>10</sup> [Physical Education Teacher]
(c) Combined	<sup>11</sup> [Drawing and Physical Education Teacher]
(d) <sup>10</sup> [Sewing Teacher]	(e) Music Teacher, etc.

(vii) <sup>10</sup>[Craft Teacher]

(viii) Part-time Teachers

(ix) Training School Assistant

4. In every High School there may be-
- (i) One post of Headmaster;
  - (ii) As many posts of High School Assistants as there are divisions <sup>11</sup>[and periods of work] in High School Classes
  - <sup>12</sup>[(iii) x x x x] and
  - (iv) As many posts of Lower and Upper Primary School Assistants as there are divisions in the Lower and Upper Primary School classes:  
<sup>13</sup>[x x x]

**Note:-** If the Lower Primary Section of the school is working on the shift system the number of Lower Primary School Assistants shall be fixed in accordance with Rule 1.

5. In every Upper Primary School there may be-
- (i) One post of Headmaster;
  - <sup>14</sup>[(ii) As many posts of Upper Primary School Assistants as the number of class divisions, reduced by one].
  - (iii) As many posts of Lower Primary School Assistants as there are divisions in the Lower Primary School classes.

**Note:-** If the Lower Primary Section of the school is working on the shift system the number of Lower Primary School Assistants shall be fixed in accordance with Rule 1.

- <sup>15</sup>6. (1) In Upper Primary School having all or any of the standards V to VII only, posts of Language teachers for languages other than Regional languages may be sanctioned as shown below subject to the restriction specified in rule 6. C below;

Languages (Arabic, Hindi, Urdu, Sanskrit, <sup>82</sup>Konkini)

No. of periods per week	No. of posts and nature of posts
4 and above but below 15	1 Part time
15 and above but below 29	1 Full time
29 and above but below 54	2 Full time
54 and above but below 79 and so on	3 Full time
Other Languages: (Hebrew, French, Latin etc.)	
5 and above but below 15	1 Part time
15 and above but below 30	1 Full time
30 and above but below 55	2 Full time
55 and above but below 80 and so on	3 Full time

(2) In Upper Primary Schools with Lower Primary Sections attached posts of Arabic teachers may be sanctioned as specified below subject to the restriction in sub-rule (1) of Rule 2 A and Rule 6 C. Posts for languages other than Arabic and Regional Languages may be sanctioned in the Upper Primary section by applying sub-rule (1) above subject to the restriction specified in Rule 6 C below.

(i) One full time post for every 25 periods of work per week taking Upper Primary section and Lower Primary Section separately.

(ii) After sanctioning full time posts as specified in Clause (i) above, the left over periods in both the sections may be combined and posts may be sanctioned as indicated below.

(a) If on combination the number of left over periods in Upper Primary and Lower Primary section together is 25 or above but below 29, one full time post in the Upper Primary section may be sanctioned, provided that the number of left over periods in the Upper Primary Section is 4 or above. If on combination, the number of left over periods in the Upper Primary Section and Lower Primary Section together is 29 or above but less than 49, one full time post in the Upper Primary section and one full time post in the Lower Primary section may be sanctioned.

(b) If on combination, the number of left over periods in the Upper Primary section and Lower Primary section together is 25 or above, a full time post in the lower primary section may be sanctioned if the number of left over periods in the Upper primary section is less than 4.

(c) If on combination the number of left over periods in the Upper Primary section and Lower Primary section together is less than 25, a full time post in the Upper Primary section may be sanctioned if the number of left over periods in that section is not less than 4.

(d) If on combination, the number of left over periods in the Upper Primary section and Lower Primary section together is less than 25, a full time post in the Lower Primary section may be sanctioned if the number of left over periods in the Upper Primary section is less than 4 provided that the number of left over periods in the Lower Primary section is not less than 4.

(iii) If full time posts at the rate of 25 periods of work per week cannot be sanctioned in the Upper Primary Section and Lower Primary section separately as specified in clause (i) above, then the periods in both the sections may be combined and posts may be sanctioned as indicated below:-

(a) If the number of periods in the Upper Primary section and Lower

Primary Section is 25 or above but below 29 one full time post in the Upper Primary Section may be sanctioned provided that the number of periods in the Upper Primary section is 4 or above. If on combination the number of periods in the Upper Primary section and Lower Primary section together is 29 or above but less than 49 one full time post in the Upper Primary Section and one full time post in the Lower Primary section may be sanctioned.

(b) If the number of periods in the Upper Primary section and Lower Primary section taken together is 25 or above, one full time post in the Lower Primary Section may be sanctioned if the number of periods in the Upper Primary section is less than 4.

(c) If the number of periods in the Upper Primary section and Lower Primary section taken together is less than 25, but not less than 15 a full time post in the Upper Primary section may be sanctioned if the number of periods in that section is not less than 4.

(d) If the number of periods in the Upper Primary section and Lower Primary section taken together is less than 25 but not less than 15 a full time post in the Lower Primary section may be sanctioned provided that the number of periods in the Upper Primary section is less than 4.

(e) If the number of periods in the Upper Primary section and Lower Primary section taken together is less than 15, a part time post in the Upper Primary section may be sanctioned provided that the number of periods in the Upper Primary section is not less than 4.

(f) If the number of periods in the Upper Primary section and Lower Primary section taken together is less than 15, a part time post in the Lower Primary section may be sanctioned provided that the number of periods in the Upper Primary section is less than 4.

(3) If there are language teachers in Regional Languages appointed before 18-5-62, who are continuing as such in service they shall be allowed to work against arising regular vacancies of Upper Primary School Assistant and they will continue as Language Teachers.

(4) Notwithstanding anything contained in rule 7, in High School section of every complete High School there shall be:-

(a) One full time post of Physical Education Teacher and one full time post of Drawing Teacher irrespective of the number of periods of work per week in each of the concerned subject.

(b) One full time post of Music Teacher irrespective of the number of periods of work per week for Music <sup>16</sup>[x x x ].

(c) One full time post of \*[Sewing Teacher] if there is no craft Teacher provided that there are not less than 200 girls in High School Classes:

Provided that the existing part time post of Physical Education, Drawing, Music, Sewing or Needle-work shall not be converted into full time posts unless the incumbents holding the posts are fully qualified to hold the full time posts:

<sup>17</sup>[Provided further that no full -time post of specialist teacher under any category mentioned above shall be sanctioned, if the number of periods of work per week in the concerned subject is less than 5]

<sup>18</sup>["Provided also that if there is already a post of Drawing Teacher under the Art Group the second post in the Art Group, namely a post of Music Teacher or a post in the Craft Group will be sanctioned only when the periods under each group exceeds 25 periods per week".]

<sup>19</sup>[6A. <sup>20</sup>[x x x x] The post of specialist teachers shall not be filled up with unqualified teachers. If fully qualified hands are not readily available the posts should be kept vacant until fully qualified hands become available for appointment.

<sup>21</sup>[6B. (1) Notwithstanding anything contained in any other rule in this Chapter except sub-rule (2) hereunder no post of Specialist Teacher or Craft Teacher shall be allowed to continue in any Upper Primary School or Upper Primary Section of a High School except for the continuance of the qualified teachers who were actually holding the said post on the 6th day of March, 1979.

Provided that the Specialist Teachers appointed in Upper Primary Schools or Upper Primary Sections of High Schools after the <sup>22</sup>["6th day of March 1979 but before the 22nd day of August 1989"] and whose appointments were approved shall be allowed to continue as such till their retirement, resignation, death or transfer and the post of such Specialist Teachers shall be allowed to continue for their such continuance till they vacate the posts.

(2) Notwithstanding anything contained in Rule 7 or any other rule in this Chapter no post of Specialist Teacher shall be allowed to continue in any Upper Primary School or Upper Primary Section of High School except as specified herein:

(a) One post of Specialist Teacher namely Music Teacher or Physical Education Teacher or Drawing Teacher or Sewing Teacher as decided by the Educational Officer concerned during staff fixation in the case of Departmental Schools and as required by the Manager in the case of Aided Schools will be sanctioned in each Upper Primary School or



Upper Primary Section of a High School having an effective strength of 500 pupils and above in the complete Upper Primary Section on the 6th working day of each academic year.

(b) No post of Specialist Teacher shall be sanctioned in any category under Clause (a) if a Specialist Teacher is already working in the Upper Primary School or Upper Primary Section of the High School:

Provided that a post of Sewing Teacher shall be sanctioned only subject to the condition that there are not less than 200 girl pupils in the complete Upper Primary Section".

<sup>23</sup>6C. In an Upper Primary School or Upper Primary Section of High School, where any of the languages other than regional languages or mother tongue is first introduced in Standard V there shall be not less than <sup>24</sup>[12 pupils] learning the language in that Standard. When once it is introduced in Standard V there shall be at least half the number of pupils to learn that language in Standard VI or the total number <sup>24</sup>[in Standards V, VI and VII] shall not be less than 30. But nothing in these rules will apply to posts already sanctioned against which qualified teachers are working.

**6D. High School Assistants (Languages):-** (i) In High Schools having all or any of the Standards VIII to X only, posts of language teachers may be sanctioned as shown below subject to the restrictions specified in rule 6E.

Languages (Arabic, Hindi, <sup>25</sup>[Urdu] and Sanskrit)

No. of periods per week	No. of posts and nature of posts
4 and above but below 15	1 Part time
15 and above but below 29	1 Full time
29 and above but below 54	2 Full time
54 and above but below 79 and so on	3 Full time
Other Languages: (Hebrew, French, Latin, Malayalam etc.)	
5 and above but below 15	1 Part time
15 and above but below 30	1 Full time
30 and above but below 55	2 Full time
55 and above but below 80 and so on	3 Full time

**6E.** In High School having all or any of the Standards VIII to X, if any one of the languages other than regional languages or mother tongue is first

introduced there shall be at least not less than <sup>26</sup>[10] pupils learning the language in Standard VIII. When once it is introduced in Standard VIII, there shall be at least half the number of pupils to learn that language in Standard IX or the total number of pupils <sup>27</sup>[in Standards VIII, IX and X] together shall not be less than <sup>26</sup>[25]. But nothing in these rules will apply to posts already sanctioned against which qualified teachers are working.

**6F. In High Schools with Upper Primary sections attached:--** Subject to the restrictions specified in rule 6G below, posts for Languages in High Schools with Upper Primary Section attached may be sanctioned as specified herein.

- i. One full time post for every 25 periods of work per week taking High School section and Upper Primary Section separately.
- ii. After sanctioning full-time posts as specified in sub-rule (i) the left over periods in both the sections may be combined and posts may be sanctioned as indicated below:-

<sup>28</sup>[(a) If on combination the number of left over periods in the High School section and Upper Primary sections together is 25 or above but below <sup>29</sup>[29] in the case of Hindi, Arabic, <sup>30</sup>[Urdu] and Sanskrit and below <sup>29</sup>[30] in the case of other language except Regional Languages, one full time post in the High School Section may be sanctioned, provided that the number of left over periods in the High School section is 4 or above in the case of Hindi, Arabic, <sup>30</sup>[Urdu] and Sanskrit and 5 or above in other cases. If on combination, the number of left over periods in the High School section and Upper Primary section together is <sup>29</sup>[29] or above in the case of Hindi, Arabic; <sup>30</sup>[Urdu] and Sanskrit and <sup>29</sup>[30] or above in the case of other language except Regional Languages <sup>31</sup>[but less than 49, one full time post in the High School Section and one full time post in the Upper Primary section may be sanctioned.]

<sup>32</sup>[(b) [x x x x]

(c) If on combination, the number of left over periods in the High School section and Upper Primary section together is 25 and above a full time post in the Upper Primary section may be sanctioned if the total number of left over periods in the High School section is less than 4 in the case of Hindi <sup>30</sup>[Urdu], Arabic and Sanskrit and less than 5 in other cases, provided the number of left over periods in the U. P section is not less than 4 in the case of Hindi, <sup>30</sup>[Urdu], Arabic and Sanskrit and not less than 5 in other cases.

<sup>33</sup>[(d) If on combination, the number of left over periods in the High School section and Upper Primary section together is less than 25, a full time post in the High School Section may be sanctioned if the number of

left over periods in that section is not less than 4 in the case of Hindi,<sup>30</sup>[Urdu], Arabic and Sanskrit and not less than 5 in other cases.]

<sup>34</sup>(e) If on combination the number of left over periods in the High School Section and Upper Primary Section together is less than 25 a full time post in Upper Primary Section may be sanctioned if the number of left over periods in the High School Section is less than 4 in the case of Hindi,<sup>35</sup>[Urdu] Arabic and Sanskrit and less than 5 in other cases, provided the number of left over periods in the Upper Primary Sections is not less than 4 in the case of Hindi <sup>35</sup>[Urdu] Arabic and Sanskrit and not less than 5 in other cases.

<sup>36</sup>[(f) x x x x

(g) x x x x]

(iii) If full time posts at the rate of 25 periods of work per week cannot be sanctioned in the High School section and U.P. Section separately as specified in sub-clause (i) above. The periods in both sections may be combined and posts may be sanctioned as indicated below:-

<sup>37</sup>[(a) If the number of periods in the High School section and Upper Primary section together is 25 or above but below <sup>38</sup>[29] in the case of Hindi, Arabic, <sup>39</sup>[Urdu] Sanskrit and below <sup>38</sup>[30] in the case of other Languages except Regional Languages, one full time post in the High school section may be sanctioned, provided that the number of periods in the High School is 4 or above in the case of Hindi Arabic, <sup>39</sup>[Urdu] and Sanskrit and 5 or above in other cases. If on combination the number of periods in the High School section and Upper Primary section together is <sup>38</sup>[29] or above in the case of Hindi Arabic <sup>39</sup>[Urdu] and Sanskrit and <sup>38</sup>[30] or above in the case of other Languages except Regional Languages <sup>40</sup>[but less than 49, one full time post in the High School section and one full time post in the Upper Primary section may be sanctioned].

<sup>41</sup>[(b) x x x x]

(c) If the number of periods in the High School section and Upper Primary section taken together is 25 and above, one full time post in the Upper Primary section may be sanctioned, if the number of periods in the High School section is less than 4 in the case of Hindi, <sup>39</sup>[Urdu], Arabic and Sanskrit and less than 5 in other cases.

(d) If the number of periods in the High School section and Upper Primary section taken together is less than 25, but not less than 15 a full time post in the High School section may be sanctioned if the number of periods in that section is not less than 4 in the case of Hindi, <sup>39</sup>[Urdu],

Arabic and Sanskrit and not less than 5 in other cases.

(e) If the number of periods in the High School section and Upper Primary section taken together is less than 25 but not less than 15, a full time post in the U.P. section may be sanctioned provided the number of periods in the High School section is less than 4 in the case of Hindi, <sup>39</sup>[Urdu] Arabic and Sanskrit and less than 5 in other cases.

(f) If the number of periods in the High School section and Upper Primary section taken together is less than 15, a part time post in the High School section may be sanctioned provided the number of periods in the High School section is not less than 4 in the case of Hindi, <sup>42</sup>[Urdu], Arabic and Sanskrit and not less than 5 in other cases.

(g) If the number of periods in the High School section and Upper Primary section taken together is less than 15, one part time post in the Upper Primary section may be sanctioned, provided the number of periods in the High School section is less than 4 in the case of Hindi <sup>42</sup>[Urdu], Arabic and Sanskrit and less than 5 in other cases.

<sup>43</sup>[Provided that if sanction of full-time posts under sub-rules (ii) and (iii) will adversely affect fully qualified teachers already working against sanctioned full time posts in the upper primary section immediately before the date of commencement of the Kerala Education (Amendment) Rules 1982 published under notification No. G.O.(P) 36/82/G. Edn. dated 30-3-82 as SRO No. 438/82 in the Kerala Gazette extra ordinary No. 240 dated the 30<sup>th</sup> March 1982, all such posts may be allowed to continue for continuance of such teachers and a full time post may be sanctioned in the High School section if the number of left over periods in the High School section is not less than 4 in the case of Hindi, Urdu, Arabic and Sanskrit and not less than 5 in the case of other languages].

Provided further that for purposes of combination of periods under sub-rules (ii) and (iii), the periods for Regional Languages in Upper Primary sections shall not be taken into account and that posts of High School Assistants in Regional Languages shall be sanctioned as per rule 6D.

<sup>44</sup>[6G. In High School with U. P. section attached, if anyone of the Languages other than regional language or mother tongue is introduced in Standard V or Standard VIII there shall be <sup>45</sup>not less than 12 pupils learning the language in Standard V and not less than 10 pupils learning the language in Standard VIII]. When once it is introduced in Standard V or Standard VIII there shall be at least half the number of pupils to learn that language in "Standard VI or Standard IX or <sup>45</sup>[the total number of pupils to learn that language in Standards V, VI & VII, together shall not be less than 30 and in Standard VIII, IX and X together shall not be less than 25] <sup>46</sup>[But nothing in these rules shall apply to posts already sanctioned against

which qualified teachers are working].

**6H. Calculation of periods for sanctioning posts of teachers for languages other than regional languages:-** The total effective strength of pupils studying a particular language other than the regional language shall be calculated on the basis of the total number of pupils in all the divisions in a standard in a school and the number of divisions may be arrived at as per the maximum strength provided for in rule 23 of Chapter VI.

<sup>47</sup>**6.1. Sanctioning of posts of High School Assistant (English):** Notwithstanding anything contained in any other rule in this Chapter the post of High School Assistant (English) shall be sanctioned on the basis of the periods allocated to English, observing minimum subject requirement.

**Note:-** Subject to any general order that may be issued by the Government, the above rule shall be implemented in a phased manner without causing retrenchment of existing High School Assistants (core subjects) as on 7th January 2002, and observing the minimum subject requirement.]

<sup>48</sup>**6.J. Calculation of Periods for sanctioning posts of teachers for regional languages:-**

1. Calculation of periods for sanctioning of posts of teachers for regional languages shall be made based on the effective strength of pupils studying that language in all the divisions of the standard in a high school.

2. The effective strength for the purpose of sub-rule (1) shall be calculated on the basis of the total number of:-

(a) pupils studying that language as Part I and Part II First Language and

(b) pupils studying that language as Part II only.]

7. <sup>49</sup>[(1)] **The post of a language Teacher** <sup>50</sup>[or High School Assistant - Language as the case may be] or of a specialist Teacher or \*[Craft Teacher] created for less than 15 periods of work per week in the concerned language or subject shall be part-time.

<sup>51</sup>[Provided that no part time post shall be sanctioned if the number of periods of work per week is less than four in the case of Hindi, <sup>52</sup>[Urdu] <sup>53</sup>[Sanskrit] <sup>82</sup>[Konkini] <sup>54</sup>[and Arabic] and less than 5 in other cases]

**Exception:-** If there is only one post under any of the under mentioned designations in the particular type or grade of school noted there against,

such post shall be a full time post even though the number of periods of work is less than 15:

Provided that the teachers holding such posts were appointed prior to the date of issue of these Rules and provided further that they were treated as full time.

	<b>Designation</b>	<b>Type or grade of School</b>
(i)	Language teacher <sup>55</sup> [or High School Assistant] in Malayalam or Tamil	Any Academic School
(ii)	Language teacher <sup>55</sup> [or High School Assistant] in Sanskrit	Any Sanskrit School
(iii)	Combined *[Drawing and Physical Education Teacher]	Any School
(iv)	Either *[Sewing Teacher or Music Teacher]	Girl's High School, complete or incomplete, with the Middle section attached or complete Girls Middle School.

<sup>56</sup>[(2) Teachers who had been in service in any aided school as full time Craft teachers continuously for a period of not less than two years in regular vacancies on the re-opening date in 1962 -63 and who became part time or excess as a direct result of the reduction in the number of periods consequent on the introduction of the revised syllabus in 1962-63 or the introduction of Hindi in Std. V in 1964-'65 shall, notwithstanding the reduction in the number of periods be deemed to have been continuing as full time Craft Teachers. Such teachers shall however be given monetary benefits only from 20th July 1965.

(3) In schools where teachers are not available for music, drawing, sewing and physical education and the regular trained teachers have got full time work the periods for those subjects may be given to Craft teachers, who possesses S.S. L.C. qualification, for teaching the regular subjects during those periods so as to enable them to have fifteen periods of work per week if possible].

<sup>57</sup>[8. x x x x ]

9. <sup>58</sup>[In Training Schools] the optimum strength of a training class shall be <sup>59</sup>[20] <sup>60</sup>[x x x] Training School shall have one junior class and one senior class and those together will constitute one unit. More than one unit may be permitted by the Director in exceptional circumstances. <sup>61</sup>[The Director may, for sufficient reasons to be recorded in writing, withdraw the sanction of any unit or units in a training school after giving the persons likely to be affected thereby an opportunity to state objection, if any, to the withdrawal and after duly considering such objection, raised by such

persons]. The strength of the teaching staff of a Training School, shall be as follows:- .

<b>Designation</b>	
Headmaster	1
Assistants	3
Arts and Craft Teacher	1
<sup>62</sup> [Physical Education Teacher]	1

<sup>63</sup>[**Note:-** If the periods of work in a subject are less than 15, part time teachers may be appointed if, in the opinion of the District Educational Officer, teachers cannot be deputed from neighboring schools].

10. Notwithstanding any of the provisions contained in the preceding rules it shall be competent to the District Educational Officer to fix the establishment of any school other than Lower Primary Schools, or Lower Primary Sections attached to Upper Primary Schools or to High Schools, at a lower strength than is allowed by the said Rules.
11. The number of periods in the various subjects in each class shall be as determined by the Director from time to time in accordance with the scheme of studies approved by Government.

<sup>64</sup>[**12.Strength of teaching staff:-** Subject to the availability of accommodation the strength of teaching staff in each school be fixed by the Educational Officer in accordance with the above general provisions, once a year, after finalising the number of divisions based on the effective strength of the class as on the 6<sup>th</sup> working day from the re-opening date in June. The pupils' strength of all schools, both Government and Aided Schools, shall be verified by the Educational Officer or Officers authorised by the Director in this regard by visiting the schools in the State on a single day fixed by the Director for staff fixation purpose. A further verification of strength at higher level by the District Educational Officer, in the case of fixation of strength in Lower Primary and Upper Primary Schools and by the Deputy Director (Education.) in the case of High Schools shall be done wherever additional divisions or additional staff are found necessary, after the one day verification conducted by the Educational Officers or Officers authorised by the Director, in this regard. In such cases, the final orders on fixation of staff shall be issued only on the basis of such re-verification of strength. The actual attendance on the date of visit of authorised persons plus five percent of the roll strength, not exceeding the roll strength of each class, alone shall be reckoned as the effective strength of the school for fixing the number of divisions and the strength of staff. The Staff sanctioned by the competent authority during the previous year shall continue till the 14<sup>th</sup> July of the succeeding year. The fixation of staff shall be finalised by the Educational Officer not later

than the 15<sup>th</sup> July every year. The strength of Standard as on the 6<sup>th</sup> working day after Vijayadasami Day shall be reviewed having regard to the provisions under sub Rule (2) of rule 4 of Chapter VI and the strength of the staff be refixed accordingly, if found necessary. Government may direct the Educational Officer to re-visit and refix the strength of teaching staff in schools where there has been undue shortage in attendance of pupils on the date of visit of the Educational Officer or the Officers authorised by the Director in this regard or the Higher Verification Officer or the Super Check Officer due to natural calamities like flood, outbreak of epidemic, or other special reasons like agitations, strikes, accidents, death of prominent persons, local celebrations/festivals in the locality, etc. Requests for re-visit should be accompanied by a certificate issued by the Headmaster explaining the reasons for the fall in attendance and the veracity of the reasons adduced should ordinarily be supported by a report of the Tahsildar or Village Officer within whose jurisdiction the school is situated, or the Medical Officer in charge of the nearest Government medical institution as the case may be. When such are visit is made by the Educational Officer or the Higher Verification Officer following the directions of the Government, the effective strength shall be worked out on the basis of the strength verified on re-visit made by the Educational Officer or the Higher Verification Officer, as the case may be, and orders shall be passed by such officer, but not granting a new division that was not in the staff fixation in the previous year.]

**Explanation** -(1) For the purpose of fixing the number of divisions, rule 23 of Chapter VI shall be applied.

(2) Government may revise the date for reckoning the strength of the classes in any year if found necessary and the strength of the teaching staff shall be fixed in such an event on the basis of the number of divisions as on the date so fixed. The date so fixed shall be published in the Gazette.

(3) In calculating the effective strength, fractions of half and above shall be rounded off to the next higher integer and fractions less than half shall be ignored.

<sup>65</sup>[(4) Notwithstanding anything contained in these rules the Govt. may if they are satisfied that the effective strength of any division or divisions in any school or schools generally is likely to have been diminished in any particular year by any reason whatsoever; the Govt. may direct that the Educational Officer may revisit and refix the strength of teaching and non teaching staff in schools from which according to the satisfaction of the Educational Officer concerned substantial number of pupils have obtained Transfer Certificates and left the school, provided that no such re-visit or re fixation shall be done after 31<sup>st</sup> of December each year].



<sup>66</sup>[12A. **Review of staff fixation:-** x x x x x x x]

<sup>67</sup>[12B. The orders of staff fixation shall take effect on the 15 of July every year]  
<sup>68</sup>[if any additional posts are sanctioned against which appointments are made in anticipation of sanction of such post or posts, according to rules, such post or posts shall be deemed to have been created from the date of appointments].

<sup>69</sup>[12C. **Scrutiny of staff fixation by higher officers:-** (1) The District Educational Officer shall scrutinise all orders passed by the Assistant Educational Officer in regard to fixation of staff strength in Primary Schools and may revise such of the orders as are found necessary. Such revision orders shall be passed before the end of August every year and forward copy of such orders to the <sup>70</sup>[Deputy Director (Education)] and the Manager/ Headmaster.

(2) The <sup>70</sup>[Deputy Director (Education)] shall scrutinise all orders passed by the District Educational Officer in regard to the fixation of staff strength in High and Training Schools and may revise such of the orders as are found necessary. Such revision orders shall be passed before the end of August every year and forward copy of such orders to the Director and the Manager/Headmaster. The <sup>70</sup>[Deputy Director (Education)] shall also verify the correctness of the fixation orders of the Assistant Educational Officer and the revision orders of the District Educational Officer relating to at least 10 percent of the Primary Schools within his jurisdiction before the end of September every year and may revise such of the orders as are found necessary. Copies of such orders passed shall be forwarded to the Director/ Manager/ Headmaster.

(3) Any order by the District Educational Officer or the <sup>70</sup>[Deputy Director (Education)] as the case may be, revising the fixation orders shall not be passed unless an opportunity is given to the person who is affected thereby. Such orders shall take effect from the date of these orders.]

**12D. Appeal against staff fixation:-** (1) The Manager of a school shall have a right of appeal to the \*(Deputy Director (Education)) concerned against the order of Assistant Educational Officer or Distric CHAPTER XXIII Officer, as the case may be.

<sup>71</sup>[Provided that in the case of High Schools where a re-verification of strength of pupils has been done by the Deputy Director (Edn.) under rule 12, he shall not entertain appeals against staff fixation orders issued on the basis of his verification reports. In such cases the appeal shall lie to the Director of Public Instruction].

(2) No appeal preferred under these rules shall be entertained unless it is preferred within 15 days from the date of receipt of the order appealed

against:

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if he is satisfied that the appellant has sufficient cause for not submitting the appeal in time.

(3) If the appellate authority restores the post disallowed by the Educational Officer against which qualified teachers had been working, such posts shall be deemed to have been sanctioned from the <sup>72</sup>(15<sup>th</sup> of July). In cases where the appellate authority allows the additional posts which are to be filled up by transfer of excess hands from other schools under the same Educational Agency, the additional posts shall be deemed to have been sanctioned from the <sup>72</sup>[15<sup>th</sup> of July] In cases where appellate authority sanctions additional posts which are to be filled up by appointing fresh hands such posts will have effect from 1<sup>st</sup> September or the date of the appellate order, whichever is earlier. <sup>73</sup>[The \*[Deputy Director (Education)] may give effect to the appellate order with retrospective effect in deserving cases for reasons to be specified].

<sup>74</sup>**12E.** (1) A revision shall lie to the \*\*Director of Public Instruction against the orders of the \*Deputy Directors (Education) passed under this chapter.

(2) No revision preferred under this chapter shall be entertained unless it is preferred within 30 days of the date of receipt of the order appealed against:

Provided that the revisional authority may entertain the revision after the expiry of the said period, if he is satisfied that the revision petitioner has sufficient cause for not submitting the revision in time.

Provided further that an order affecting the interest of a person shall not be passed under this rule unless the revision petitioner concerned has been given an opportunity of making any representation which he may wish to make against such orders.

<sup>75</sup>(3) The Director may on his own motion <sup>76</sup>[or on the basis of the report of the authorised officer under rule 16 including the evidence and other details, if any, collected by him] or otherwise call for the records of the orders relating to fixation of staff strength issued by Subordinate Officers and revise the same:

Provided that an order affecting the interest of a person shall not be passed under these rules unless the person concerned has been given an opportunity of making any representation which he may wish to make against such orders].

<sup>77</sup>[12F. Notwithstanding anything contained in this chapter, the Government may, at any time, on their own motion or otherwise, after calling for the records of the case revise any order passed by the Director of Public Instruction.]

13. The salary of teachers of aided Schools shall be paid through the Headmasters of the Schools.

**Note :-** If any teacher so desires in writing his salary may be disbursed by Money Order by the Head of the institution at the cost of the teacher.

<sup>78</sup>[14. Notwithstanding anything contained in these rules, if it is found necessary, Government may by orders extend any ban on the creation of posts, retrenchment of staff etc; effected by them in Government schools to aided schools]

<sup>79</sup>[15. Notwithstanding anything contained in these rules, if Educational Officers are satisfied for valid and sufficient reasons to be recorded in writing that the fixation of staff strength was obtained by bogus admission or attendance or by fraud or misrepresentation, and the like the Educational Officers shall be competent to refix the staff strength at any time during the course of the year:

Provided that no order under this rule shall be issued without notice to the parties who are likely to be affected thereby.]

<sup>80</sup>[15A. In cases where the fixation of staff strength in schools is revised by the Director of Public Instruction or by the Educational Officers concerned under rule 12E or rule 15 as the case may be after September, an allowance for a fall of 10% in the effective strength only to support the first verification of staff strength shall be allowed.

**Note:-** The 10% concession shall automatically apply only when the first visit is done by the Dist. Educational Officer/Asst. Educational Officer after September. When a subsequent verification is done after September, 10% allowance will be allowed, only to support the 1<sup>st</sup> verification and not for increasing the staff beyond what has been fixed in the first verification].

<sup>81</sup>[16. Notwithstanding anything contained in these rules, any Officer authorised by the Government in this behalf shall, for the purpose of checking the staff fixation proceedings made by the Educational Officers, enter any school, or any office under the Education Department, call for the relevant records and make enquiries to find out whether any irregularity has been committed in staff fixation. In the course of the said enquiry the authorized Officer can inspect schools, verify the

strength of pupils, check the area of Class rooms, call for records from Headmasters, Managers and Educational Officers and do such other acts as may be deemed necessary. As soon as the enquiry is over the authorised officer shall send a detailed report thereon to the Director of Public Instruction for appropriate action in the matter].

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1. Introduced by notification published in gazette dated 30-6-59
  2. Substituted by G.O. (P) 124/73 S. Edn. dated: 19-7-73 published in gazette dated: 21-8-73.
  3. Substituted by G. O. (P) 189/05/G.Edn. dt. 17-6-05 Published in Gazette dt. 25-6-05 with effect from 6-3-79 for "2. (1) Subject to availability of funds, the number of specialist teachers that may be appointed in Lower Primary Schools shall be as follows:-
    - (i) A music teacher or a sewing teacher will be allowed to a lower primary school having a total strength of 200 or more girl pupils.
    - (ii) A music teacher and a sewing teacher will be allowed to a lower primary school where the strength of the girl pupils is 400 or above.
    - (iii) [x x x ]
    - (iv) Music /Needle work will be taught also to boys who wish to learn them.
    - (v) As far as possible combined posts of music and sewing teachers will be created.
    - (vi) Two or three schools (Departmental and aided both) may be clubbed together for the purpose of appointment of specialist teachers. Part- time teachers may be appointed if the number of periods of work in a week is less than 15.
  - (2) The number of specialist teachers who may be appointed in a District shall be fixed by the Director and intimated to the District Educational Officer every year.
  - (3) Notwithstanding anything contained in the above rules, no post of Specialist Teacher shall be created in any Lower Primary School or Lower Primary Sections of Upper Primary or High Schools:  
Provided that posts already sanctioned against which specialist teachers are appointed and approved may continue as such."
  4. Substituted by G. O. (P) 161/74G. Edn. dt. 12-8-1974, published in Kerala Gazette dated 3-9-1974.
  5. Inserted by G.O (P) No. 97/77/G.Edn. dated: 5-5-1977 and published in gazette dated 7-6-1977
  6. Added by G. O. (P) 97/77/G. Edn. dt. 5-5-77 in gazette dt. 7-6-77.
  7. Substituted by G. O. (P) 124/73 S. Edn. dated 19-7-73 and published in gazette dated: 21-8-73.
  8. Inserted by G. O. (P) 89/69 Edn. dt. 21-2-69, published in gazette dt. 11-3-69.
  9. Added by G.O.(P) 149/03/G. Edn dated: 6th June 2003 published in Gazette dt 9-06-03 w.e.f. 7-1-02
  10. Substituted by G. O. (P) 301/69/Edn. dated 22-7-69 published in gazette dt. 5-8-69.
  11. Added by G.O.(P)149/03/G. Edn dt. 6th June 2003 published in Gazette dt 9-06-03 w.e.f. 7-1-02
  12. Omitted by G. O. (P) 351/61/Edn. dt. 21-6-61publishedin Gazette dt. 27-6-1961.
  13. The proviso to Rule 4 has been deleted by G. O. (P) 83/71/S. Edn. dated 3-7-1971 published in gazette dated: 3-8-1971. The proviso which was introduced by notification in gazette dated 2-10-1962 was "provided that where language teachers in Regional Languages are appointed in Upper Primary Section, the

- number of Upper Primary Assistants and Language teachers in Regional Languages in Upper Primary Sections shall not together exceed the number of divisions in Upper Primary Sections".
14. Substituted by G. O. (P) 83/71/S. Edn. dated 3-7-71 for "As many posts of Upper Primary School Assistants as the number of class divisions, reduced by one if no Language Teacher in the Regional language is appointed and where Language Teachers are appointed the number of Upper Primary School Assistants and Language Teachers in the Regional Languages shall not together exceed the number of divisions in Upper Primary Sections reduced by one;
  15. Substituted by G. O. (P) 124/73/S. Edn. dt. 19-7-1973 published in gazette dt. 21-8-1973.
  16. Omitted by G. O. (P) No. 241/77/G. Edn. dated 13-12-77 in gazette dated 14-3-78. It was "Provided that there are not less than 200 girls in High School classes".
  - \* Substituted by G.O.(P) 301/69 Edn. Dated 22-7-1969 in gazette dated 5-8-69.
  17. Added by G.O.(P)72/74/S.Edn. dt.22-4-1974, published in gazette dt. 25-6-1974.
  18. Inserted by G.O.(P) 253/04/G.Edn. dt. 6-8-04 Published in Gazette dt. 6-8-04 w.e.f. 28-10-95.
  19. Rules 6A and 6B introduced by notification dt. 15-5-1969 published in gazette dt.10-6-1969.
  20. The words" Notwithstanding anything contained in rule 2 chapter XXI "omitted by G.O. (P)36/73/S.Edn. dt. 13-3-1973.
  21. Substituted by G. O. (P) 189/2005/G. Edn. dt. 17-6-2005, Published in Gazetted dt. 25-6-2005 with effect from 6-3-79. The old rule was "**6B**. (1) Notwithstanding anything contained in any other rules in this Chapter no posts of specialist teacher or craft teacher shall be created in any upper primary school or upper primary sections of High Schools for a period of 6 years from the school year 1969-70: Provided that the posts sanctioned before 1969-70 against which specialist teachers and craft teachers are appointed and approved and such teachers who are qualified according to the rules then in force may however continue as such.  
(2) Notwithstanding anything contained in any other rules in this Chapter. no post of Specialist Teacher or Craft Teacher shall be created in any Upper Primary School or Upper Primary Section of High School except as specified herein:  
(a) One post of Specialist teacher namely Music teacher or Physical Education Teacher or Drawing Teacher or Sewing Teacher as decided by the District Educational Officer concerned during staff fixation in the case of departmental schools and as required by the manager in the case of aided schools will be sanctioned in each Upper Primary School or Upper Primary section of a High School having an effective strength of 500 pupils and above in the complete Upper Primary sections on the 6th working day of each academic year.  
(b) No post of Specialist teacher shall be sanctioned in any category under clause (a) if a Specialist teacher is already working in the Upper Primary School or Upper Primary section of the High School.  
(c) A post of Sewing Teacher shall be sanctioned only subject to the following conditions also:  
(i) that there are not less than 200 girl pupils in the complete Upper Primary Section and  
(ii) that there is no post of Craft Teacher under Needle work in the Upper Primary School or Upper Primary Section of High Schools".
  22. Substituted by G. O. (P) No. 174/2008/G.Edn. dt. 6-10-2008. Published in Gazette dt. 14-10-2008 for "6th day of March 1979".

23. Rule 6C to Rule 6H added by G.O (P) No. 83/71/S.Edn. dated: 03-07-1971 published in gazette dt. 3-8-71.
24. Substituted for "20"and "in both the Standards V and VI "by G.O.(P) 259/75 G. Edn. dated 24-10-75 published in gazette dated: 11-11-75.
25. Inserted "Urdu" by G. O. (P) 35/73/S. Edn. dated 13-3-1973.
26. Substituted by G. O. (P) 146/79/G Edn. dt. 1-9-1979 published in Gazette dt. 30-10-1979. for "12 & 30"
27. Substituted by G.O. (P) 259/75/G. Edn. dated 24-10-75 published in gazette dated 11-11-75. for The words 20 pupils.
28. Substituted by G.O. (P) 124/71/S.Edn. dated 13-9-1971 published in gazette dated 12-10-1971.
29. The figures '30' and '31' are substituted by the figures '29' and '30' by G.O.(P) 159/71/S. Edn. Dated 17-11-1971 published in 30-11-1971.
30. Inserted by G.O.(P) 35/73/S. Edn. dated 13-3-1973.
31. Substituted for "but less than 40 one full time post in High School section and one part -time post in Upper Primary section may be sanctioned" by G.O (P) 58/72/S.Edn. dated: 10-04-1972 published in Gazette dated: 13-6-1972.
32. Omitted by G.O (P) 58/72/S.Edn. notification dated 10-4-1972 published in Kerala Gazette dated 13-6-1972 for (b)
33. Substituted by G.O (P) 58/72 S.Edn. dated: 10-04-72 as per notification dated 10-4-1972 published in Gazette dated 13-6-1972; for(d) If on combination, the number of left over periods in the High School section and Upper Primary sections together is less than 4 in the case of Hindi, Arabic and Sanskrit and not less than 5 in other cases"
34. Substituted by the above G.O and notification dated 10-4-72 published on 13-6-72 for"
35. Inserted by G. O. (P) 35/73/S. Edn. Dated: 13-3-1973 in gazette Dated: 10-4-73.
36. Sub-sections (f) and (g) omitted by G.O (P) 58/72/S.Edn. dated 10-4-72, published in gazette dated 13-6-72.
37. Substituted by G.O. (P) 124/71 S. Edn. dated 13-9-1971 in gazette dated 12-10-1971"
38. Substituted the figures "29" and "30" for "30" and "31" by G.O (P) 151/71/S.Edn. notification dated 17-11-1971 in gazette dated 30-11-1971.
39. Inserted by G. O. (P) 35/73/S. Edn. dated 13-3-1973 in gazette dated 10-4-73.
40. Substituted for the words "but less than 40 one full time post in the High School Section and one part time post in the Upper Primary section may be sanctioned" by notification dated 10-4-72 published in gazette dt.13-6-72.
41. Omitted by G.O (P) 58/72/S.Edn. notification dated: 10-4-72 published in gazette dated 13-6-72. It' was "(b) If on combination the number of left over periods in both the sections together is not less than 40 but less than 49, one full time post in the High School Section and another full time post in the U.P. section may be sanctioned".
42. Inserted by G. O. (P) 35/73/S.Edn. dated 13-3-1973in gazette dated 10-4-73.
43. Substituted as per G.O. (P) No 36./82/G. Edn. dated 30-3-82, published on 30-3-82, for "Provided that if sanction of full time posts under sub- rules(ii) and (iii) will adversely affect fully qualified teachers working against sanctioned full time posts in the Upper Primary section, such posts may be allowed to continue for continuance of such teachers and a full time post may be sanctioned in the High School section if the number of left over periods in the High School section is not less than 4 in the case of Hindi, Urdu, Arabic and Sanskrit and not less than 5 in the case of other language".
44. Rule 6C, to E and 6G deal with the introduction of languages in Upper primary school or section. Rule 6C and 6E were amended by G. 0 (P) 259/75 G.

- Edn. dated 24-10-75. But the corresponding changes in Rule 6G were made only by G.O. (P) 155/82/G. Edn. Dated 1-11-1982.
45. Substituted as per G. O. (P) No. 155/82/ G. Edn. dated 1-11-1982 published in gazette dated 14-12-1982.
  46. Inserted by G. O.(P) 124/71/S.Edn. dt. 13-9-1971in gazette dt. 12-10-1971.
  47. Added by G.O.(P)149/03/G. Edn dated 6th June 2003 published in Gazette dt 9-06-03 w.e.f. 7-1-02
  48. Inserted by G.O. (P) 92/05/G.Edn. dt. 19-3-05 published in Gazette dt. 30-3-05.
  49. Rule 7 was renumbered as 7(1) by G.O. (P) 110/74/G. Edn. dt. 11-6-74 in gazette dt. 9-7-74.
  50. Inserted by G.O.(P) 89/69/Edn. dated 21-2-69 in gazette dated 11-3-69.
  - \* Inserted by G. O. (P) 301/69/Edn. dated. 22-7-69 in K.G. Dt 5-8-69.
  51. Inserted by G.O. (P) 429/67/Edn. dated 27-9-67 in gazette dated 24-10-67.
  52. Inserted by G.O. (P) 35/73/S. Edn. dated 13-3-73 in gazette dated 10-4-73.
  53. Inserted by G.O (P) 236/70/G.Edn. dated 26-5-70 in Kerala Gazette dated 9-6-70.
  54. Inserted by G.O (P) 56/68/Edn. dated 6-2-68 published in Kerala Gazette dated: 20-2-68.
  55. Inserted by G.O (P) 89/69/Edn. dated 21-2-1969 published in Gazette dated 11-3-69.
  56. Added by G. O. (P) 110/74/G. Edn. dt. 11-6-74, published in Gazette dt. 9-7-74.
  57. Omitted by the G. O. (P) 124/71/S. Edn. dated 13-9-71 published on 12-10-71. The omitted Rule was "The number of post of [language teacher or High School Assistants for each language as the case may be] shall be distributed between the High School and the Primary school grades in accordance with the number of periods of work in the High School and Upper Primary Sections when the number of periods of work in the High School Section is such that there is still a balance after providing at the rate of one post for 25 periods of work, a full time post may be allowed for this balance also if there is an Upper Primary Section attached to the School" .
  58. Inserted by G.O (P) 456/61/Edn. dated: 02-08-1961 notification in Gazette dated 15-8-61 The heading "Training School" omitted by this notification.
  59. Substituted for the figure "30" by G.O (P) 179/69/Edn. dated; 30-04-1969 notification in gazette dated 13-5-1969.
  60. The words "and the maximum 40" deleted by G.O (P) 316/69/Edn. dated: 04-07-1968 notification in gazette dt.16-7-68
  61. Substituted by G.O (P) 327/70/S.Edn. dated: 18-07-1970 as per notification in gazette dated 2B-7-70 "Such unit changed as any unit or units."
  62. Substituted for "Physical Education Instructor" by G.O (P) 301/69/Edn. dated: 22-07-69 as per notification in gazette dt. 5-08-69.
  63. Substituted by G.O (P) 194/65/Edn. dated: 06-04-1965 as per notification in gazette dated 27-4-65.
  64. Substituted by G.O.(P)138/03/G.Edn dated 29th May 2003 published in Kerala Gazette dt 30-05-03.
  65. Added by G. O. (P) 176/80 G. Edn. dated 7-11-1980 published in gazette dated 7-11-1980.
  66. Omitted by G.O(P)138/03/G.Edn dt. 29th May 2003 Published in Gazette dt 30-05-03. The omitted rule ran as follows. **[12A. Review of staff fixation** :- Not with standing anything contained in rule 12, in the case of Government Schools the Educational Officer may fix the strength of the teaching staff based on the strength of the attendance as on the 6th working day after re-opening of the schools in June as reported by the Heads

of schools. Within a period of one month from the date of orders on staff fixation, the Educational Officers shall make surprise visits to the schools to check strength, attendance, accommodation etc, and review the staff fixation if found necessary. The fixation of staff shall be finalised not later than the end of August.

67. Substituted by G. O. (P) 94/71/S. Edn. dated 19-7-1971 in gazette dated: 27-7-71 for" 12 B Date of taking effect of staff fixation orders - The order of staff fixation shall take effect on the 6th working day after the re-opening of the schools in June. If additional posts are sanctioned against which fresh appointments are to be made such posts shall take effect from the 15th of July. If additional posts sanctioned are to be filled up by transfer of excess hands from other schools under the same Educational agency the posts sanctioned shall take effect from 6th working day after the reopening of the school in June"
68. Inserted by G.O. (P)269/75/G.Edn. Dated 6-11-75 in gazette dated 25-11-75.
69. Substituted by G. O. (P) 68/71/S. Edn. dated 4-6-71 published in gazette dated 8-6-71.
70. Substituted for "Regional Deputy Director" by G.O (P) 217/79/G.Edn. dated: 26-12-79 as per notification published on 28-12-1979.
71. Inserted with effect from 26-6-1986 by G. O. (P) 145/86G. Edn. dt.23-8-1986 published in gazette dt. 2-9-1986.
- \* Substituted for "Regional Deputy Director "by G.O (P) 217/79/G.Edn. dated: 26-12-79 notification published on 28-12-1979.
72. Substituted by G. O. (P) 94/71/S. Edn. dated 19-7-1971 in gazette dated: 27-7-71 for the words" the 6<sup>th</sup> working day after the reopening of schools in June" .
73. Added by G. O.(P) 206/77/G. Edn. dt. 10-10-1977 published in gazette dt. 8-11-77.
74. Rule 12E amended and 12F introduced by G. O. (P) 91/77/G. Edn. dt. 6-4-1977 published in gazette dt. 7-6-77.
- \* Substituted for "Regional Deputy Director" by G.O (P) 217/79/G.Edn. dated: 26-12-79 notification published on 28-12-1979.
- \*\* The powers of the Director has been delegated to Joint Director by notification dated: 17-11-1977.
75. Added by G. O. (P) 79/78/G. Edn. dated 21-6-1978 published in Gazette dated 11-7-78.
76. Inserted by G. O. (P) 200/79/G. Edn. dated 23-11-1979 published in Gazette dated: 8-1-1980.
77. Rule 12E amended and Rule 12F introduced by G. O. (P) 91/77/G. Edn. dated 26-4-1977 published in the Gazette dated 7-6-77.
78. Added by G. O. (P) 75/67/Edn. dated 16-2-1967 published in Gazette dated: 28-2-67.
79. Added by G. O. (P) 199/69 Edn. dt. 15-5-69 published in gazette dt. 10-6-69.
80. Added by G.O.(P) 166/74/G.Edn. Dated 21-8-74 published in gazette. Dated 24-9-1974.
81. Added by G. O (P) 130/78/G. Edn. dated 23-9-78 published in gazette dated: 27-9-1978.
82. Added by G.O (P) No. 159/2010/G.Edn. dated: 07-08-2010 published in the gazette dated: 10-08-2010.



<sup>1</sup>[CHAPTER] <sup>2</sup>[XXIV](A)**NON - TEACHING STAFF OF AIDED SCHOOLS**

- <sup>3</sup>1. The number of persons that may be appointed in the Non- teaching establishment of aided schools may be as follows-

**Upper Primary Schools (complete) Basic and Non-Basic - one Peon**

**High Schools (complete)**

1. One Lower Division Clerk for schools with a strength below 1500 and two for schools with a strength of 1500 and above and excluding the strength in the Lower Primary Classes, if any.
2. Peons Two in general.
3. Sweepers and other staff -Two full time posts for Schools having a strength of 700 and above up to 1500, 3 posts for schools having a strength of 1500 and above. <sup>4</sup>[For strength below 700, only one full time post will be allowed]. These persons are intended to be Sweepers, Scavengers, Watchers, Gardeners etc. <sup>5</sup>[In computing the strength of High Schools, the strength in Lower Primary classes, if any, shall be excluded].

**High Schools (incomplete)**

Schools with Std. VIII as the highest		Schools with Std. IX as the highest with a strength of 700 and above but below 1500	Schools with Std. IX as the highest with strength of 1500 and above
Peons	1	2	2
Other members Such as sweepers, watchers etc. }	1 Part-time	1 Full- time 1 Part-time	2 Full- time 1 part-time
<b>Higher Secondary Schools Training School</b>			As for High Schools One Lower Division Clerk One Attender <sup>6</sup> [x x x x] One Part-time Sweeper

<sup>7</sup>[Provided that qualified non- teaching staff appointed against sanctioned posts prior to 1969-70 on a regular basis will be allowed to

continue as such. They shall, if they are qualified, be appointed either by transfer or by promotion against permanent vacancies that may arise in the same school or the schools under the same Educational Agency and upon such appointments being made, the posts already held by them as excess shall be abolished. If there are no vacancies for such appointments they may be allowed to continue as such till such posts become vacant by death, retirement, resignation and the like and these posts shall be abolished as soon as they become so vacant.

**Note :-** (1) In schools where diversified courses are introduced special staff may be sanctioned by the Director according to the nature of the course.

(2) None of the members of non- teaching staff, if any, of the Lower Primary Schools shall be entitled to Government rates of pay].

<sup>8</sup>**[Explanation:-** (I) The posts of Sweepers and other staff mentioned in this rule shall be a feeder category for appointment to the post of peon].

<sup>9</sup>**[Explanation:-** (II) The post of Lower Division Clerk shall be filled up by promotion of <sup>10</sup>[attenders], peons, Sweepers and other staff, if they possess the qualification prescribed for the post of Lower Division Clerk in sub-rule (1) or rule 2. If there are more than one claimant for appointment as Clerk under these categories preference shall be given in the order of <sup>10</sup>[attenders], Peons, Sweepers and other staff. If there are more than one claimant under a particular category, the order of preference shall be according to the date of their first appointment. If the date of first appointment be the same, then preference shall be given with reference to age, the older being given first preference].

<sup>11</sup>**[1A.** The provisions contained in rules 12, 12B, 12C, 12D, 12E and 15 in Chapter XXIII for the fixation of strength of the teaching staff in aided school shall mutatis mutandis apply to the fixation of strength of the non-teaching staff in aided schools also with exceptions that the strength of schools referred to in rule 1 shall mean effective strength and the effective strength shall be calculated on the basis of the total roll strength and the actual attendance on the date of visit of the Educational Officer to all Upper Primary and High School classes taken together for the purpose of sanctioning posts of non-teaching staff.]

<sup>12</sup>**[2. (1) Qualifications:-**The minimum qualifications of the non-teaching staff shall be as follows:-

Category	Qualifications
1. Clerks	A pass in S. S. L. C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent.
2. Attenders	A pass in S. S. L. C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent.
3. Peons	Should be literate.
4. Other members such as Sweepers, Watchers.	Good Physique]

<sup>13</sup>**(2) Age limits** :-The lower age limit for appointment as a member of the non-teaching staff shall be 18 and the upper age limit 45. No person appointed to the non-teaching staff shall continue in service beyond the age of 60 <sup>14</sup>[and the service beyond the age of 55 years shall not qualify for pension and gratuity].

<sup>15</sup>[In reckoning the age - Limit the period of service in the defence services otherwise than as a civilian officer, shall be excluded].

<sup>16</sup>**[Note:-** Government may however grant exemption from age limit in cases where the person to be appointed has had long previous experience in similar post to his credit].

**3. Salary** :- (1) All those who possess the qualification prescribed in Rule 2 shall be paid salary at the Government rates.

(2) The under- qualified persons already in service shall subject to Rule 4 below be paid salary at the rates they were drawing under the managements.

<sup>17</sup>[Provided further that under -qualified persons other than clerks who were in service on 1<sup>st</sup> July 1959, shall be exempted from the qualifications prescribed in sub-rule (1) of rule 2 and shall be paid salary at the Government rates if they have put in a continuous service of not less than 15 years on that date, and in the case of others, when they complete 15 Years of continuous service. They shall however be entitled to arrears of salary only from 1<sup>st</sup> July 1963. The under qualified clerks holding regular posts will be given a consolidated pay and allowances of Rs. 100 per mensem till they acquire the prescribed qualification or complete 15 years of continuous service].

**4. Continuance in old scales:-** Notwithstanding anything contained in Rule 3(1) the salary of the non-teaching staff of the aided schools appointed, before 31<sup>st</sup> May 1957, and continuing in office at the

commencement of Section 9(2) of the Act shall be paid by the Government on the scales applicable to them immediately before 31-5-1957. The pay in the scales should have been arrived at in the normal course of increments. Abnormal increase in pay as disclosed by the acquittance rolls for one year previous to 1-6-1957 or other records of the school shall be ignored.

5. **Option to come to new scales:-** If any member of the non-teaching staff coming under Rule 4, having the prescribed qualifications opts the Departmental scale, he shall be allowed to do so and his pay in the new scale on the date of these Rules come into force shall be fixed in the incremental stage just above his pay in the old scale if the pay in the old scale is not a stage in the new scale. If it is a stage in the new scale the pay shall be fixed at that stage. The option once exercised shall be final.
6. **Excess non-teaching staff:-** (1) The non-teaching staff in the Malabar area in excess of the number fixed by Rule 1 including those in Lower Primary Schools, appointed under the Madras Rule shall continue on the salary and grade allowed by the Department under the Grant-in-aid system. Similarly the excess number in the T.C. area, if any including those in Lower Primary Schools also may be allowed to continue on the salary and grade sanctioned by the managements as evidenced by the acquittance rolls and other records of the school.

**Note :-** (i) The excess hands appointed after the introduction of the scheme of direct payment of salary <sup>18</sup>[in T.C. area] have no claim to continue and receive salary from Government;

<sup>19</sup>[Provided that this rule shall not apply to persons appointed prior to 28-6-1959 in schools coming under Madras Grant-in-aid Code, to posts sanctioned with reference to the scale of non-teaching staff prescribed in the Madras Audit Guide or to those appointed to posts rendered vacant in the normal course] <sup>20</sup>[or to persons appointed before 1-10-1968 in schools in the erstwhile Travancore- Cochin area].

(ii) This rule shall not apply to non-teaching staff engaged for sweeping work for which maintenance grant is given as per rules for payment of maintenance grant.

<sup>21</sup>[(2) Vacancies of any category arising in the school shall be filled up by appointment from among the qualified excess and protected non-teaching staff in any category. If there are no such excess and protected non teaching staff in any of the categories, the vacancy shall be filled up by appointing qualified' non-teaching staff as provided under rule 7 of Chapter XXIV (B)].

7. Any person appointed to the non-teaching staff of an aided school on or after the 31<sup>st</sup> May 1957 shall be eligible only for salary at Government rates, if the salary allowed by the management is in excess of the Government rates of Salary.
8. **Leave rules:-** In the matter of casual leave and all other kinds of leave the non- teaching staff in aided school shall be governed by the rules for non-teaching staff of Government schools in the Service Regulations for the time being in force.
- <sup>22</sup>[8A. The rules in Chapter XXVII A relating to pension except rules 8 shall mutatis mutandis apply to the non- teaching staff also who have opted for these rules.].
- <sup>23</sup>[9. Notwithstanding anything contained in these rules, if it is found necessary, Government may by orders extend any ban on the creation of posts, retrenchment of staff etc., affected by them in Government schools to aided schools].
- <sup>24</sup>[9A. The manager shall give employment to a dependent of the non-teaching staff of an aided school dying in harness. Government orders relating to employment assistance to the dependents of Government servants dying in harness shall, mutatis mutandis, apply in the matter of such appointments].

1. Added by notification No. Ed. (C. Special 50398/59/EHD. 28-6-59 published in Gazette dated 30-6-59.
2. Chapter XXIV renumbered as XXIV (A) by G. O. (P) 113/65/Edn. dated 20-2-65 published in gazette dt. 23-2-65.
3. Substituted by G.O(P) 199 /69/Edn. dt. 15-5-69 published in Gazette dt. 10-6-69.
4. Substituted for 'For strength 700 and below only one full-time post will be allowed' by G. O. (P) 270/70/Edn. dated 24-06-1970 published in K. G. dated: 07-07-2010
5. Inserted by G. O. (P) 72/74/S. Edn. dated 22-4-74 in gazette dated 25-6-74.
6. The words "in the cadre of Peon" omitted by G. O. (P) 83/85/G. Edn. dt. 2-5-85 published in gazette dt. 25-6-85.
7. Substituted for the existing proviso by G.O. (P) 140/71/S. Edn. dated:11-10-71 in gazette dated 9-11-71 for "Provided that qualified Non teaching Staff appointed against sanctioned posts prior to 1969-70 on regular basis may continue as such till such posts become vacant by retirement resignation and the like. Such posts shall be abolished as soon as they become vacant".
8. Added by G. O. (P) 85/72/S. Edn. dated 17-6-72 in gazette dated 27-6-72.
9. Inserted by G. O. (P) 132/82/G. Edn. dated 17-9-82 published in gazette dated: 19-10-82.
10. Inserted by G. O. (P) 327/2002/G Edn. dated 31-10-2002 published in gazette dated 11-11-2002.
11. Substituted by G. O. (P) 179/88/G. Edn. dt. 7-12-88 published in gazette dt. 10-1-89.

12. Substituted by G. O. (P) No. 10/93/G. Edn. dated 14-1-93 published in Gazette dated 14-1-93. for "2. (I)  
**Qualifications** - The minimum qualifications of the non- teaching staff shall be as follows:-  
 Clerks ..... S. S. L. C. Peons ..... Should be literate  
 Attenders .....S. S. L. C. Other members such as sweepers, watchers  
 ..... Good physique
13. Added by G.O (P) 61/Edn. dated: 29-01-60 as per notification in gazette dated: 1-3-60.
14. Added by G. O. (P) 14/73/S. Edn. dated 29-1-73 in Gazette dated 27-3-73.
15. Added by notification in Gazette dated 12-2-63.
16. Added by notification in Gazette 23-5-61.
17. Substituted by the notification dt. 6-11-68 in Gazette dated 10-12-68.
18. Inserted by notification dt. 8-3-63 in Gazette dated 2-4-63.
19. Substituted by notification in gazette dated 2-4-63 for "Provided that this shall not apply to persons appointed to posts rendered vacant in the normal course"
20. Inserted by notification dt. 24-6-70 published in Kerala gazette dated: 7-7-70.
21. Rule 6 renumbered as Sub-rule(1) of that rule and after Sub-rule (1) as so renumbered this inserted by G.O (P) 85/72/S.Edn. dated: 17-06-72 dated: 17-6-72 published in gazette dated: 27-6-72.
22. Added by G. O. (P) 14/73/S. Edn. dated 29-1-73 in gazette dated 27-3-73.
23. Added by notification dated: 16-2-67 in gazette dated 28-2-67.
24. Inserted by G.O.(P) 55/90/G.Edn. dt. 30-3-90 published in Kerala Gazette dt. 30-3-90.

<sup>1</sup>[CHAPTER XXIV (B)

1. The rules in this Chapter shall apply to-
  - (i) Non- teaching staff of aided schools who are in service on 01-10-1964 and who opt under Rule 2 to be governed by these Rules; and (ii) Non-teaching staff of aided schools appointed after 01-10-1964; Provided that nothing contained in this Chapter shall apply to the non-teaching staff who continue in service after attaining the age of superannuation on or before 01-10-1964.
2. Subject to the provisions of Rule 1, non-teaching staff who are in service on 1-10-64 shall be given the option either to continue under the Rules in Chapter XXIV (A) or to come over to these Rules. Such option shall be exercised within a period of three months from the commencement of these Rules or within such further time as the Government may specify in this behalf and the option so exercised shall be final. Non-teaching staff who have not exercised any option within the prescribed period shall be deemed to have opted for these Rules.
3. The strength of the non-teaching staff shall be the same as prescribed in Rule 1 of Chapter XXIV (A).
- <sup>2</sup>[3A. The provisions contained in Rules 12A and 12B in Chapter XXIII for the fixation of the strength of the teaching staff in aided schools shall mutatis mutandis apply to the fixation of strength of the non-teaching staff in aided schools also].
4. The qualifications of the non-teaching staff shall be the same as the qualifications prescribed for the non-teaching staff in Government schools.
5. The conditions regarding age limit and the relaxation there of for appointment of non-teaching staff in Government schools shall apply to the non-teaching staff of aided schools. <sup>3</sup>[The date for determination of age for eligibility for appointment shall be the 1<sup>st</sup> January of the year in which the appointment is to be made]. The age of retirement on superannuation shall be the same as that of the corresponding non teaching staff in Government schools.

<sup>4</sup>[Provided that in reckoning the age limit the following periods of service, shall be excluded:

- (1) in the defense services otherwise than as Civilian Officer: and

- (2) service duly approved in a lower post under the same management (in case of appointment to higher grade post without break of service under the same management) shall be excluded].
6. Rules 3, 4, 5, 6, 7 and 8 of Chapter XXIV (A) shall also apply to the non- teaching staff governed by these Rules.
  7. The rules regarding appointment, probation <sup>5</sup>[increment] <sup>6</sup>[transfer from one educational agency to another educational agency or transfer under the same educational agency] <sup>7</sup>[discipline, maintenance of service records confirmation, promotion, seniority, and maintenance of seniority list] contained in Chapter XIV (A) and the Conduct Rules in Chapter XIV (C) applicable to teachers of aided school shall mutatis mutandis apply to the non-teaching staff in aided schools <sup>8</sup>[x x x x].
  8. The Rules in Chapter XXVII (B) relating to retirement benefits and Provident Fund shall mutatis mutandis apply to the non- teaching staff also who opt for these Rules and who give an undertaking as contemplated in Rule 2, Chapter XXVII (B).
  - <sup>9</sup>9. Notwithstanding anything contained in these rules, if it is found necessary, Government may by orders extend any ban on the creation of posts, retrenchment of staff etc., effected by them in Government schools to aided schools].

1. Chapter XXIV renumbered as XXIV (A) and this added as Chapter XXIV (8) by G.O. (P) 113/65/Edn. dated 20-2-65 published in gazette dated: 23-2-65.
2. Added by G.O (P) 330/68/Edn. Notification dated 12-7-68 and published in gazette dated 6-8-68.
3. Inserted by G.O.(P) 183/81/G. Edn. dt. 20-10-81 published in gazette dt. 24-11-81.
4. Added by G. O. (P) No. 208/81/G. Edn. dt. 19-11-81 published in gazette dt.15-12-81.
5. Inserted by G.O. (P) 214/81/G. Edn. dated 28-11-81 published in Gazette dt. 22-12-81.
6. Substituted for the words "transfer under the same educational agency" by notification in the gazette dt. 7-1-1969(G.O (P) No. 520/68/Edn. dated: 26-11-1968.
7. Substituted by G.O (P) No. 497/69/Edn. dated: 22-12-1969 and published in gazette dated 6-1-70 for the words "and discipline"
8. The words "subject to the following modifications" and sub-rules (a) to (e) are omitted by G.O. (P) 175/88/G. Edn. dated 1-12-88 published in Gazette dated 3-1-89. Omitted sub-rules (a) to (e) are as follows.
  - (a) No member of the non-teaching staff shall be placed under suspension by the manager for a continuous period exceeding 15 days without the previous sanction of the educational Officer.
  - (b) The authority which may impose the penalty of with-holding increments or promotion or reduction to a lower stage in a time scale shall be the Manager who shall consult the Headmaster before imposing the penalty.



The Educational Officer shall also be informed of the imposition of the penalty.

(c) The penalty of reduction to a lower rank in the seniority list or to a lower post may be imposed by the manager who shall consult the Headmaster before imposing the penalty. The Educational Officer shall also be informed of the imposing of the penalty.

(d) The penalty of recovery from pay of the whole or part of any pecuniary loss caused to the Government or the School by negligence or breach of orders shall be imposed by the Educational Officer"

(e) The penalty of removal or dismissal from service can be imposed by the manager only with the sanction of the Educational Officer.

9. Added by G.O (P) No. 75/67/Edn. dated: notification dated 16-2-67 and published in gazette dated 28-2-67.

<sup>1</sup>[CHAPTER XXV**ADMISSION TO TEACHERS' TRAINING SCHOOLS**

- <sup>2</sup>[1. Training Schools shall mean an institution which provides instruction and training leading to the Teacher's Training Certificate Examination according to the scheme laid down.
2. In order that the Training School shall develop its individuality and become a centre of activity and a source of inspiration to the neighboring Primary Schools, Training Schools which are attached to High Schools shall be separated from the High Schools and placed under the independent charge of a Headmaster.
3. Every Training School shall have a Primary School up to and including Standard VII attached to it as demonstration school. The Headmaster of the demonstration school shall, in academic matters, be under the orders of the Headmaster of the training school to which it is attached. Till the separation of Training schools from High Schools, the Lower and Upper Primary Sections of the Secondary Schools may be used as the demonstration schools. If the number of divisions in a demonstration school is not found sufficient, the Director may allow <sup>3</sup>[the Lower and Upper Primary sections of a neighboring Secondary School even if it is under] a different management to be utilized as the demonstration school for Training school.

**Note:-** This rule shall not apply to existing Training Schools for 5 Years from the date of coming into force of this rule.

4. The teachers training course for primary school teachers shall be of the basic pattern and it shall be of 2 years duration with <sup>4</sup>[220 instructional days excluding the dates for examination] in each year. The curriculum for training shall be prescribed from time to time by the Department. Facilities shall be provided for community living; where facilities for community living are not readily available, it should be practiced through camps extending for a period of not less than <sup>5</sup>[fifteen days] preferably during summer vacation. Where there are contiguous Training Schools the camps may be held jointly for trainees of those schools.
5. Admission to the Government Training Schools and Aided Training Schools shall be open to candidates having the qualifications specified by Government in this behalf.
- <sup>6</sup>[6. Twenty per cent of the seats in Aided Training Schools other than those belonging to Minority Communities, shall be reserved for selection by the managers of the respective Training Schools on the basis of inter-se

merit of the candidates, arrived at by following the norms provided in rule 6A.

- 6A. Notwithstanding anything contained in rule 6, fifty per cent of the seats in Aided Training Schools, belonging to minority communities shall be filled up from among the students belonging to the minority community concerned, on the basis of the inter-se merit arrived at in accordance with the marks obtained in the following manner, namely :-

- |     |   |       |
|-----|---|-------|
| (a) | marks obtained in the qualifying examination  | : 80% |
| (b) | Marks obtained in the interview   | : 10% |
| (c) | Proved ability in sports and games and achievements in Youth Festival in the following order of Priority. |       |
|     | All India level State level District level Sub District level   | : 10% |

- <sup>7</sup>[7. Selection of candidates for sixty per cent of the seats in Aided Training Schools and for eighty percent of the seats in Government Training Schools shall be made by a Selection Committee consisting of a member of the Public Service Commission as Chairman and an Official nominee of the Education Department. There shall be a Selection Committee for each Revenue District.

<sup>8</sup>[Note: - Two percent of the total seats under the open quota shall be reserved for qualified orthopaedically handicapped persons].

8. In the remaining twenty percent of seats, the Director shall depute untrained teachers employed in Government <sup>9</sup>[x x x x] Schools for teachers training in Government and Aided Training Schools.

<sup>10</sup>[Provided that the teachers recruited through the Employment Exchange in Government Schools shall not be entitled for such deputation].

9. The rules relating to reservation for candidates belonging to the Scheduled castes, Scheduled Tribes and other backward classes in appointments in Government service shall be followed by the <sup>11</sup>[Committee] in making selection of candidates for admission to the Training Schools.

- <sup>12</sup>[10. The minimum qualification for selection for training shall be a pass in pre-degree examination conducted by any of the Universities in Kerala or pass in any examination recognised by any such university as equivalent to Pre-Degree examination or a pass in a higher secondary examination conducted by the Board of Higher Secondary

Examination, Kerala or any other examination recognised by the Government as equivalent thereto. The candidates should have obtained an aggregate minimum of 50% marks in the qualifying examination. In the case of candidates belonging to Scheduled Castes/Tribes and other backward communities a concession in the aggregate minimum marks required for admission shall be allowed by 2%. Those who had taken more than three chances to pass the qualifying examination shall not be considered for selection. The restriction regarding percentage of marks and number of chances shall not apply to scheduled Caste and Tribes candidates. The applicants shall possess the qualifications specified for selection on the date of application and shall not be below 17 years of age or above 33 years of age on the first day of July of the year in which the notification inviting applications is published in the Gazette. The maximum age limit shall be relaxable by 3 years for backward classes and by 5 years for Scheduled Castes and Scheduled Tribes. For Ex-servicemen the age limit shall be relaxable to the extent of their period of service in Defence Forces. For candidates with previous teaching experience the age limit shall be relaxable to the extent of their period of service in departmental or private schools. Kannada & Tamil applicants will also be selected separately applying the above criteria.

However during the academic year 1998 -99, for 25% of the seats, minimum qualification will be retained as S. S. L. C. with an aggregate 50% marks.

**Note:** -The Government may grant exemption from age limits in appropriate cases].

<sup>13</sup>[11. x x x x]

12. Candidates who acquire the training qualifications shall, as far as possible, be absorbed as teachers in Government or private schools in the year in which they pass the examination, after giving preference to those who have already acquired requisite qualification in the previous year and remain unabsorbed.

<sup>14</sup>[13. The Director of Public Instruction may in consultation with the Public Service Commission lay down the procedure for selection of candidates <sup>15</sup>[in cases where the selection is to be made by the selection committees].

14. The number of candidates for selection by the Selection Committees shall be fixed by the Director of Public Instruction sufficiently in advance of the date fixed for re-opening of Training Schools in the succeeding year <sup>16</sup>[x x x].

- <sup>17</sup>[15. <sup>18</sup>(1) In any year, if admission of candidates to the first year Teacher's Training Course is found necessary on the basis of teachers requirements, the Director may, by notification, fix the date of the beginning of admission of candidates and no admission shall be made prior to the date so fixed.
- (2) Admission to a Training School shall be closed within two weeks of the re-opening day and no trainee shall be admitted there after without the previous sanction of the District Educational Officer.
16. If any person selected for training does not join the training School before the expiry of the two weeks from the re-opening day the fact shall immediately be reported by the Headmaster to the District Educational Officer concerned so that such vacancies may be filled up otherwise.
17. If a teacher in service who has been selected for training is unable to undergo the training he may apply to the District Educational Officer for exemption from training during that particular year, and the District Educational Officer may for satisfactory reasons, grant the exemption on condition that when the teacher is selected for training in any subsequent year, he will not be entitled to any stipend or allowances ordinarily available to teacher- trainees <sup>19</sup>[x x] If a teacher to whom no such exemption has been granted fails to join the Training School, he shall be liable to such disciplinary action as the District Educational Officer may deem necessary in the circumstances.
18. (1) Every candidate for admission to a Training School shall present an application for admission to the Head master of the Training School, accompanied by the order selecting him for training. In the case of teachers selected from schools, the relieving order from the institutions in which the candidates have lien permanent or temporary, is also necessary.
- (2) Every non-teacher selected for training shall be required to produce along with his application for admission:
- (a) A transfer certificate from the Institution last attended by him;
  - (b) A certificate of health in Form 42 from a Medical Officer not below the rank of an Assistant Surgeon;
  - (c) A certificate in proof of his general qualifications;
  - (d) A certificate of conduct signed by a person competent to issue such certificate. These certificates shall be filed in the Training School in serial order with the admission numbers of the trainees endorsed on them.
- <sup>20</sup>[19. (1) A trainee may for satisfactory reasons be transferred from one training school and admitted to another training school with the

sanction of the Educational Officer who is the controlling Officer of the school to which the transfer is applied for.

(2) A trainee may for satisfactory reasons be allowed to withdraw from the training school under orders of the Educational Officer].

20. If a trainee has withdrawn from school with permission, he shall be exempted from the payment of all installments of fees for the months subsequent to the month of withdrawal.

<sup>21</sup>[20A. If a trainee has withdrawn from the school without permission he shall pay the balance amount of fees for the entire course of two years and no transfer certificate shall be given or the S. S. L. C. Book shall not be returned to him unless he pays such balance amount].

21. Subject to the minimum attendance in Rule 22, teachers of Government schools and aided schools while under training, may be granted casual and other kinds of leave to which they are eligible in accordance with the conditions of their service and other trainees may be granted leave of absence at the discretion of the Headmaster.

22. (1) <sup>22</sup>[Every trainee shall be required to attend school on at least 85 per cent of the total number of working days as on the <sup>23</sup>[last day of April] of the school year]. If a trainee's attendance is less than 85 percent the deficiency upto 15 percent of the minimum attendance prescribed may be condoned by the District Educational Officer. <sup>24</sup>[In the case of trainees who have to be under treatment on account of ailment of long duration and in cases of leave for maternity purpose, the <sup>25</sup>[Deputy Director (Education)] may condone the deficiency in attendance up to a maximum 25 percent of the prescribed minimum attendance.

(2) In the case of a trainee who withdraws from the Training School with permission and is readmitted during the next year, credit shall be given for attendance earned by him during the former year or such part thereof as may be fixed by the District Educational Officer for calculating the attendance for the latter year.

<sup>26</sup>[(3) In the case of trainees who are selected as substitute to the absentees the minimum attendance of 85 per cent shall be reckoned from the date on which they actually join the institution.]

23. <sup>27</sup>[(1) No trainee who has failed to secure the minimum attendance prescribed in Rule 22 shall be permitted to sit for the Teacher's Training Certificate Examination, unless the deficiency in attendance has been condoned.

<sup>27</sup>[(2) The trainees whose, deficiency in attendance exceeds 25 percent shall be required to undergo the course again in the succeeding year].

24. If a trainee has been absent without leave for fifteen working days continuously his name shall be removed from the rolls, and the fact reported to the District Educational Officer. Trainees once removed from rolls may be re-admitted with the sanction of the District Educational Officer.
25. No trainee shall be admitted to a school without realising the first instalment of tuition fees, games fees, library fee and stationery fee. The second instalment of games fee, library fee and stationery fee shall be collected along with the 5<sup>th</sup> instalment of tuition fees.
26. No trainee from whom there are any dues to the school shall be admitted to the Teachers Training Certificate Examinations nor employed in any recognised institution in the State; and no certificate of any kind shall be issued to such trainee.
27. Teachers deputed from Government <sup>28</sup>[x x x] Schools for training shall be eligible for stipend/ subsistence allowance in accordance with the rules in force from time to time. <sup>29</sup>[All trainees deputed by Director shall execute bonds in the prescribed form undertaking to serve as teachers, if so required within a period of six months in any institution according to their qualification for a period of three years after completion of the training].
28. (1) Subject to such exemptions and concessions as Government may make by notification in the official Gazette from time to time, tuition fees and special fees shall be collected from trainees at the rates given below:-
  - (a) Tuition fee Rs. 50 (Fifty) per annum in eight equal monthly instalments, the first instalment at the time of admission and the subsequent instalments on the 10<sup>th</sup> (or on the next working day if 10<sup>th</sup> is a holiday) <sup>30</sup>[of September, October, November, December, January, February and March].
  - (b) Games fee <sup>31</sup>[Rs. 2 (two)] per annum in two equal instalments.
  - (c) Library fee <sup>31</sup>[Rs. 2 (two)] per annum in two equal instalments.
  - (d) Stationery fee <sup>31</sup>[Rs. 2 (two)] per annum in two equal instalments.
- (2) If any instalment of tuition fee is not paid on the due date a fine of Fifty Naya Paise shall be levied when the fee for that instalment is paid. The corresponding fine in respect of special fees not paid on the

due dates shall be 15np. When more than two instalments with fine are realized at one time, the fine collected shall not exceed Rs.1.50 (Rupees one and Paise Fifty). If the instalment due for any month is not paid before the last day of the month, the trainee will not be allowed to attend the school nor granted any leave of absence.

29. The games fee, library fee and stationery fee shall be utilised for the respective purposes. The procedure for accounting and operating these fees shall be the same as that prescribed for special fees.
30. Whenever it is uneconomical to establish separate training schools for men and women, common schools shall be conducted and in such schools adequate facilities for women students shall be provided.

### EXAMINATIONS

31. (1) During the Teachers Training Course, there shall be two public examinations, one at the end of the first year and the final examination at the end of the second year. A trainee whose progress in the first year class is satisfactory on the basis of the sessional marks and practical work, may be promoted to the second year class, irrespective of the fact whether he secures pass marks or not at the public examination.
 

(2) A trainee who fails in one or more subjects in any or all the parts may <sup>32</sup>[x x x x] appear in the subject or subjects concerned at subsequent examinations. He shall be awarded the Trained Teachers' Certificate only after he has passed in all subjects in Parts I and II and in part III on the basis of internal assessment.

(3) The fee for the whole examination is <sup>33</sup>[Rs. 15] for the first year and <sup>34</sup>[Rs. 20] for the final examination. The fee for each of the subjects under compartmental system shall be Rs. 3 subject to a maximum of Rs 15.
32. The Head of any Training School shall report to his official superior and the Director any teacher who, in his opinion, is unable to profit by continuing in attendance or who is absent without leave, persistently neglectful of his work or guilty of serious misconduct. In extreme cases of inefficiency in theoretical or practical work <sup>35</sup>[x x x x] a student may not be presented for the examination by the Head of the Training School.
33. Students admitted to Training Schools shall be considered to be on probation for 50 working days. If during this period the head of the institution finds that any student is not likely to prove an efficient teacher, such student shall with the sanction of the Controlling Authority, be required to leave the institution after the issue of a



show cause notice and obtaining the written explanation of the trainee concerned. In case of an untrained teacher selected by the Public Service Commission for appointment in Government Schools, the procedure laid down in the general rules relating to Kerala State and Subordinate Services for the termination of probation of Government servants shall be followed. The trainees shall not be required to refund the amount drawn, if any, as stipend or subsistence allowance during probation if he is found unfit at the end of the period of probation].

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1. Added by G. O (P) 307/61/Edn. dated: 15-05-1961 and published in gazette dated: 30-5-61.
  2. Original rules 1 to 10 renumbered as rules 5 to 14 and this inserted as rules 1 to 4 by G.O(P) No. 461/63/Edn. dated: 12-07-63 published in gazette dt. 23-7-63.
  3. Substituted by G.O (P) 797/63/Edn. dated: 04-12-63 published in gazette dated 24-12-63 as modified by the legislative Assembly.
  4. Substituted for "200 working days" by G.O (P) No. 164/70/Edn. dated: 10-04-1970 published in gazette dt. 21-4-70.
  5. Substituted for the words "one month" by G.O (P) 492/69/Edn. dated: 17-12-69 in gazette dt. 30-12-69.
  6. Substituted by SRO 945/97 published in gazette dt. 29-11-97(G.O. (P)471/97 dt. 29-11-97) for" 6. Twenty percent of the seats in Aided Training Schools shall be reserved for selection by the Manager of the respective Training Schools" .
  7. Substituted by G.O (P) 254/64/G.Edn. dated: 06-05-1964 published in gazette dated 12-5-64.
  8. Added by G. O. (P) 191/77/G. Edn. 13-9-77 published in gazette dated: 11-10-77.
  9. The words "and private" omitted by notification in gazette dated 10-8-71.
  10. Added by G.O (P) 579/65/Edn. dated: 25-10-65 and published in Gazette dt. 23-11-65
  11. Substituted by G.O (P) 254/64 Edn. dated: 06-05-64 and published in notification dated gazette dated: 12-5-64 .
  12. Substituted by G. O. (P) 471/97/G. Edn. dated: 29-11-97 SRO 945/97 published in gazette 1670 dated 29-11-97"
  13. Rule 11 deleted by G.O (P) 254/64/Edn. dated: 06/05/64 and published in gazette dated 12-5-64.
  14. Rules 13 and 14 substituted by G.O (P) 254/64/Edn. dated: 06-05-64 and published in gazette dated: 12-5-64.
  15. Substituted for the words "by the committees for training" by notification in gazette dated 30-5-67.
  16. The words "and the Director of Public Instruction shall issue the notification inviting applications and the selection committees shall take further steps to select candidates in each Revenue District" Omitted by notification dt. 18-5-67 in gazette dated 30-5-67.
  17. Rule 15 to 33 added by G.O (P) 461/63 dated: 12-07-63 Gazette dated 23-7-63.
  18. Substituted by notification in gazette dated 21-3-1972 for" (1) Every year the Director shall by notification fix the date of the beginning of admission of candidates in the 1st year Teachers Training Course and no admission shall be made prior to the dates so fixed"

19. The sentence "Under exceptional circumstances the Director may waive the above condition" omitted by G.O (P) 42/65/Edn. dated: 25-01-65 and published in Gazette dated: 1965.
20. Substituted by G. O. (P) 53/79/G. Edn. dated 6-4-79 published in gazette dt. 1-5-79 for " A trainee may, for satisfactory reasons, be transferred from one training School and admitted to another or allowed to withdraw from the Training School, under orders of the Director"
21. Added by G.O (P) 189/69/Edn. dated: 09-05-69 published notification in Gazette dated 20-5-1969.
22. Substituted for the first sentence by notification in Gazette dated 3-1-1967.
23. Substituted for the words" last day of February" by GO(P) No. 164/70/Edn. dated: 04-07-70 published in Gazette dt. 21-4-1970.
24. Substituted for the third sentence by G.O (P) 426/69/Edn. dated: 11-11-69 notification published in Gazette dt. 18-11-1969.
25. Substituted by G. O. (P) No. 217/79/G. Edn. dated 26-12-79.
26. Added by notification in gazette dated 15-12-64
27. Rule 23 renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered sub-rule (2) inserted by notification in gazette dated 26-1-71.
28. The words "and aided" omitted by notification in gazette dated 10-8-71.
29. Substituted by notification in gazette date 10-8-71 for "All trainees should execute bonds in the prescribed form undertaking to serve if so required, as teachers in a Recognized or Aided or Government School as the case may be, for a period of 3 years after completing their training".
30. Substituted for the words "of July, August, September, October, November, December and January" by notification dated 4-4-70 in' gazette dated: 21-4-1970.
31. Substituted for "Re 1 (one) " by G.O (P) 442/69/Edn. dated: 11-11-69 published in gazette dt. 25-11-69.
32. The words be permitted to' omitted by G.O (P) 436/64 dated: 14-08-64 published in gazette dated:1-9-1964.
33. Substituted for "Rs. 12" by G.O. (P) 101/69/Edn. dated: 05-03-69 published notification in Gazette dated 18-3-69.
34. Substituted for "Rs. 15" by G.O (P) 101/69/Edn. dated: 05-03-69 published in Gazette dated: 18-3-69.
35. The words "or of physical incapacity" omitted by G.O (P) 816/63/Edn. dated 17-12-63 published notification in Gazette dt. 24-12-63.

<sup>1</sup>[CHAPTER XXVI**SCALES OF PAY OF AIDED SCHOOL TEACHERS**

1. <sup>2</sup>[(1) Teachers of Aided Lower Primary, Upper Primary, High and Training Schools shall be paid the scale of pay applicable to teachers of Government Lower Primary, Upper Primary, High and Training Schools. The Headmaster of an Aided Lower Primary School, or the Headmaster of an Aided Upper Primary school shall be given the scale of pay applicable to the Headmaster of Government School only if he has put in a minimum of 15 years continuous service as teacher in schools recognised by the Department. Those Headmasters who have not put in this minimum service shall be given their grade pay and supervision allowance as may be fixed by Government until they complete the prescribed minimum service].

<sup>3</sup>[(2) There shall be two scales of pay for teachers of aided primary schools, as in the case of teachers of Government Primary Schools. All categories of Primary school teacher who have completed 15 years of continuous service shall be given the higher scale of pay and others shall be given the lower scale of pay] <sup>4</sup>[Boys service i.e., in the service rendered before 18 years of age shall not count for the grant of higher scale of pay.].

<sup>5</sup>[(3) In Aided Primary schools where managers expect undue delay in getting the seniority lists approved, the Managers may promote as Headmasters a qualified teacher temporarily until a teacher is promoted in accordance with the rules, subject to the condition that he shall not be regarded as a probationer in higher category or entitled by virtue of such promotion to any preferential claim to future promotion to such category, when such a person is subsequently promoted to the higher category.

(4) When the provisional promotes are promoted on a regular basis, later on in accordance with the rules, after the approval of the seniority list by competent authority, they will commence probation in such category from the date of such promotions or from the dates of their earlier temporary promotions whichever is regular, according to seniority.

(5) The persons will be eligible to draw increments in the time scale of pay applicable to them from the date of commencement of probation but shall not be entitled to arrears of pay.

(6) The teachers promoted temporarily will be paid either the minimum of the higher time scale of pay or the pay admissible to

them in the higher time scale based on the pay in the lower time scale applicable to them under the rules regularising fixation of pay from time to time which ever is higher.]

<sup>6</sup>[1A. (1) The Government or the Director <sup>7</sup>[or <sup>8</sup>[Deputy Director (Education) concerned] <sup>9</sup>[or the Educational Officer concerned] shall have the power to order refund in appropriate cases of salary paid to teachers in excess of the amount legally due or payment made irregularly.

(2) The refund referred to in sub rule (1) may be effected either by adjustment in pay bills or in any other manner as the Government or the Director <sup>10</sup>[or <sup>7</sup>[Deputy Director (Education) concerned] <sup>11</sup>[or the Educational Officer concerned] may deem fit].

<sup>12</sup>[(3) An appeal from an order of refund of salary by the Educational Officer or the Deputy Director (Education) shall lie to the Director.

(4) No appeal under sub-rule (3) shall be entertained unless it is submitted within a period of one month from the date of receipt of the Order:

Provided that the Director may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient reason for not submitting the appeal in time].

<sup>13</sup>[2. There shall be two scales of pay for High School Assistants including H.S.As (Languages) of Aided Schools as in the case of High School Assistants including High School Assistants (Languages) in Government Schools. Those who have completed 12 years of continuous service as High School Assistants shall be given the higher scale of pay and the other shall be given the lower scale of pay. <sup>14</sup>[Boys service ie., the service rendered before 18 years of age shall not count for the grant of Higher scale of pay]

**Explanation:-** For the purpose of calculating 12 years continuous service as High School Assistants, service, rendered as Graduate Head masters of complete Upper Primary Schools shall also be reckoned. The higher and lower scales of pay referred to in this Chapter shall be such as may be fixed by Government from time to time. The conditions, the mode of fixation and the nature of service to be reckoned for sanctioning the higher scale of pay shall also be such as may be specified by the Government from time to time.]

<sup>15</sup>[3. The Headmaster of an Aided complete Secondary School Training School shall be given the Departmental Headmaster's scale of pay only if he has put in a minimum of 16 years of continuous service as graduate teacher in schools recognised by the department. Those

Headmasters with a minimum continuous qualifying service of 12 years as graduate teachers shall be given such allowance as may be fixed by Government.

Provided that the Head master appointed on a regular basis prior to the coming into force of these Rules shall be allowed to continue in their existing scale of pay].

4. In the case of incomplete High Schools, graduate teachers functioning as Headmasters may be given such allowance as may be fixed by Government.
5. The incumbents now holding the posts of Headmasters who do not have the qualifications prescribed in these rules may be allowed to continue in the scale of pay which applied to them prior to the issue of these rules in cases where such scale of pay is higher than what is admissible under these rules.

<sup>16</sup>[6. x x x x]

<sup>17</sup>[7. Specialist teachers and craft teachers in Aided Primary and High Schools shall be eligible for the lower and the higher scales of pay of the Specialist Teachers and Craft Teachers in Government Primary <sup>18</sup>[x x x] Schools. Such of the specialist or other teachers in High Schools as were receiving pay scales higher than the Primary Grade on the date of coming in to force of these rules shall continue on such higher scales.]

1. Added by G. O. (MS) 307/61/ Edn. Dt. 29-5-61 published in Gazette dt. 30-5-61.
2. Substituted with effect from 1-6-73 by G. O. (P) 136/88 G. Edn. dt. 8-9-88 published in Gazette dt. 15-9-88.
3. Substituted by G.O. (P) 146/71/S.Edn. dated: 22-10-71 published in Gazette dated: 9-11-71.
4. Inserted by G. O.(P) 253/76/G. Edn. dt. 27 -12 -76 published in gazette dt.18-1-77
5. Added by G. O. (P) 70/77/G. Edn. dated 31- 3-77 published in gazette dt. 3-5-77.
6. Added by G.O. (P) 59/72/S.Edn. dated: 10-04-72 published notification in gazette dated 25 -4- 1972.
7. Inserted by G. O. (P) 217/79/G. Edn. Dt. 6-12-79 in gaz. dt. 28-12-79.
8. Substituted by G. O. (P) 217/79/G. Edn. dt 26. 12. 79 and published in gazette dt. 28-12-79 for" Regional Deputy Director of Public Instruction".
9. Inserted by G. O. (P) 58/94/G. Edn. dt. 13-4-94 in gaz dt. 13 - 4- 94.
10. Inserted by G. O. (P) 59/77/G. Edn dt 25- 3- 77 in gazette dated 26- 4- 77.
11. Substituted by. G. O. (P) 217/79/G. Edn dated 26-12- 79 and published in gazette dated 28-12-79 for" Regional Deputy Director of Public Instruction
12. Inserted by G. O. (P) 58/94/G. Edn. dated 13- 4- 94 in gazette dt.13-4-94.
13. Substituted by G. O. (P) 146/71/Edn. dated 22-10-71 in gazette dated: 9-11-71.
14. Added by G. O. (P) 253/79/G/. Edn. Dated 27-12-76 in gazette dated: 18-1-77.
15. Substituted by G.O. (P) 45/68/Edn. dated: 31-01-68.

16. Omitted by G. O. (P) No. 146/71/ dated 22- 10- 1971 in gazette dated: 9-11-71
17. Substituted by notification G. O. (P) No. 146/71 dated: 22- 10-71 in gazette dated 9-11-71 for "7 Specialist Teacher and Craft Instructors in Aided Primary and Secondary Schools shall be eligible for the scale of the Specialist Teachers and craft instructors in Government Primary Schools. Such of the specialist or other teachers in Secondary Schools as may be receiving pay scales higher.
18. The words "and high" occurring at the end of the first sentence omitted by G.O (P) 81/72/Edn. dated: 14-06-72 published in Gazette dated: 27-06-72.

<sup>1</sup>[CHAPTER XXVII- A**PENSION PROVIDENT FUND AND INSURANCE FOR  
AIDED SCHOOL TEACHERS**

1. <sup>2</sup>[(a) The rules in this chapter shall apply only to those teachers to whom rules in chapter XIV (B) apply.]

(b) The Scheme of Pension-cum-Provident Fund cum-Insurance for aided school teachers will be governed by the following rules. Such of the teachers as are now governed by the Travancore Cochin Teacher's provident Fund Rules or the Madras Teacher's contributory Provident Fund Insurance Pension Rules shall have the option to be governed either by those rules or come under these rules. Such option shall be exercised within a period of three months from the commencement of these rule. Those who do not exercise such option within the time limit shall be deemed to have opted to continue under the old rules applicable to them.

<sup>3</sup>[Provided that Government may subject to such conditions as they may determine permit any of the aided school teachers who are governed by the old rule, to come under these Rules, if the applications for such change over to the new rules are made before <sup>4</sup>[31 December 1962].]

**I. PROVIDENT FUND**

2. (1) Every teacher shall subscribe to the contributory Provident Fund to be instituted by the Government in accordance with the rules to be framed regulating that Fund. Government shall also contribute in respect of each subscriber at the rate of 3 Naya Paise per rupee on the pay drawn by such during a financial year.

Note: Pay for purpose of this rule means basic pay drawn by a subscriber exclusive of all allowances.

(ii) The Government contribution shall cease from the date on which the teacher retires or attains <sup>5</sup>[the fifty -fifth year of the age], which ever is earlier.

**II. INSURANCE**

3. Every teacher shall within one year from the date on which he completes five years of service, insure his life for a policy maturing at the age of 55 years for the minimum amount specified below and keep the policy alive and unencumbered:-

Category	Those who have not completed the age of 30 years	Those who have completed the age of 30 years but not 35 years	Those who have completed the age of 35 years but not 40 years
(i) Lower & Upper Primary School teachers and other teachers in the same grade	1,000	800	600
(ii) Graduate teachers in the same or higher grade	2,000	1,600	1,200

Provided that if a teacher has already completed five years of service on the 1<sup>st</sup> June 1961 he shall insure his life within a period of one year from that date:

Provided further that if a teacher has already taken out an insurance policy for the minimum amount specified above and if it is unencumbered, he need not take out a fresh policy under this rule.

4. When a teacher belonging to the first category, mentioned in Rule 3 is appointed to a post included in the second category he shall within six months of such appointment, effect additional insurance so as to bring his total insurance to cover the minimum amount appropriate to his new category. No such additional insurance need however, be affected in cases, where in the opinion of the Educational Officer, the teacher's chances of holding the post in the second category are not such as to enable him to finance the policy for the higher amount.

**Note:-** Rules 3 and 4 shall not apply to a teacher who is wholly rejected for insurance as a 'bad life' or who has completed the age of 40 years.

5. If a teacher fails to comply with the provisions of Rule 3 or Rule 4 his increment may be withheld by the authority competent to do so under Rule 70 of Chapter XIV (A) and until he complies with such provisions.
6. A subscriber may, at his option, withdraw annually, from the portion of the accumulations in his Provident Fund representing his own subscription including interest thereon, the amount required for payment of Life Insurance premia. In the case of a teacher who defaults payments of Life Insurance premia, the Department may recover such defaulted amount from the pay of teacher and pay the same to the Insurance office direct. The Insurance policies shall be



produced once a year for inspection by the Headmaster in the case of teachers and by Educational Officers in the case of Headmasters.

7. A policy taken by a married teacher under these rules may be assigned to any member of the subscriber's family but not to anyone else as a gift or for value received.

**Note:-** For the purpose of this rules the term 'family' means and includes;

- (a) In the case of a male teacher:
- (1) Wife
  - (2) Minor children accepting daughter married and living with their husbands and not depending on the teacher.
  - (3) Unmarried major daughters solely dependent on the teacher.
  - (4) Married daughters widowed or divorced solely dependent on the teacher.
  - (5) Father and mother solely dependent on the teacher for maintenance
- (b) In the case of female teacher:
- (1) Minor children excepting daughters married and living with their husbands and not depending on the teacher.
  - (2) Unmarried major daughters solely dependent on the teacher.
  - (3) Married daughters widowed or divorced solely dependent on the teacher.
  - (4) Father and mother solely dependent on the teacher for maintenance.
  - (5) Husband.

### III. PENSION

- 6[8. (1) The age of retirement on superannuation shall be fifty five years.

Provided that those who were already in service in any aided school prior to the 4<sup>th</sup> September 1957, the age of retirement on superannuation shall be sixty years].

7[x x x x]

8[x x x x]

9. The service put in by a teacher before he has completed 18 years of age shall not qualify for pension or gratuity.
10. In computing the length of service for calculation of pension and gratuity continuous service alone shall be reckoned as qualifying service.

11. Leave with allowance shall be allowed to count as qualifying service to the extent provided under Rule 28 Part III Kerala Service Rules.
12. (a) A teacher shall be eligible for payment of pension or gratuity as the case may be:
- (i) On retirement after attaining the age of superannuation under rule 8 or on voluntary retirement after completing a qualifying service of 30 years.
  - (ii) on discharge due to the abolition of the post, or
  - (iii) on discharge due to invalidation on medical grounds

**Note:-** The rules regarding medical certificate in the Kerala Service Rules shall be followed in the case of invalidation on medical grounds.

(b) A teacher shall be eligible for pension if he has rendered a total qualifying service of 10 years or more. The pension for each such completed year of service shall be calculated at 1/120<sup>th</sup> of the average emoluments subject to a maximum of 30/120<sup>th</sup> of the average emoluments. If the qualifying service falls short of 10 years but not 5 years, a gratuity equal to one half of a months' emoluments last drawn for each completed year of service shall be paid. No gratuity shall be admissible to a teacher who has put in a qualifying service of less than 5 years.

<sup>9</sup>[Provided that the minimum monthly pension payable under this chapter shall be such amount as may be specified by the Government from time to time].

**Note:-** (1) The term emoluments means the <sup>10</sup>[actual pay including personal pay <sup>11</sup>[and dearness pay] drawn excluding all allowances which are in the nature of compensatory or supervisory or other allowances. The term "average emoluments" means the emoluments for a month calculated for the last three years of teacher's service.

<sup>12</sup>[(2) In the case of teachers who continue in service up to 60 years of age under note to rule 8 the average emoluments <sup>13</sup>[shall be calculated on the basis of the emoluments drawn during the 10 months immediately preceding the date on which they complete 60 years of age], provided that the benefit under this note can be granted only to those who attain the age of 55 on or after 14-11-1966.]

<sup>14</sup>[(c) No claim for compassionate gratuity to the families of teachers who die in harness shall be entertained by the Government. However Government, may grant compassionate gratuity to the families of the teachers who died in harness while in service, whose death has taken place within 3 years prior to 1-10-64, and to those who continued in

service after the 55<sup>th</sup> year on 1-10-1964 and who could not opt for Chapter XIV (C) Kerala Education Rules, at the rate of half month's pay for each year of qualifying service based on monthly pay drawn by the teacher for the month of April each year.]

<sup>15</sup>[**Explanations-** (1) The word 'family' has the same meaning as defined in the note to rule 7.

(2) In calculating the monthly rate of pay, the pay drawn after 55<sup>th</sup> year shall not be reckoned.]

<sup>16</sup>[**12A.** The minimum service required for the grant of compassionate gratuity shall be five years complete service qualifying for pension. The maximum complete service for which compassionate gratuity shall be limited to 30 years.

**12B.** The maximum monthly pay for the calculation of compassionate gratuity shall be RS.300.

**12C.** The maximum amount of compassionate gratuity payable to the family of a deceased teacher shall in no case exceed Rs. 3,000.

**12D.** The grant of compassionate gratuity shall be entirely within the discretion of the Government].

**13.** The pension shall be subject to such reduction as may be ordered by the sanctioning authority for unsatisfactory work and conduct during the period of service of a teacher.

<sup>17</sup>[**13A.** Notwithstanding anything contained in these rules, no teacher shall be eligible for any pension if he has been dismissed or removed for misconduct, insolvency or inefficiency.

<sup>18</sup>[**14** After verification of the pension application by the Accountant General, the pension found admissible will be sanctioned by the authorities empowered by Government in this behalf. On receipt of sanction together with the connected documents in his office, the Accountant General will be issuing the pension payment order to the person concerned. In case of delay, the payment of an anticipatory pension not exceeding 75% of the pension to which he is entitled to will be authorised by the Accountant General after necessary investigation, provided that such disbursement shall be made only after the declaration specified below has been signed by the retiring teacher.]

### Declaration

An advance payment of pension having been authorized in my favour, I hereby declare that I clearly understand that the payment is strictly provisional and is subject to revision after the exact amount of any pension to me has been decided upon and sanctioned by the Government, and I further promise that if, upon such revision, any provisional payment of pension made to me has been in excess of the amount eventually sanctioned, I shall repay all such excess payment by deduction from my monthly pension.

15. Cases requiring the grant of any concession not contemplated in these rules shall be submitted to Government for their orders.
16. There shall be no commutation of pension sanctioned under these rules.
17. The pension sanctioned under these rules shall carry no temporary increase.

1. Added by notification published in Kerala Gazette No. 22 dated: 30-5-61.
2. Rule 1 renumbered as sub-rule (b) of that rule and before sub-rule (b) as so renumbered this sub-rule.  
(a) inserted by G.O (P) 327/68/Edn. dated: 11-07-68 in gazette dated 6-8-68.
3. Added by G.O (P) 306/62 dated: 09-05-62 and published in Gazette dated 22-5-62.
4. Substituted for the figures "1-7-1962" by G.O (P) 889/62 dated: 07-12-1962 and published in gazette dated 18-12-62.
5. Substituted for the words 'the 58<sup>th</sup> year of age' by G.O (P) 326/Edn. dated: 25-07-1967 and published in gazette dt. 1-8-1967 with effect from 4-5-1967.
6. Substituted by G. O. (P) 92/82/G. Edn. dated: 2-7-82 published in gazette dated 2-7-82.
7. The second proviso "Provided further that the service beyond the period of fifty five years should not be considered as qualifying service for the purpose of pension and gratuity under these rules omitted by G. O. (P) 244/84/G. Edn. dated: 9-11-84 published on 4-12-85 with effect from 27-11-82.
8. Sub-rules (2), (3) and (4) of Rule 8 omitted with effect from 11-10-89 by G.O. (P) 44/90/ G.Edn. Dated 17-3-90 published in gazette dated 19-3-90.
9. Substituted by notification in gazette dated: 18-11-69 for "Provided that the minimum pension payable under this Chapter shall be Rupees twenty five per mensem".
10. Substituted for the words "actual pay" by G. O. (P) 184/74/G.Edn dated: 23-9-74 published on 22-10-74.
11. Inserted by notification in gazette dated 15-10-63
12. Substituted by notification dated 16-3-72 in gazette dated 4-4-72 for "In the case of teachers who continue in service up to 60 years of age under note to rule 8, the average emoluments shall be calculated on the basis of the

- emoluments drawn during the 3 years immediately preceding the date on which they completed 55 years of age."
13. Substituted by G. O. (P) 244/84/G. Edn. dated 9-11-84 in gazette dated: 4-12-84 with effect from 27-11-82 for "shall be calculated on the basis of the emoluments drawn during the 12 months immediately preceding the date on which they complete 55 years of age".
  14. Substituted by notification in Gazette at 24-12-68 for "(c) No claim for compassionate gratuity to the families of teachers who die in harness shall be entertained by the Government."
  15. Substituted by notification in gazette dated 8-12-1970 for "Note -the word "family" has the same meaning as defined in the note to rule."
  16. Rules 12A to 12D inserted by notification in gazette dated 24-12-68.
  17. Added by notification in gazette dated 20-2-68.
  18. Substituted by G.O. (P) 113/76/G.Edn. dated 18-6-76 in gazette dated: 3-8-76.

<sup>1</sup>[CHAPTER XXVII-B

1. The Rules in this Chapter shall come into force on 1-10-1964.
- <sup>2</sup>[2. These Rules shall apply to teachers in aided schools to whom the rules in Chapter XIV (C) Kerala Education Rules apply].
- <sup>3</sup>[3. The rules on retirement benefits including family pension and death cum-retirement benefits and all the conditions for the grant of these benefit applicable to Government Servants as laid down in Part III, Kerala Service Rules as amended from time to time shall mutatis - mutandis apply to the teachers governed by the rules in this Chapter.]

<sup>4</sup>[x x x]

- <sup>5</sup>[3A Notwithstanding anything contained in these rules no teacher shall be eligible for any pension if he has been dismissed or removed for misconduct, insolvency or inefficiency.]
4. The date of compulsory retirement on superannuation applicable to teachers of Government schools shall apply to teachers of aided schools.
5. In the case of existing subscribers to Provident Fund who opt for these Rules the amount of their subscription in the account with the interest thereon shall be transferred to the new Fund to be constituted under these Rules.
6. The Manager's Contribution and interest thereon if any accrued till the date of option shall be credited to Government. There will also be no Government contribution to the teachers accounts under the Provident Fund and Government contribution if any, previously credited shall revert to Government].

1. Chapter XXVII renumbered as XXVII-A and this added as XXVII- B by G.O (P) 93/63/Edn. dated: 16-02-1963 and published in Gazette dated 23-3-65.
2. Substituted by G.O (P) 326/Edn. dated: 25-07-67 and published in Kerala Gazette dated 1-8-67, for "These Rules shall apply to aided school teachers to whom the Rules in Chapter XIV(C), Kerala Education Rules apply and who have given an undertaking, in such Form as may be specified by the Government, not to associate with any political party or organisation, and not to contest any elections to a Legislative or Local Body and agreeing to forfeit their rights as aided school teachers in case of violation of any of the conditions herein".
3. Substituted by G.O (P) 135/72/S.Edn. dated: 11-10-72 and published in gazette dated 31-10-72 for "<sup>3</sup> The rules on pension, death-cum retirement gratuity and provident Fund applicable to Government Servants in Part III, Kerala Service Rules and General Provident Fund (Kerala) Rules respectively

shall apply mutatis mutandis to aided school teachers" This itself was substituted for the original rule by notification published in gazette dated: 11-4-72.

4. The proviso to rule 3 omitted by G.O (P) 326/Edn. dated: 25-07-67 and published in gazette dated 1-8-67. It was as follows:-"Provided that the appointing authority may with the previous sanction of the Director of Public Instruction in the case of Headmasters of High Schools and Training Schools and the Regional Deputy Director in the case of the others, require the teacher to retire after he attains the age of fifty five years on three months notice without assigning any reason therefore. The teacher may also after attaining the age of fifty five years voluntarily retire after giving three months notice to the appointing authority".
5. Added by G.O (P) 63/68/Edn. dated: 13-02-1968 and published in gazette dated: 20-2-68.

<sup>1</sup>[CHAPTER XXVIII]**PAYMENT OF MAINTENANCE GRANT TO AIDED SCHOOLS**

1. These Rules regulate the conditions under which maintenance grant may be given to aided schools.
2. The <sup>2</sup>[Director of Public Instruction] <sup>3</sup>[or the Joint Director of Public Instruction] may, notwithstanding anything contained in these Rules, refuse or withdraw the whole grant or any portion there of at <sup>4</sup>[his discretion for violation of any of the provisions of the Act or the Rules there under or for any other reasons that may be specified by <sup>2</sup>[Director of Public Instruction] <sup>3</sup>[or the Joint Director of Public Instruction].
3. Subject to the conditions laid down in these Rules, maintenance grant may be paid to the Manager annually for <sup>5</sup>[x x x] the following purposes except for items the expenditure for which is met or is to be met out of special fees:-
  - (i) Petty construction and repairs and annual maintenance of school building <sup>6</sup>[including compound walls, gate, wells, school premises, play grounds and replacement of tube lights and other electrical fittings].
  - (ii) Purchase of educational appliances such as globes, maps, charts, apparatus for teaching of geography and allied subjects and instruments for mathematical drawing.
  - (iii) Repairs to furniture and its replacement.
  - (iv) Office expenses and miscellaneous including stationery, postage and Telegraph charges.
  - (v) Contingencies for purchase of chalk, dusters, cleaning materials, buckets, ropes, registers and forms etc.
  - (vi) Purchase of books and periodicals relating to Education other than books for school library.
  - (vii) Raw materials for craft education.
  - (viii) Kindergarten and Sewing appliances.
  - (ix) Water Charges including expenditure on gardening.
  - (x) Electric Charges.



(xi) Sweeping and scavenging charges in Lower Primary Schools and in Upper Primary Schools with or without Lower Primary section.

(xii) Traveling allowances to the staff of the school <sup>7</sup>[other than Headmasters of Primary Schools] for journeys to the Government Treasury for remittance of fee collections and for encashment of salary bills.

<sup>8</sup>[Explanation:- For the purpose of this rule, works costing <sup>9</sup>[Rs, 2500 (Rupees two thousand and five hundred only)]or less alone will be treated as petty construction.

<sup>10</sup>[x x x x]

4. <sup>11</sup>[Maintenance grant will be given to Managers at the following rates.

(i) Rs. 3.25 per annum per pupil in the Lower Primary and Upper Primary Classes in the schools, based on the effective strength as fixed under rule 12 of Chapter XXIII.

(ii) Rs. 5.00 per annum per pupil in the High School Classes in the schools, based on the effective strength as fixed under rule 12 of Chapter XXIII.

**Note:-** If any of the classes are run on shift system, one -half of the effective strength of it shall only be taken into account for the purpose of the above calculation, fraction, if any being counted as one.

(iii) Rs. 7-50 per annum per pupil on the rolls in the Training school classes in the school as on the 6<sup>th</sup> working day from the reopening date in June or the 6<sup>th</sup> working day from any other date as may be notified by the Director under rule 1 of Chapter VII, as shown in the rolls].

**Note:-** (i) Schools in the Malabar District referred to in sub-section (2) of section 5 of the States Re organisation Act, 1956 (Central Act 37 of 1956) which are being conducted in rented buildings and which were in receipt of grant towards rent from the Government of Madras prior to 1-10-1957 shall be given the amount of grant previously paid by the Government of Madras towards rent of the School buildings.

(ii) In the case of the schools referred to above an amount calculated at the rate of 5n.p. Per sq. feet for tiled buildings and 12 n.p. per sq. feet for thatched buildings for the area of the buildings occupied on rent on 1-4-62 shall be deducted from the maintenance grant due

and the balance amount alone be paid as maintenance grant in addition to the rent.

<sup>12</sup>[(iii) In admitting amounts under repairs to furniture and its replacement, the amount received from the sale proceeds of the furniture sought to be replaced shall be deducted].

<sup>13</sup>[(iv) In the case of the schools which have been running under sessional system for 5 years or more and which have not been provided with the additional accommodation required for running the entire divisions of the school under non-sessional system within the time of any specified under rule 5A in Chapter IV maintenance grant will be given taking into account only the number of pupils who could normally have been admitted in the school had the school been functioning under non-sessional system].

5. The <sup>14</sup>[x x x] Educational Officer shall be the officer competent to sanction maintenance grants. The sanction of the grant at the rates specified in Rule 4 shall depend on the merit and standard of upkeep and maintenance of the particular institution, as tested by the conditions prescribed in the Rules issued under the Act or orders that may be issued from time to time by the Government or the Director.

<sup>15</sup>[5A. The Educational officers shall be competent to make deductions of any of the amount specified below by an order in writing from the maintenance grant sanctioned to the Manager under rule 5:

(a) amounts objected by the Accountant General and the Department at the time of audit of accounts.

(b) amount of pay and allowances paid to teachers and non-teaching staff irregularly appointed, overlooking the legitimate claims of others.

\*[(c) The expenditure incurred by Government under sub-rule (3) of rule 7 of Chapter III].

5B. (1) An appeal shall lie to the Deputy Director of Education concerned against the order of the Educational Officers effecting deductions from the Maintenance grant, such appeal shall be filed within 15 days from the date of receipt of the order appealed against.

(2) On receipt of an appeal under sub-rule (1), the Deputy Director of Education shall, after giving the appellant an opportunity of being heard, pass such order thereon as he thinks fit.

6. <sup>16</sup>(i) Applications for maintenance grant shall be submitted by the Managers to the Educational Officers in Form 28 (in duplicate) so as to reach them <sup>17</sup>[before the first of October] every year].

<sup>18</sup>[Provided that the Director may, if found necessary, revise the date in any year and shall publish the revised date in the Gazette].

<sup>19</sup>(ii) Notwithstanding anything contained in sub-rule (i) the Educational Officer may entertain applications submitted within two months from the date specified in sub-rule (i) if the delay was caused for one or more of the following reasons.

- (1) Transfer of Management.
- (2) Disputes over Management.
- (3) Grant of recognition or renewal of temporary recognition.
- (4) Production of fitness certificate from the Public Works Department.
- (5) Delay in the re-opening of the schools.

<sup>20</sup>[Provided that the Director of Public Instruction may entertain application submitted within six months or the <sup>21</sup>[Deputy Director (Education) may entertain applications submitted within four months from the dates specified in sub-rule (i) if the delay was caused for one or more reasons specified in the sub-rule or for any other sufficient and valid reasons].

(iii) Fifty percent of the maintenance grant paid during the previous year or on the basis of an approximate estimate when maintenance grant is sanctioned for the first time, may, on an application made for the purpose be paid to the Manager in advance in April <sup>22</sup>[or in the first week of May] every year so as to enable the management to carry out the annual repairs and maintenance to school buildings during the summer vacation and to purchase essential items of articles referred to in Rule 3 in time before the schools reopen.

(iv) The applications for maintenance grant shall be accompanied by a statement of expenditure and declaration by the Manager in Form. 29. An Audit certificate of accounts of the school for the previous year shall also be furnished in the case of each school receiving grant above <sup>23</sup>[Rs.3500]. The certificate to be attached should be one issued by an auditor qualified to audit accounts under the companies Act, 1956, or by other auditors authorised by the Government in this behalf.

7. Applications for maintenance grant shall be disposed of by the <sup>24</sup>[x x x] Educational Officer not later than two months after the receipt of applications. Grants may be claimed and drawn by the Management in bills duly passed and countersigned by the <sup>24</sup>[x x x] Educational Officer immediately after sanction is accorded and before the grant bills are counter signed the <sup>24</sup>[x x x] Educational Officer shall send to the <sup>25</sup>[Deputy Director (Education)] and the Accountant General a consolidated statement showing the amounts sanctioned by him as maintenance grant. This procedure shall also be followed in the case of advance grant. In the sanctions for final grant the sanctioning authority shall also record a certificate that the grants are in accordance with these rules and that the un utilised grants of previous years have been taken into account in fixing the annual grants. One copy each of the application and enclosure shall be sent by the <sup>26</sup>[x x x] Educational Officer to the <sup>25</sup>[Deputy Director (Education)] along with the statement. The Manager shall keep separate accounts regarding the Government grant and other incomes for the maintenance of the school and the expenditure incurred thereon.
  8. Form 30 appended to these Rules shall be used for submission of bills for maintenance grants.
  9. The Educational Officers shall at the time of their visit or inspection scrutinise the accounts and verify whether the maintenance work has been properly done and whether the articles purchased have been brought to stock. They shall with reference to the school records and by physical verification also check whether the maintenance grant has been properly and fully utilised. Based on the notes of inspection the <sup>27</sup>[Educational Officer] may make a suitable reduction in the amount of maintenance grant admissible, for the irregularities noted. No appeal shall lie over the decision of the <sup>27</sup>[Educational Officer] in such cases.
  10. Excess, if any, in the maintenance grant sanctioned for a year shall be adjusted towards the maintenance grant for the succeeding year. Over payments, if any, detected shall be made good by the Managers or may be deducted from the maintenance grant for subsequent years.
  11. The amount of grant, if any, withdrawn under Rule 2 or reduced under Rule 9, shall be refunded by the Manager within such time as <sup>28</sup>[the authorities mentioned in those rules] may determine.
  12. Notwithstanding anything contained in these Rules if the Manager fails to utilize the maintenance grant for the purpose as specified in Rule 3, Government will have the power to recover the same from the manager as per the provisions of the Revenue Recovery Act for the time being in force.
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1. Added by G.O (P) 900/62 dated: 13-12-62 published in gazette dated 18-12-62. This chapter came in to force on 1-4-62.
2. Substituted for the word "Government" by G.O (P) 389/64/Edn. dated: 25-07-64 published in Gazette dated: 4-8-64.
3. Inserted by G. O. (P) No. 10/77/G. Edn. Dated 20-1-77 in gazette dated: 8-3-77.
4. Substituted by G.O (P) o. 389/64/Edn. dated: 25-07-64 published in Gazette dated: 4-8-64.
5. The words" all or any of" omitted by G.O (P) NO. 99/64/Edn. dated: 18-02-1964 published in gazette dated 25-2-64.
6. Inserted by G. O. (P) 236/84/G. Edn. dated 6-11-84 published in gazette dated 25-12-84 with effect from 15-6-83.
7. Inserted by G. O. (P)26/87/G.Edn. dated 31-1-87 published in gazette dt. 24-3-87.
8. Added by G.O (P) 43/68/Edn. dated: 31-01-1968 published in gazette dated: 13-2-68.
9. Substituted for" Rs. 1000 (Rupees one thousand only)" by G.O. (P) 105/84/G. Edn. dated 11.6.84 published in Gazette dated 26-6-84.
10. The words "and repairs "omitted by notification in gazette dated: 25-3-69.
11. Substituted by G.O. (P) 155/79/G. Edn. dated: 19-9-79 in gazette dated: 30-10-79.
12. Added by G.O (P) 258/70/S.Edn. dated: 26-05-1970 published in gazette dated: 30-6-70.
13. Added by G. O. (P) 165/74/G. Edn. dated 21-8-74, in gazette dated 17-9-74.
14. The word "District" omitted by G.O (P) 193/65/Edn. dated: 06-04-65 notification in gazette dated 27-4-1965.
15. Added by G.O. (P) 12/84/G.Edn. Dated: 18-1-84 published in gazette dated 7-2-84.
- \* Inserted by G. O. (P) 69/87/G. Edn. dated 18.3.87 published in gazette dt. 21-4-87.
16. Substituted by G.O (P) No. 193/65/Edn. dated: 06-04-65 published in Gazette dated: 27-4-1965
17. Substituted for the words "before the 1st of September" by G.O (P) 68/71/S.Edn. dated: 4-6-1971 published in Kerala Gazette dated 8-6-1971.
18. Added by G.O (P) No. 378/69/Edn. dated: 08-10-69 and published in Gazette dated: 21-10-1969.
19. Sub-rules (ii) and (iii) of Rules 6 re-numbered as sub-rules (iii) and (iv) respectively and before sub-rule (iii) as so re-numbered this inserted as sub-rule (ii) by G.O (P) 705/66/Edn. dated: 31-12-1966 and published by Notification in Gazette dated 24-1-1967.
20. Substituted by G.O.(P)243/76/G.Edn. Dated 11-12-1976 published in Gazette dated 28-12-1976 for provided that (Regional Deputy Director] may entertain applications submitted within four months from the dates specified in sub-rule (1) if the delay was caused for one or more reasons specified in the sub-rule or for any other sufficient arid valid reasons."
21. Substituted by G. O. (P) 217/79/ G. Edn. dt. 26-12-79 for "Regional Deputy Director" and published in Gazette dated: 28-12-79.
22. Inserted by G.O (P) 68/71/S.Edn. dated: 04-06-71 and published in Gazette dated: 8-6-71
23. Substituted for "Rs. 2000" by G. O. (P) 13/84/G. Edn. dated 18-1-1984 published in Gazette dated 7-2-84.
24. The words' District' omitted by G.O (P) 193/65/Edn. dated: 06-04-65 published notification in gazette dated 27-4-65.
25. Substituted by G. O. (P) 217 /79/G. Edn. Dated 26-12-79.

26. The words 'District' omitted by G.O. (P) 193/65/Edn. dated: 06-04-65 published notification in gazette dated 27-4-65.
27. Substituted for District Educational Officer" by G.O (P) 66/72/S.Edn. dated: 05-05-62 published in Gazette dated: 6-6-72.

<sup>1</sup>[CHAPTER XXIX**PROVIDENT FUND FOR AIDED SCHOOL TEACHERS**

1. The rules in this chapter regulate the contributory provident fund for Aided School Teachers contemplated <sup>2</sup>[in sub-rule (1) of Rule 2 in Chapter XXVII (A)].
2. (1) In this chapter unless the context otherwise requires:-
  - (i) 'contribution' means the amount contributed to the Fund by the Government as per Rule 8 below.
  - (ii) 'family' means
    - (a) In the case of a male subscriber, the wife or wives and children of the subscriber, and the widow or widows, and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall hence forth be deemed to be no longer a member of the subscriber's family in matters in which the rules in this chapter, relate, unless the subscriber subsequently indicates in writing to the District Educational Officer that she shall continue to be so regarded.

(b) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber in writing to the District Educational Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which the rules in this chapter relate, unless the subscriber subsequently cancels formally in writing her desire to exclude him.

**Note:-** 'children' means legitimate children and includes adopted children;

- (iii) 'fund' means the Kerala Aided School Teachers Provident Fund
- (iv) 'pay' means basic pay of permanent or officiating appointment held by a subscriber exclusive of all allowances;
- (v) 'subscriber' means a teacher who subscribes to the Fund;
- (vi) 'subscription means the amount subscribed to the Fund by a teacher;
- (vii) 'leave' means any kind of leave eligible to the subscriber;
- (viii) 'year' means the financial year.

(2) Any other expression used but not defined in the rules in this chapter which is defined in the Provident Funds Act, 1925 (XIX of 1925) shall have the same meaning as is assigned to them in the above said Act.

3. All contributions to the Fund shall be made by means of deposits in Savings Bank Accounts in Government Treasuries.
4. The scope of the Fund:- It shall be compulsory for the following categories of teachers of aided schools to subscribe to the Fund.

(a) Teachers who as on 30-6-1961:

(i) have been subscribers to the Travancore licenced Teacher's Provident Fund or to the Cochin Aided School Teacher's Provident Fund or to the Travancore Cochin Acceded Secondary School Teacher's Provident Fund or;

(ii) have been governed by the Madras Teacher's Contributory Provident Fund- Insurance - Pension Rules under the G. O. No. 1611. Education dated 30-8-1956 issued by the Madras Government and introduced in Kerala by G. O. No. (Ms) 462/Edn. dated 29-4-1958 and

(iii) have opted for the new rules in pursuance of Rule 1 of Chapter XXVII. within the prescribed time limit.

(b) Teachers who have not joined any of the Provident Funds mentioned in sub-rule (a):

(c) Teachers in the Malabar area to whom the Madras Teacher's Contributory Provident Fund- Insurance- Pension Rules have not been applicable; and

(d) Teachers appointed on or after 1-7-1961.

**Note:-** (1) In the case of teachers mentioned in sub-rule (a) the amounts to their credit in their existing Provident Fund Accounts (including the Government contributions, the Manager's Contributions and interest thereon accrued under the relevant rules up to and inclusive of 30-6-61) shall be credited to their accounts in this New Fund when they are admitted to the same.

(2) In the case of teachers other than those mentioned in sub-rule (a) they shall be admitted to the Fund only if they are confirmed in service or if they are acting, temporary or on probation only if the District Educational Officer is satisfied and certifies that they are likely to continue in service without break.



(3) Teachers who belong to a religious order which imposes vows of poverty on its members may on their specific request in writing be exempted from admission to the Fund by the District Educational Officer.

(4) Part-time teachers are not eligible for admission to the Fund.

5. **Procedure for joining the Fund:-** District Educational Officer shall be competent to admit teachers to the Fund. They shall call on all the teachers who are to be admitted to the Fund to submit to them an application in Form 31 through the Headmaster (through the Headmaster and the Assistant Educational Officer in the case of teachers of Primary Schools). Every subscriber shall on joining the Fund be required to sign a certificate in token of acceptance of the rules. The District Educational officer shall issue to each teacher who is eligible to join the Fund two certificates signed by him one to the effect that he or she is eligible to join the Fund and another to the following effect:-

"On \_\_\_\_\_'s retirement or withdrawal from the Fund for reasonable cause the amount at his or her credit may, subject to the conditions laid down in these rules, be increased by a grant from the Government equivalent to one half of such amount as may be fixed under these rules".

Such certificate shall be attached to the Saving Bank Pass Books to be issued on behalf of the subscribers as laid down in rule 9. The teacher shall subscribe to the Provident Fund with effect from the beginning of the month in which the certificates are issued, except in the case of the subscribers who have exercised option to come to the new rules in pursuance of rule 1 of Chapter XXVII, whose admission to the Provident Fund shall take effect from 1-7-1961. The District Educational Officer shall maintain a card catalogue register in Form 32 showing the names of the subscribers who have been admitted to the Fund and for whom the certificates have been issued by them.

6. **Nomination:-** (1) A subscriber shall, along with his application for admission to the Fund furnish a nomination conferring on 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 payable, has not been paid.

Provided that if, at the time of making nomination the 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 nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) A subscriber may at any time cancel a nomination by sending a notice in writing to the District Educational Officer through the Headmaster (through the Headmaster and the Assistant Educational Officer in the case of Primary Schools);

Provided that the subscriber shall along with such notice send a fresh nomination made in accordance with the provisions of this rule.

(4) A subscriber may provide in a nomination-

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

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

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

(5) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (4) or the proviso thereto, the subscriber shall send to the District Educational Officer through the Headmaster (through the Headmaster and the Assistant Educational Officer in the case of Primary Schools) a notice in writing canceling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

(6) 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 District Educational Officer.

7. **Rate of subscription:-** (1) Every subscriber shall subscribe to the Fund at the rate of six naya paise per rupee per mensem on the pay drawn by him during the financial year, the subscription in a month being at the rate of six naya paise per rupee on the pay drawn by him for the previous month. Fractions of a rupee in the pay shall be ignored. The amount of subscription shall be expressed in whole rupees, fifty naya paise and above counting as next higher rupees. The first instalment of subscription shall not be less than Rs. 2.

(2) When a subscriber is temporarily on reduced pay on account of absence on leave or for other causes, his subscription shall be reckoned

on the amount of such reduced pay actually paid to him. It shall also be open to the subscriber to cease making payments during such period of absence after giving intimation to the District Educational Officer. No subscription shall be payable for periods of suspension. If however, the subscriber is reinstated and allowed to draw pay for the periods of suspension the subscription shall be deducted from the pay paid to him for the period.

(3) Voluntary subscriptions in excess of the prescribed amount, ie at 6 np. in the Rupee shall not be admissible. If any such subscription have been made the same shall be withdrawn.

<sup>3</sup>[(4) Notwithstanding anything contained in the rules, the Government may by order, direct that the whole or any part of the arrears of pay and allowances or both payable to subscribers under a Scheme of revision of pay or allowance or both implemented with retrospective effect, shall be credited to the Fund and every subscriber to whom such order applies shall comply with such order. There will be no matching contribution by Government in respect of this deposit].

8. Contribution by Government:- (1) The Government shall contribute in respect of each subscriber at the rate of 3 np. per rupee on the pay drawn by such subscriber during a financial year.

(2) Sub-rule (2) of rule 7 shall apply in the case of Government contribution also.

(3) The Government Contribution shall cease from the date on which the teacher retires or <sup>4</sup>[attains the 55<sup>th</sup> year of age] which ever is earlier.

(4) The Government contribution shall take the form of a single lump sum payment at the time the subscriber retires or when for other accepted reasons the account is closed, equivalent to half the amount standing at his credit (excluding amounts of interest credited) on the date of his <sup>4</sup>[completion of 55 years of age] or of closure or the account if earlier, as the case may be. In the case, however, of teachers who had been subscribing to anyone of the earlier Provident Funds referred to in rule for and who have been admitted to this Fund, the Government contribution will be calculated only on that portion of the amount at the credit of the subscriber which represents his subscriptions after the transfer of his balance under his earlier Provident Funds provided for in rule 4. If any advances from the Fund have been withdrawn, the amount of any balance still outstanding and the total amount withdrawn towards the payment of Insurance premia shall be added to the total amount at his credit for purpose of calculating the Government contribution;

Provided that in the case of subscribers who have come under the rules in this Chapter by option the amount to be so added shall not exceed the amount subscribed after admission to the fund.

9. **Management of the Fund:-** The Fund shall be managed by means of the Savings Bank system in the State Government Treasuries. The Teacher's subscription shall be deposited in a Savings Bank Account in the Treasury from which the pay of the School staff is drawn. The following procedure shall be adopted:-

(1) The Treasury shall open an individual account for each subscriber to the Provident Fund. The Pass Book will be kept by the Headmaster under safe custody. The Headmaster of the school shall deduct the subscription to the Fund due from the teachers from their salaries at the time of disbursement of the same each month and shall remit the amounts collected within seven days of collection <sup>5</sup>[x x x x] for the credit in the Treasury Savings Bank Account, accompanied by:

(a) The Savings Bank Pass Books of the subscribers, and

(b) a list in Form 33 showing in detail the amount to be credited to each account and the total amount of the deposits and refunds.

(2) The money received in the treasury should be credited to the different accounts in accordance with the entries in the list and the Treasury Officer after satisfying himself that this has been done and that the amount of the deposit has been correctly entered in each Pass Book, shall sign the list, stamp it with the Treasury stamp and return it with the Pass Books to Headmaster from whom they were received. The Headmaster shall compare the entries made in the Pass Book with the entries in the list to see that the former are correct. Any error that may be detected should be brought at once to the notice of the Treasury Officer, and got rectified.

(3) So far as the treasury is concerned, the list need not be in duplicate as the deposits shall be entered in the usual course in the Treasury Savings Bank Ledger and Journals which will furnish a complete record of the transactions. The Headmaster of the school shall furnish a true copy of the list to the District Educational Officer (and also to the Assistant Educational Officer in the case of Primary Schools within five days of the receipt of the verified list from the Treasury. The Inspecting Officers during their periodical visits to the schools should audit the monthly list of payments into the Savings Bank accounts with reference to the original pay bills and acquittance rolls and satisfy themselves that subscriptions are not received in excess from the teachers. If in the course of such audit it is found that payments have been made into the Savings Bank either in excess of the prescribed rate or in advance of the due date, the District Educational Officer shall

sanction the withdrawal of the excess amount from the Saving Bank with a view to its being refunded to the subscriber. Inspecting Officer other than the District Educational Officer who detects cases of this kind should bring them immediately to the notice of the District Educational Officer. If the subscriptions have not been remitted for any period during which a subscriber was employed in a school, the District Educational Officer may condone such irregularities at any time for satisfactory reasons. The District Educational Officer may also condone belated remittance of subscriptions.

(4) When a Pass Book opened on behalf of a subscriber has been fully used the Headmaster should obtain an application in writing from the subscriber for the return of the used up Pass Book and forward it to the Treasury Officer at the time when a fresh Pass book is to be issued in continuation of the one used - up. On receipt of the used up pass book from the Treasury Officer, the Headmaster should send it to the District Educational Officer for safe custody.

(5) When a subscriber leaves one school and seeks employment in another, the District Educational Officer having jurisdiction over the area in which the former school is located shall be competent to sanction the transfer of his account to the treasury at which the accounts of the school which he has joined stand open. The District Educational Officer shall maintain a register in Form 34 of the transfer of accounts sanctioned by him. The Headmaster shall furnish every subscriber who leaves the school with a certificate which should bear the countersignature of the District Educational Officer specifying period for which subscription to the Fund were made by the subscriber.

**Note:-** In every case of transfer under this rule the District Educational Officer should examine at the time of transfer the title of the subscriber to the Government contribution and record in the order sanctioning the transfer his opinion as to whether the subscriber is entitled to it.

(6) Subscribers to the Fund taking up service in an unaided school shall cease to be subscribers and steps shall be taken to close their accounts.

(7) When a subscriber's account is to be closed, he shall submit an application to the District Educational Officer through the Headmaster (through the Headmaster and the Assistant Educational Officer in the case of Primary Schools) giving his reason thereof. If the District Educational Officer is satisfied with the reasons, he shall sanction the closure of the account and issue a certificate to the Treasury Officer and the Headmaster to the effect that the subscriber has quitted the Fund in the circumstances which give him a title to the Government contribution. The Treasury Officer shall thereupon close the account in

the Savings Bank Pass Book and on receipt of an application for withdrawal signed by the subscriber countersigned by the Headmaster (Assistant Educational Officer in the case of Primary Schools) pay the total amount to his credit to the Headmaster or his authorised agent. Immediately after the money in the Savings Bank is withdrawn, the Headmaster shall report the date of the closure to the District Educational Officer and the latter shall take steps to get from the treasury, the closed Pass Book for preparing the Bill for Government contribution. The Headmaster shall after receiving the amount from the treasury, disburse it to the subscriber concerned on obtaining a payee's receipt which shall be forwarded to the Accountant-General through the District Educational Officer. The District Educational Officers shall maintain a register in Form 35 of closure of accounts sanctioned by them.

(8) Every subscriber should, once in every financial year, be permitted to look into his account, satisfy himself as to its correctness and sign a certificate in token of his acceptance of it. The certificate obtained under this rule should be forwarded to the District Educational officer before the end of the financial Year for check and record in his office.

**10. Control of the Fund:-** (1) The control of the Fund in each educational district shall rest with the District Educational Officer concerned.

(2) If the monthly subscription is not paid the savings Bank account [within seven days of the date on which the salary is disbursed] and / or the verified treasury list is not forwarded by the Headmaster to District Educational Officer and to the Assistant Educational Officers as Provided for in rule 9, the pay bill of the Headmaster for the month shall not be passed by the District Educational Officer or the Assistant Educational Officer, as the case may be, without the prior sanction of the Director, who shall take such steps as may be necessary in the matter.

(3) No withdrawal of any part of the deposit or payment of any Government contribution shall be allowed without the sanction of the District Educational Officer.

**11. Interest:-** Interest shall be allowed at such rate as may from time to time be admissible for deposits in Treasury Savings Bank.

**12. Withdrawal of advances:-** (1) Withdrawal of advances from the Fund shall be sanctioned by the District Educational Officer for satisfactory reasons such as to pay expenses in connection with the illness of a subscriber or a member of his family, to pay expenses in connection with marriages, funerals or ceremonies which it is incumbent on the subscriber to perform. Such advances shall be permitted only when

the deposit to the credit of the subscriber exceeds six month's spay of the subscriber. The amount of the advance sanctioned at any time shall not exceed three month's pay of the subscriber. Withdrawal of advances from the Fund shall be in whole rupees. Advances from the Fund shall be repaid in not more than 24 equal monthly instalments but no recovery shall be made from a subscriber while he is on leave of any kind.

**Explanation:-** Though, ordinarily, advances from the Fund are permissible only when the deposit to the credit of the subscriber exceeds six months pay the rule may be relaxed in special cases of hardship where the amount at the credit of the subscribe is a little less than six months pay and advances may be sanctioned by the District Educational Officer concerned.

Note:- An advance is permissible to meet the expenses on account of "confinement" (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment, and (2) in other circumstance involving expenditure disproportionate to the subscriber's income.

(2) District Educational Officers shall maintain a register in Form 36 of advances sanctioned by them. No fresh advance from the Fund shall be sanctioned if there is any balance still to be refunded out of any advance already drawn from the Fund or twelve month have not elapsed since repayment of the previous advance.

(3) A subscriber shall also be at liberty to refund the advance drawn by him in a shorter period than that prescribed by the District Educational Officer if he chooses to do so.

(4) Withdrawal of any advances sanctioned shall be made on an application signed by the subscriber and countersigned by the Headmaster (Assistant Educational Officer in the case of Primary School teachers) and endorsed in favour of a person proposed by the Headmaster. The application must be supported by the District Educational Officer's sanction in original. The Headmaster shall, after receiving the money, disburse it to the subscriber concerned on acquittance rolls.

**7[12A. Non-refundable withdrawals from the Fund:-** (1) Subject to the conditions specified herein, non- refundable withdrawals from the amount standing to the credit of a subscriber in the Fund may be sanctioned by the authority competent to sanction an advance under rule 12, at any time.

(a) after the completion of 20 years of service (including broken periods of service, if any) of the subscriber or within 10 years of the

date of his attainment of the age of superannuation, whichever is earlier, except during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation, for one or more of the following purpose, namely:-

(i) meeting the cost of higher education, including, where necessary, the traveling expenses of any child of the subscriber and he has no child, of any other relative actually dependent on him in the following cases namely:-

(A) for education outside India for academic, technical, professional or vocational course beyond the high school stage, and (B) for any medical, engineering, or other technical or specialised course in India beyond the high school stage, provided that the course of study is for not less than three years.

(ii) meeting the expenditure in connection with the marriage of a son or daughter of the subscriber, and if he has no daughter, of any other female relative dependent on him, or repaying any outstanding amount on account of a loan expressly taken for this purpose:

(iii) meeting the expenditure in connection with the illness including where necessary, the traveling expenses of the subscriber or any person actually dependent on him, or repaying any outstanding amount on account of a loan expressly taken for this purpose;

(iv) purchasing a house site in the name (s) of the subscriber and/or his wife or repaying any outstanding amount on account of a loan expressly taken for this purpose from the Government or any other source before the date of application for the withdrawal.

Provided that house to be constructed on the site so purchased is for the actual residence of the subscriber and/or his family.

(v) building a suitable house on a site owned or acquired by the subscriber and/ or his wife or without any assistance from the Provident Fund, or acquiring a house together with the site thereof in the name (s) of the subscriber and/ or his wife, or repaying any outstanding amount on account of a loan expressly taken by the subscriber and /or his wife from the Government or any other source for any of these purposes before the date of application for withdrawal:

Provided that the house is for the actual residence of the subscriber and / or his family; and

(vi) making addition or alterations to, or reconstructing, or completing or repairing a house owned or acquired by the subscriber and/or his wife without any assistance from the Provident Fund, or



repaying any outstanding amount on account of a loan expressly taken by the subscriber and /or his wife from the Government or any other source for any of the said purposes before the date of application for the withdrawal:

Provided that the house is for the actual residence of the subscriber and /or his family.

Note:- In respect of a female subscriber the words 'his' and 'wife' occurring in sub-clauses (iv), (v) and (vi) shall be read as 'her' and 'husband' respectively.

(b) after the completion of twenty- five years of service (including broken periods of service, if any] of a subscriber or within three years before the date of his retirement on superannuation, whichever is earlier, from the amount outstanding to his credit in the Fund for the purpose of purchasing a motor car for his own use or repaying any outstanding amount on account of a Government loan expressly taken for this purpose before the date of application for the withdrawal:

Provided that the subscriber draws, on the date of application, a pay as defined in rule 12 (23) Part I Kerala Service Rules of not less than Rs. 550 per mensem:

Provided further that the amount of withdrawal shall in no case exceed the actual cost of the car or the balance outstanding against the loan taken for the purpose:

Provided also that no withdrawal for the purpose shall be allowed more than once.

(2)(a) Any sum withdrawn by a subscriber at anyone time for one or more of the purposes specified in Sub-rule (1) from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six month's pay, which ever is less. The Director may however, sanction the withdrawal of an amount in excess of this limit up to  $\frac{3}{4}$  of the balance at his credit in the Fund having due regard to the object for which the withdrawal is being made, the status of the subscriber and the amount to his credit in the Fund.

Provided that-

(i) in the case of a subscriber who has availed himself of a loan under any of the schemes sponsored by the Government for the grant of advances for house building purpose or has been allowed any assistance in this regard from any other Government source a non-refundable withdrawal by him from the Provident Fund will be permitted if the amount withdrawn from the Fund, together with the amount of a loan taken under the housing scheme sponsored by the

Government or the assistance taken from any other Government source, does not exceed Rs. 75,000 or five years pay of the subscriber, whichever is less;

(ii) a subscriber who has been permitted a non-refundable withdrawal from the Fund for the purpose of building or acquiring a suitable house for residence at any place will not be permitted to make another non-refundable withdrawal from the Fund for any of these purpose or for the purchase of a house site at the same or another place;

(iii) in the case of a subscriber who has been permitted a non-refundable withdrawal under sub clause (iv) of clause (a) of sub-rule (i) to purchase a house site, he will not be permitted to make another withdrawal for acquiring another house site or a house together with site at the same or another place;

(iv) a subscriber who has been permitted under sub- clause (iv) or sub-clause (v) of clause (a) of sub section (i) to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority.

(b) A subscriber referred to in paragraph (iv) of the Provision to clause (a) shall submit a declaration not later than the 31<sup>st</sup> day of December of every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents, on which his title to the property is based. If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority the sum withdrawn by him shall forth with be repaid in one lump together with interest thereon by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump or in such number of monthly instalments, as may be determined by the Government:

Provided that those subscribers, whose deposits in the Fund carry no interest shall not be required to pay any interest.

(3) A subscriber who has been permitted to withdraw money from the Fund under sub-rule (1) shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn, and if he

fails to do so, the whole of the sum so withdrawn or so much there of as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump together with interest thereon by the subscriber to the fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump or in such number of monthly instalments, as may be determined by the Government.

(4) Nothing in sub rule (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that sub-rule.

(5) A subscriber who has drawn an advance under Rule 12 for any of the purpose specified in the sub clauses (i), (ii) and (iii) of clause (a) of sub-rule I may convert, at his discretion, by written request addressed to the sanctioning authority, the balance of the advance outstanding (against it) into Non refundable withdrawal on his satisfying the conditions laid down in sub-rule (1) to (4).

**12B.** (1) Only one non-refundable withdrawal can be allowed for the same purpose. in this context, the marriage/ education of different sons/ daughters relatives actually dependent on the subscriber and the illness of the subscriber or dependent, on different occasions will not be treated as the same purpose. Regarding educational expenses, a withdrawal will be permitted for meeting the expenses for each year of Education (of the kind mentioned in the Provident Fund Rules). Similarly a further non-refundable withdrawal can be allowed for a second or subsequent marriage of the same son or daughter or relative actually dependent on the subscriber. In the case of marriage, the amount should not be drawn earlier than three months of the date of marriage and if for any reason the marriage is postponed beyond 3 months from the date of drawl of the amount, it should be refunded. In such cases a fresh withdrawal can be allowed when the need actually arises.

(2) When a non-refundable withdrawal is sanctioned for medical treatment of the same person within six months of the previous sanction, it should be specified in the sanction that the non refundable withdrawal is for illness on a different occasion.

(3) In respect of the grant of non-refundable withdrawals for purchasing house site, if the payment is required in instalments through house building co-operative societies or similar agencies, a subscriber shall be permitted to make non-refundable withdrawals as and when he is called upon to pay on installment and each call for payment of instalment will be treated a different purpose.

**Note:-**1. The cost of electrification and sanitary arrangements, etc. Shall be treated as part of the expenditure for building a suitable house.

2. The various purposes specified in sub clause (vi) of rule 12A shall be treated as the same purpose for the grant of non refundable withdrawal.

3. The amount of part final withdrawal for any of the purposes in sub-clause (vi) of clause (1) of Rule 12 A shall be fixed with reference to the net estimated amount for such purposes after deducting the provision for electrification etc., if any, included in the estimate and a certificate to the effect that the cost of additions, alterations, repairs etc. for which the part final withdrawal is sanctioned does not include cost of electrification, sanitary arrangements etc. should also be furnished by the sanctioning authority at the time of sanctioning the withdrawal.

4. A temporary advance should not be granted when a previous non-refundable withdrawal was granted for the same purpose, within a period of four months. Similarly a non-refundable withdrawal should not be granted when a previous temporary advance was granted for same purpose. Further the temporary advance which is subsequently converted into a non-refundable withdrawal should be treated as a non-refundable withdrawal and in such cases another non-refundable withdrawal should not be granted for the same purpose. A temporary advance for the same purpose is permissible after a period of four months and within a period of six months only when the previous advance sanctioned to the subscriber is a non-refundable withdrawal.

5. In the case of a subscriber under suspension, his period of suspension will also be taken into account for the purpose of reckoning the minimum service of 20 years].

**13. Withdrawal from the Fund towards payment of premia for Life Insurance Policies:-** (1) Withdrawal from the Fund is also permissible to meet the payment towards premia for the Policy of Life Insurance. Such withdrawal shall be permitted only when the amount to be withdrawn does not exceed the subscriber's own subscription and when the payment of premia to the policy is annual.

(2) (a) No amount shall be withdrawn before the details of the proposed policy or the policy actually taken by the subscriber as the case may be have been furnished to the District Educational Officer and accepted by him as suitable and an intimation to that effect is received from him. A policy to be acceptable shall be one effected by the subscriber on his own life and shall, unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the

benefit of his wife and children or any of them be such as may be legally assigned by the subscriber to the Government.

(b) The Policy should be assigned in favour of Government in Form 37 and should be submitted to the District Educational Officer for safe custody. Notice of assignment of the Policy shall be given by the subscriber to the Life Insurance Corporation and the acknowledgment of the notice by the Life Insurance Corporation shall be sent to the District Educational Officer within three months of the date of assignment, or within three months after the first withdrawal from the Fund in respect of the policy or such other period as may be considered necessary by the District Educational Officer.

(c) The amount to be withdrawn shall not exceed the amount required to meet payment of premia and it shall be rounded to the nearest rupee.

(d) Government will not make any payments on behalf of the subscribers to the Life Insurance Corporation nor take steps to keep a policy alive.

(e) The subscriber shall not during the currency of the policy, draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy, the subscriber has no option to refrain from drawing during its currency, shall be paid forthwith into the Fund by the subscriber or in the case of default, be ordered by the District Educational Officer to be recovered by deduction from the emoluments of the subscriber by instalments or other wise, as may be directed by the District Educational Officer.

(3) (a) The subscriber who desires to withdraw from the Fund to meet payments towards insurance premia will address the District Educational Officer through his Headmaster (through the Assistant Educational Officer in the case of Primary Schools) at least 30 days in advance of the due date with an application in Form 38 and enclosing the premium notice. The Savings Bank Pass Book shall be forwarded by the Headmaster, along with the application to the District Educational Officer.

**Note:**-The subscribers may also be permitted to withdraw from the Fund for the payment of the first premium on production of the acceptance letter issued by the Life Insurance Corporation and also on receipt of a letter from subscriber that the policy will be assigned to Government, as soon as it is issued by the Life Insurance Corporation. The subscriber should address the District Educational Officer through the Headmaster (through the Assistant Educational Officer in the case of Primary Schools) with an application in Form 38. The proposal

number may be noted in the place of policy number against item 3 of the application.

(b) The District Educational Officer shall, on receipt of the application, order the sanction of the withdrawal of the amount applied for and the Headmaster shall draw the amount from the Treasury and disburse the same to the subscriber as in the case of sanction and payment of temporary advance from the Fund.

(c) Immediately after the payment of the premia or in any case within thirty days from the date of withdrawal of the amount, the subscriber shall produce the premium receipt issued by the Life Insurance Corporation to the District Educational Officer through the Headmaster or the Assistant Educational Officer in the case of Primary Schools.

(d) The District Educational Officer shall after the scrutiny of the premium receipt return the same to the subscriber through the Headmaster or the Assistant Educational Officer, as the case may be, with an endorsement "Scrutinised and returned" No abatement of income tax after making a note in the register maintained in his office for the purpose in Form 39.

(4) If the policy is not assigned and submitted to the District Educational Officer within the said period of three months or such further period as the District Educational Officer may under clause (b) of sub-rule (2) have fixed, any amount withdrawn from the Fund in respect of the policy shall forthwith be paid by the subscriber to the Fund or in case of default be ordered by the District Educational Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise.

(5) When the subscriber quits the service and applies to the District Educational Officer for reassignment or return of the policy, the District Educational Officer shall reassign the policy in Form 40 in favour of the subscriber together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

**14. Withdrawal of deposits:-** (1) Withdrawals will be permitted on the death or complete retirement or for any other special reasons accepted by the Director as satisfactory.

(2) A subscriber who resigns his post before the end of the tenth year from the date of admission to the scheme and applies for closure of his account shall be entitled only to the subscriptions made by him <sup>8</sup>[with interest thereon] but in exceptional cases with sanction of the Government for reasons which should be recorded in writing, he may also be paid the Government contribution.

(3) If a subscriber is disable or becomes invalid otherwise than by his own fault, he shall receive all the deposits to his credit at whatever stage of service he is disabled or becomes invalid and he may also with the sanction of the District Educational Officer receive the Government contribution. When a subscriber is incapacitated by his own fault, he shall receive only his own subscriptions with interest thereon.

(4) If a subscriber,

(a) is dismissed or removed from service; or

(b) tenders his resignation to avoid such dismissal or removal; or

(c) quits his employment after having been convicted of an offense involving moral turpitude, the Government contribution is to be with held and such a subscriber shall receive only his own subscription with interest thereon, but in exceptional cases with the sanction of the Government for reasons which should be recorded in writing, he may also be paid the Government contribution.

(5) If the services of a subscriber are dispensed with for no fault of his own, he shall receive all the subscriptions to his credit and also, with the sanction of the District Educational Officer the Government contribution; or if he seeks re-employment may continue to participate in the scheme with out subscriptions until the date of reemployment.

(6) If a subscriber at whatever stage of his service takes up employment in a Government School his account shall be closed and he shall be given all subscriptions to his credit together with the Government contribution provided there is no reasonable chance of his reverting to aided school service.

- 15. Payment of Government Contribution:-** (1) On a subscriber quitting his employment in the circumstances which give him a claim to the Government contribution, such claim shall be preferred to the Accountant General by the District Educational Officer. Necessary application for the payment of the Government contribution shall be made by the Headmaster of the School from which the subscriber quitted the Fund to the District Educational Officer accompanied by a bill (Form 41) for the amount due drawn up and signed by the Headmaster (Assistant Educational Officer in the case of Primary School Teachers) the subscribers Pass Book, the certificate of his eligibility to join the Fund granted to him by the District Educational Officer at the time of his admission and certificate to the effect that no amounts in excess of the authorised subscription by the subscriber have been deposited and that the subscriber quitted the service in the circumstances which gives him a claim to the Government contribution under the rules. The application for Government contribution should

be supported also by the subscriber's application for admission containing the declaration in Form 31 and by all relevant correspondence showing that the amount in the Saving Bank account has been disbursed to the proper person or persons. If any balance of advance drawn by the subscriber from the Fund has not been repaid, the amount of such balance also shall be certified. The total amount withdrawn towards payment of insurance premia should also be furnished in a statement and certified. The bill drawn by the Headmaster (Assistant Educational Officer in the case of Primary School Teachers) should, after scrutiny be countersigned by the District Educational officer. The Accountant General will pass one half of the total at the credit in the Savings Bank (excluding interest credited) plus any balance of advance plus amount withdrawn for payment of insurance premia as provided in rule 8, as the Government contribution and this pass order will be given on the bill itself. The amount shall thereafter be drawn by the Headmaster (Assistant Educational Officer in the case of Primary Schools) and disbursed to the subscriber. The acknowledgments of the payees in support of the disbursement of the Governments contribution drawn by the Headmaster (Assistant Educational Officer in the case of Primary Schools) should be forwarded to the Accountant General immediately after the disbursements have been made. The pass books received by the Accountant General, the used - up pass books and the closed pass books shall be finally retained by the Accountant General after cancellation.

**Note:-** Should the Savings Bank Pass book be accidentally lost, a copy of the ledger entries relating to the book duly authenticated by the Treasury Officer may be accepted in place of the lost pass book. An explanation of the circumstances under which the pass book was lost, should also be furnished to the Accountant General.

(2) In the event of death of the subscriber while his Fund Account is open, the total amount standing to his credit in the Fund as well as the Government contribution due to him shall be drawn by the Headmaster (Assistant Educational Officer in the case of Primary Schools) and shall be payable by him as follows:-

(a) If the subscriber has survivors in anyone or more of the following categories;

(i) widow or widows

(ii) minor sons, and

(iii) unmarried daughters, and in their absence:

(iv) widow or widows and children of a deceased son: the amount shall be paid to such one or more of them and in such proportions as may be specified in the nomination or if no such nomination has been left by



the subscriber (i.e. if the nomination purports to leave the amount to any one other than one or more of these surviving relations or if no nomination in accordance with these rules is subsisting at the time of the death of the subscriber) the amount or such portion thereof as has not been left to anyone or more of these relation shall be divided in equal shares among:

(i) the widow or widows, minor sons and unmarried daughter and in their absence among the widow or widows and children of a deceased son;

(ii) in the absence of all such relations, among the major sons and married daughters.

(b) If the subscriber has no survivors in any of the categories mentioned in sub-rule (2) (a), the amount shall be paid to the person or persons specified in the nomination and in such proportions as may be specified thereon, or if no nomination is subsisting at the time of the death of the subscriber or if the nomination subsisting at such time does not cover the entire amount, the amount or such portion thereof as is not covered by the nomination shall be paid to the subscriber's legal representatives or such other person or persons as may be determined by a Civil Court competent to pass orders in this respect, provided that if the total sum at the credit of the subscriber including the Government contribution does not exceed Rs. 500 it may be paid to such person or persons as the District Educational Officer considers on production of indemnity bond or heir ship certificate to be the proper person or persons to receive it. Government will not be bound by, or recognise any assignment or encumbrance executed or attempted to be created which affects the disposal of the accumulations of a subscriber who dies before retirement.

(3) If a husband has made a written application under sub-clause (a) of clause (ii) of sub-rule (1) of rule 2 for the exclusion of his wife from taking a share on the ground that she has been judicially separated from him or has ceased under the customary law of the community to which she belonged to be entitled to maintenance, the amount shall be distributed under the said clause as if the widow did not exist and the nomination, if any, made, by the subscriber shall be deemed to have been modified accordingly. In the absence of such an application, the widow shall retain her rights under that clause.

(4) The deposits made and the Government contributions payable under this scheme are not attachable under any decree or order of any Civil, Revenue or Criminal Court.

**Explanation:-** These rules shall apply mutatis mutandis to women subscribers also.

**16. Registers to be kept by the Headmasters:-** The under mentioned register shall be maintained by the Headmasters;

(1) A card catalogue register in Form 32 showing the names of the subscribers to the Fund.

(2) A register in Form 36 showing advances sanctioned from the Fund and their refunds.

(3) A register in form 34 showing the transfer of accounts sanctioned by the District Educational Officer of subscribers who have left the school and the certificates issued to them the amounts subscribed by them to the Fund.

(4) A register in Form 35 showing the names of the subscribers whose accounts have been closed and the Government contribution paid to them on their leaving the Fund.

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1. Introduction by G. O. (P) 148/63 dt. 7-3-1963 published in gazette dt. 19-3-1963 with effect from 1-7-61.
  2. Substituted for 'sub-rule (i) of Rule 2 in chapter XXVII' by G.O (P) No. 327/68/Edn. dated: 11-07-68 published in Gazette dated: 6-8-68.
  3. Added by G. O. (P) 89/75/G. Edn dated 5-4-75 in Gazette dated 20-5-75.
  4. Substituted with effect from 25-7-67 for "attains the 58th year of age" by G.O (P) 326/Edn. dated: 25-07-67 published notification in gazette dated: 1-8-1967.
  5. The word " or before the 15th of the month, whichever is earlier" omitted by G.O (P) o. 816/63/Edn. dated: 17-12-63 and published in Gazette dated: 24-12-63. The change was made by Legislative Assembly.
  6. Substituted by G.O (P) 816/63/ Edn. dated: 17-12-63 and published in Gazette dated 24-12-63. The change was made by Legislative Assembly.
  7. Inserted Rules 12A and 12B by G. O. (P) 94/81/G. Edn. dated: 22-5-1981 published in gazette dated 21-7-1981.
  8. Inserted by G.O (P) 816/63/Edn. dated: 17-12-63 and published in Gazette dated: 24-12-63 as directed by the Legislative Assembly.

<sup>1</sup>[CHAPTER XXX**KERALA AIDED SCHOOLS EMPLOYEES' PROVIDENT FUND RULES**

1. **Short title, Commencement and Definitions:-** These rules may be called the Kerala Aided Schools Employee's Provident Fund Rules, 1967.

Note:-The first deduction due under these rules will be that from the pay for March 1967, payable in April 1967.

2. **Definitions:-** In these rules unless the context otherwise requires:-

(a) "Account Officer" means such officer as may be appointed by the Government to keep the accounts of the Provident Fund of employees of aided schools.

(b) "emoluments" means pay, leave salary or subsistence allowances as defined in the Kerala Service Rules, payable to a subscriber for the period concerned and includes dearness pay, if any.

(c) "employees of aided schools" means teachers and non-teaching staff of aided schools.

**Note:-** "Teacher" includes Headmaster as per sub-rule (7) (a) of Rule 2 of Chapter 1 of the Kerala Education Rules.

(d) 'family' means-

(i) in the case of a male subscriber, the wife or wives and children of the subscriber, and the widow or widows, and children of a deceased son of the subscriber;

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall hence forth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently indicates by express notice in writing to the Account Officer that she shall continue to be so regarded; and

(ii) in the case of a female subscriber, the husband and children of the subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber by notice in writing to the Account officer expresses her desire to exclude her husband from her family, the

husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently cancels formally in writing her notice excluding him.

**Note 1.** - "Children" means legitimate children.

**Note 2.** - An adopted Child shall be considered to be a child when the Account Officer or if any doubt arises in the mind of the Account Officer, the Advocate General is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of natural child, but in that case only.

**Note 3.**- A child of one person given in adoption to another shall not be considered to be the child of the former, if the Account Officer or if any doubt arises in the mind of the Account Officer, the Advocate General is satisfied that under the personal law of the persons concerned such adoption is legally recognised and in that case only.

(e) 'Fund' means the Kerala Aided School Employees' Provident Fund.

(f) "Government", "Governor" and "State" means respectively, 'the Government,' the Governor', and the State of Kerala'.

(g) "leave" means any kind of leave recognised by the leave rules applicable to the subscriber concerned.

(h) "subscriber" means an employee who subscribes to the Fund.

(i) "subscription" means the amount subscribed to the Fund monthly by an employee.

(j) "year" means the financial year.

(k) the expression" the Act", department', Director, Educational Officer,' District', ' Sub- district', and 'teacher' shall have the same meaning respectively as assigned to them in Kerala Education Rules 1959.

(l) any other expression used but not defined in these rules but defined in the Provident Funds Act, 1925 (Central Act 19 of 1925) or in the Kerala Service Rules shall have the meaning assigned to it in the said Act or Rules, as the case may be.

3. **Constitution of the Fund:-** There shall be a Fund called the Kerala Aided School Employees Provident Fund and the Fund shall be maintained in Rupees.

Note:- The Fund is non-contributory, Neither Government nor managements of schools will contribute to the fund.

4. It shall be compulsory for all full time employees of aided schools who are either permanent or officiating having a continuous service of not less than one year and who are governed by the rules in Chapters XXIV-B or XXVII-B of the Kerala Education Rules to subscribe to the Fund.

Provided that any employees who has insured his life in the State Life Insurance (Official Branch) will not be required to join the fund if he does not want to join it:

<sup>2</sup>[Provided further that in the case of an aided school <sup>3</sup>[employee] who belongs to a religious order which imposes vows of poverty on its members the Account Officer may on request in writing being made by the <sup>3</sup>[employee] in this behalf exempt such <sup>3</sup>[employee] from joining the fund:]

<sup>4</sup>[Provided further that unqualified teachers appointed under sub-rule (1) of rule 2 of Chapter XXI <sup>5</sup>[x x x] shall not also be required to join the Fund.]

- <sup>6</sup>[5. (1) Subject to rule 4, in the case of subscribers to any of the existing Provident Funds, who come under these Rules the amount of their subscription in the account with interest thereon, shall be transferred to the new Fund to be constituted under these rules.

(2) The Managers' contribution and interest thereon if any, accrued shall be credited to Government. There shall also be no Government contribution to the teacher's accounts under the Provident Fund and the Government contribution, if any, previously credited shall revert to Government.

(3) No employee who has been required or permitted to subscribe to the Fund under these Rules shall be allowed to continue to subscribe to any other existing Provident Fund].

<sup>7</sup>[Note:- When a subscriber to General Provident Fund (Kerala) quits Government service to take up appointment in an aided school and joins the Kerala Aided School Employees Provident Fund, the balance at his credit in the General Provident Fund (Kerala) shall be transferred to the Aided School Employees Provident Fund with the concurrence of the Accounts Officer (PF)].

6. **Procedure for joining the Fund:-** (1) Every person who is to join the fund shall submit in duplicate an application in Form 'A' appended to

these rules through the Headmaster of the School where he works to the Educational Officer concerned.

In the case of Headmasters the applications in duplicate shall be submitted to the Educational Officer direct.

(2) If the Educational Officer on examination of the application under sub-rule (1) finds it in order, he shall immediately forward the application along with its enclosures to the Account Officer who shall after due processes return one copy to the Educational Officers after allotting an Account Number which will be noted in the relevant column of the application.

<sup>8</sup>(3) The Educational Officers shall, on receipt of the admitted copy of the application from the Account Officer return it to the Headmaster of the school concerned with instruction to keep it along with the service records of the employee concerned and effect recovery of subscriptions regularly in accordance with the rules of the Fund.]

7. **Nominations:-** (1) An applicant shall, at the time of joining the Fund, send to the Account Officer along with his application in Form A, a nomination conferring on one or more persons the right to receive the amount that they may stand to his credit in the Fund, in the event of his death before that amount has become payable or having become payable, has not been paid:

Provided that if, at the time of making the nomination, the subscriber has a family the nomination shall not be 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 or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

<sup>9</sup>[(3) Every nomination shall be in the Form prescribed in the First Schedule].

(4) A Subscriber may at any time cancel a nomination by sending a notice in writing to the Account Officer:

Provided that the subscriber shall, along with such notice, send a fresh nomination made in accordance with the provisions of this rule.

(5) A subscriber may provide in a nomination.

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

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

Provided further that where the subscriber confers such a right on more than one person under this clause, he shall specify the amount of share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee.

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

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

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

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub clause (5) or on the occurrence of any event by reason of which nomination becomes invalid in pursuance of clause (b) of Sub-rule (5) the subscriber shall send to the Account Officer a notice in writing canceling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

(7) Every nomination made, and every notice of cancellation given by a subscriber, shall, to the extent that it is valid, take effect from the date on which it is received by the Account Officer.

(8) Nomination made in respect of several accounts under the existing funds in accordance with the rules governing them, shall be treated as nomination made under these rules, provided they are not inconsistent with these rules.

<sup>10</sup>[Note:- In this Rule unless the context otherwise requires, " Person" or "Persons" shall include a company or institution or association or body of individuals whether incorporated or not.]

8. **Subscriber's Account:-** An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with

interest thereon, as prescribed in rule 14, as well as advances and withdrawals from the fund.

- <sup>11</sup>[9. **Conditions and rates of subscription:-** A subscriber shall subscribe monthly to the Fund except during a period of suspension.

Provided that a subscriber may, at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay:

Provided also that a subscriber undergoing teacher's training who is in receipt of subsistence allowance only, subscription to the Fund shall not except with his consent, be realized during the periods of training:

Provided further that a subscriber, on reinstatement after a period passed under suspension shall be allowed the option of paying in a lump or in instalments, any sum not exceeding the maximum amount of arrear subscription permissible for that period].

<sup>12</sup>[Provided also that a subscriber may at any time during last one year of service immediately preceding the date of his retirement elect not to subscribe to the fund.]

- <sup>13</sup>[9A. The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to Rule 9 and during the last one year of service immediately preceding the date of his retirement referred to in the third proviso to Rule 9 in the following manner.

(a) By giving an option statement (in duplicate) not to subscribe to the fund to the Head of his office before he proceeds on leave or after electing not to subscribe to the fund in accordance with the third proviso to Rule 9. The Head of office shall forward one copy of the statement to the Assistant Educational Officer or District Educational Officer concerned as the case may be and Assistant Educational Officer/ District Educational Officer shall forward the statement duly countersigned to the Account Officer (P.F).

(b) Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

(c) The option of a subscriber intimated under these rules shall be final.]

10. (1) The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely:-

(a) It shall be expressed in whole rupees; and



(b) It may be any sum, so expressed which shall not be less than <sup>15</sup>[6 percent] of his emoluments.

Note:-If <sup>14</sup>[6 percent] of emoluments represents a sum not expressible in whole rupees of the fraction of a rupee will be rounded to the nearest whole rupee, 50 Paise or more counting as the next higher rupee.

<sup>15</sup>[(1 A) In addition to the amount of subscription fixed under sub-rule (1) an additional monthly subscription at the following rate shall be made by the subscribers, with effect from January 1972.

Pay range of subscribers	Rate of Additional Monthly subscription
Below Rs. 110	Rs. 3
Rs. 110 to Rs.209	RS.4
Rs. 210 to Rs 1250	Rs. 5].

(2) For the purpose of Sub-rule (1) the emoluments of the subscriber shall be as follows:-

(a) In the case of a subscriber who was in service on the 31<sup>st</sup> March of the preceding year, the emoluments to which he was entitled on that date.

Provided that-

(i) if the subscriber was on leave on the said date and elected not to subscribe during such leave, or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return to duty;

(ii) if the subscriber was on deputation outside the State on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in the State or had he not been on leave;

(b) in the case of a subscriber who was not in service on the 31<sup>st</sup> March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund;

(3) The subscriber shall intimate the fixation of the amount his monthly subscription in each year in the following manner:-

(a) if he was on duty on the 31<sup>st</sup> March of the preceding year by deduction which he makes in this behalf from his pay bill for that month;

(b) if he was on leave on the 31<sup>st</sup> March of the preceding year and elected not to subscribe during such leave or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty.

(c) if during the year in which he has entered service for the first time, or joins the Fund for the first time, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the Fund;

(d) if he was on leave on the 31<sup>st</sup> March of the preceding year and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month;

(e) if he was on foreign service on the 31<sup>st</sup> March of the preceding year, by the amount credited by him into the Treasury on account of subscription for the month of April in the current year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year:

Provided that the amount of subscription may be enhanced once at any time during the course of a year.

<sup>16</sup>[(5) Notwithstanding anything contained in sub rule (1) the Government may, by order direct that the whole or any part of the arrears of pay or allowances or both payable to subscribers under a Scheme or revision of pay or allowances or both implemented with retrospective effect shall be credited to the Fund and every subscriber to whom such order applies shall comply with such order.]

11. When a subscriber is transferred to foreign service or sent on deputation outside the State, he shall remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.
12. Realisation of subscription:- Subscription shall ordinarily be recovered by deduction from pay bill but they may be made by remittance in cash to the Treasury when a subscriber is on foreign service or on leave or on deputation outside the State.

<sup>17</sup>[In order to avoid credit for periods after the date of retirement, no deductions for Provident Fund subscription shall be made from the last salary of the subscriber].

(2) In case remittance is made in cash to the Treasury, the subscribers shall send the chalans to the Account Officer.

**Note:- 1-** Heads of institutions are responsible for seeing that the deductions on account of subscription to the Provident Fund are duly made while drawing and disbursing the salary bills of the subscribers (including Headmasters) working in the institutions. Omission to realise the subscription will be considered as failure of duty on their part.

**Note:- 2.** Heads of institutions shall maintain a list of Provident Fund subscribers whose pay is drawn by them and ensure that the correct Provident Fund number and the name of each subscriber is noted in the Provident Fund schedule attached to the monthly pay bills.

13. If for any reason subscription has not been recovered with effect from the date from which a subscriber is required to subscribe to the Fund, the total amount due to the Fund on account of arrears of subscription shall forthwith be paid by the subscriber to the Fund or in default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in instalments or otherwise as may be directed by the Head of the Office or Institution.
14. Interest:- (1) Subject to the provisions of sub rule (5), interest at such rate as may be fixed by Government subject to a minimum of 4 percent per annum shall be annually credited by the Government to the account of each subscriber.

(2) Interest shall be credited with effect from the last day in each year in the following manner:- .

a) on the amount at the credit of a subscriber on the last day of the preceding year, less any sum withdrawn during the current year - interest for twelve months;

(b) on sums withdrawn during the current year - interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;

(c) on all sums credited to the subscriber's account after the last day of the preceding year interest from the date of deposit up to the end of the current year;

(d) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise or more counting as the next higher rupee):

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-rule in respect, only of the period from the beginning of the current year or from the date of deposit, as the case may be, up to the date on which the amount standing at the credit of the subscriber became payable.

(3) In this rule, the date of deposit shall, in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is recovered, and, in the case of an amount remitted by the subscriber into the treasury, shall be deemed to be the first day of the month of remittance, if it is remitted into the treasury before that fifth day of the month, but if it is remitted on or after the fifth day of that month, the first day of the next month.

<sup>18</sup>[Provided that where there has been a delay in the drawal of pay or leave salary and allowance of a subscriber and consequently the recovery of his subscription towards the fund is delayed, the interest on such subscription shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules, irrespective of the month in which it was actually drawn:

Provided further that where the emoluments of a month, are drawn and disbursed in the same month itself, the date of deposit, shall in the case of recovery of his subscription be deemed to be first day of the succeeding month]

<sup>19</sup>[4. (i) In addition to any amount to be paid under the rules on final withdrawals, interest thereon up to the end of the month previous to the month in which authorisation for payment of Kerala Aided School Employees Provident Fund balance is issued or the Provident Fund balance is transferred to other Provident Fund in all cases, such as retirement, death, resignation, dismissal or removal, transfer or resignation to take up appointment under Central Government or other State Government or Autonomous bodies, public sector undertakings under the Central or State Government, shall be payable to the person to whom such amount is to be paid.

Provided that in all such cases application for closure of Provident Fund Account or the request for transfer of balance to other Provident Fund should be submitted to the Departmental authorities within a period of one year from the date necessitating the closure of the Provident Fund Account and while forwarding the application for closure or transfer of balance to the Accounts Officer (Provident Fund)

the Departmental Officer shall also specify the date of receipt of such application by him.

(ii) If any application for closure or for transfer of balance to other Provident Fund is received by the Departmental officer after the period of one year stipulated above, interest shall be admissible only up to a period of one year from the crucial date necessitating the closure of the account.

**Note:-** (1) If a subscriber holding a post in an officiating or temporary capacity, on the termination of his post exercises the option allowed by sub-rule (3) of rule 30 of leaving in the Fund, the amount accumulated to his credit, interest shall be allowed on that amount up to the date on which the subscriber subsequently obtains re-employment under Government.

(2) If the application for closure or for transfer of balance is received by the Departmental Officer after a period of one year from the date of retirement etc. payment of interest on the Fund balance beyond a period of one year as per clause (i) of sub-rule (4) up to the end of the month in which authorisation for payment of Provident Fund Balance is issued or the Provident Fund balance is transferred to other Provident Fund, may be authorised by the Government in Finance Department after satisfying that the delay in submitting the application by the subscriber or the claimants was due to circumstances beyond the control of the subscriber or of the claimants. In such cases the administrative delay involved in the matter shall be fully investigated by the departmental authorities and action if any required, shall be taken by the departmental authorities.]

(5) Interest shall not be credited to the account of a subscriber if he informs the Account Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it, or if he had joined the Fund during the year, from the date of joining the Fund.

<sup>19</sup>[(6) x x x x]

**15. Advance from the Fund:-** (1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the appropriate authority specified by the Government in this behalf, subject to the following conditions, namely-

(a) no advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise, provided that the condition of actual dependence shall not apply in the case of any son or daughter of the subscriber.

(i) to pay expenses in connection with prolonged illness of the applicant or any person actually dependent on him; or to repay any outstanding amount on account of a loan expressly taken for this purpose.

**Note:-** An advance is permissible to meet the expenses on account of confinement (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment and (2) in other circumstances involving expenditure disproportionate to the subscriber's income.

(ii) to pay for the overseas passage for reasons of health or education of the subscriber or of any person actually dependent on him, and also to meet the cost of education of the subscriber or of any person actually dependent on him, outside India, whether for an academic, technical, professional or vocational course; or in India for medical, engineering, or other technical or specialised courses beyond the high school stage, provided that the course of study is for not less than three years.

(iii) to pay obligatory expenses on a scale appropriate to the subscriber's status in connection with marriages, funerals or ceremonies which by the religious or social customs of the applicant it is incumbent on him to perform, or to repay any outstanding amount on account of a loan expressly taken for this purpose.

**Note:-**Temporary advance from Provident Fund credits of a subscriber may be granted to meet expenses in connection with the marriage and other ceremonies of the subscriber himself;

(iv) to pay for the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duties, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source, provided that the advance under this rule shall not be admissible to a subscriber who instituted legal proceedings in any Court of Law either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him; and

(v) to pay for the cost of subscriber's defense where he is prosecuted by the Government in any Court of Law or when the subscriber engages a legal practitioner to defend himself in an inquiry in respect of any alleged mis conduct on his part.

<sup>20</sup>[(vi) to pay for the cost of general education <sup>21</sup>[of the subscriber or] of any child of the subscriber in India beyond the High School stage for University Degrees like B. A., B. Sc, M. Sc. etc.].

**Note 1-** The amount of temporary advances admissible for purposes of sub clauses (iv) and (v) shall, notwithstanding any other provision to the contrary in these rules, not exceed three months pay or Rs. 500. whichever is greater, and shall in no case exceed half the amount at the credit of the subscriber.

**Note 2:-** A temporary advance may be granted to a subscriber who is under suspension provided he agrees in writing to the recovery of the advance being made in monthly instalments from the subsistence allowance sanctioned to him;

(b) the Government may, in special circumstances sanction a temporary advance if they are satisfied that the subscriber concerned requires the advance for a purpose other than those provided for in clause (a);

(c) the sanctioning authority shall record in writing its reasons for granting the advance.

(d) an advance shall not, except for special reasons to be recorded in writing, be granted.

(i) in excess of three month's pay or half the amount at the credit of the subscriber in the Fund, whichever is less; or (ii) until repayment of the last instalment of any previous advances;

Provided that if the reason is of a confidential nature, it may be communicated to the Account Officer personally and / or confidentially.

**Note:-** For the purpose of this rule, pay includes dearness pay, if any;

(2) The sanctioning authority shall not, under any circumstances, grant to a subscriber from the Fund-

(a) an advance during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation;

(b) an advance unless a period of <sup>22</sup>[6 months] has elapsed after the grant of a previous advance <sup>23</sup>[(C) Sanction of a temporary advance from Provident Fund shall not result in a position where by the amount of advance outstanding repayment plus the advance proposed to be sanctioned is more than <sup>24</sup>[300] percent of the balance amount at the subscriber's credit with the Government after disbursing the advance to be sanctioned. The following formula may be adopted for determining the maximum amount of advance admissible at a particular time.

<sup>25</sup>[3a-b  
4] 'a' represents the balance at credit and 'b' represents the outstanding balance of the previous advance/ advances.

Illustration:-

<sup>26</sup>[(a) Rs. 6000 (b) Rs. 2000 maximum temporary advance admissible is  
 $\frac{3a-b}{4} = \frac{(3 \times 6000)}{4} - 2000 =$

$\frac{18,000-2000}{4} = \frac{16,000}{4} = 4,000-]$

<sup>27</sup>[(d) x x x]

<sup>28</sup>[(e) an advance during the last one year of service, immediately preceding the date of retirement, to subscriber who has elected not to subscribe to the Fund during the said period in accordance with the third proviso to rule 9]-

<sup>27</sup>[x x x]

(3) In fixing the amount of an advance, the sanctioning authority shall pay due regard to the amount at the credit of the subscriber in the Fund.

(4) The amount of the advance should be a sum expressed in whole rupees and the monthly Instalments of payments should also be in equal number of whole rupees, the advances applied for being raised or reduced if necessary to enable the instalments to be thus fixed.

16. (1)(a) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct, but such number shall be less than twelve unless that subscriber so elects, or in any case not more than twenty four.

(b) In special cases, where the amount of advance exceeds 3 months pay of the subscriber under sub-clause (i) clause (d) of sub rule (1) of rule 15, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty six.

(c) A subscriber may, at his option, repay two or more instalments in a month.

(2)(a) Recovery shall be made in the manner prescribed in rules 12 and 13 for the realisation of subscription, and shall commence with the first



issue of pay for the month following the month in which the advance is drawn.

(b) Recovery shall not be made, except with the subscriber's consent <sup>29</sup>[while he is on leave, which either does not carry any leave salary or carries leave salary equal to/or less than half pay or half average pay or while undergoing teachers training] or in receipt of subsistence allowance and may be postponed on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

<sup>30</sup>[(3) When advance is sanctioned under sub-rule (1) of Rule 15 before repayment <sup>31</sup>[x x x] of any previous advance is completed the balance or any previous advance not recovered shall be added to the advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount].

(4) If any advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or the balance of the amount withdrawn shall with interest at the rate provided in rule 14, be forthwith repaid by the subscriber to the Fund, and in case of default, be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber in a lumpsum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (d) of sub -rule(1) of rule 15:

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

(5) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund.

<sup>32</sup>[(6) Recoveries towards temporary advance previously granted and outstanding will not be made during the last one year of service immediately preceding the date of retirement in respect of subscriber who has elected not to subscribe to the Fund during the said period in accordance with the third proviso to rule 9.

**17. Payment towards Insurance Policies:** (1) Subject to the provisions of rule 27, withdrawal from the Fund may be permitted to meet.

(a) A payment towards a policy of life insurance;

(b) the purchase of a single payment life insurance policy:

Provided that no amount shall be withdrawn (i) before the details of the proposed policy have been submitted to the Account Officer and accepted by him as suitable, or (ii) to meet any payment or purchase made or effected more than three months before the withdrawal or (iii) in excess of the amount required to meet a premium or subscription actually due for payment within three months of the date of withdrawal:

Provided further that no amount may be withdrawn to meet any payment or purchase in respect of an educational endowment policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation:

Provided also that amount withdrawn shall be rounded to the nearest whole rupee.

(2) The Account Officer shall, before accepting as suitable the details of the proposed policy, satisfy himself that the policy is taken out mainly for the benefit of the subscribers family and refuse to accept a policy which does not fulfill this condition.

18. (1) The number of policies in respect of which withdrawal of subscriptions from the Fund may be permitted under rule 17 shall not exceed four.

(2) The premium for a policy in respect of which withdrawal of subscriptions from the Fund may be permitted under rule 17 shall not be payable otherwise than annually.

19. If the subscriber withdraws any amount standing to his credit in the Fund for any of the purposes specified in rule 17, he shall continue to pay to the Fund the subscription payable under rule 10.

20. (1) A subscriber who desires to withdraw any amount under rule 17 shall:-

(a) intimate the reasons for the withdrawal to the Account Officer by letter.

(b) make arrangements with the Account Officer for the withdrawal; and

(c) send to the Account Officer within such period as the Account Officer may require, receipt or certified copies of receipts in order to satisfy the Account Officer that the amount withdrawn was duly applied for the purpose specified in rule 17.

(2) The Account Officer shall order the recovery of any amount withdrawn, in respect of which he has not been satisfied in the manner required by clause (c) of sub-rule (1) together with interest thereon at

the rate determined under rule 14 in respect of the year in which the payments should have been made from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

21. (1) A policy to be acceptable under these rules shall be one effected by the subscriber himself on his own life and shall (unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife, or of his wife and children, or any of them) be such as may be legally assigned by the subscriber to the Governor. Government will not make any payments of premia on behalf of subscribers to Insurance Companies nor take steps to keep a policy alive.

**Explanation 1:-** A policy on the joint lives of the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this rule.

**Explanations 2:-** A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first reassigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

(2) A policy may not be effected for the benefit of any beneficiary other than the wife or husband of the subscriber or the wife or husband and children of the subscriber or any of them.

22. (1) A policy when three months after first withdrawal from the Fund in respect of the policy, shall -

(a) Unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children or any of them, be assigned to the Governor as security for the payment of any sum which may become payable to the Fund under sub-rule (1) of rule 26 and delivered to the Account Officer, the assignment being made by endorsement on the policy in Form 1 or Form II or Form III in the Second Schedule to these rules according as the policy is on the life of the subscriber or on the joint lives of the subscriber and the subscriber's wife or husband, or the policy has previously been assigned to the subscriber's wife.

(b) if it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber or of the wife and children or any of them, be delivered to the Account Officer.

(2) The Account Officer shall satisfy himself by reference to the Life Insurance Corporation, where possible, that no prior assignment of the policy exists.

(3) Once a policy has been accepted by the Account Officer for the purpose of being financed from the Fund, the terms of the Policy shall not be altered, nor shall be the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alteration or of the new policy shall be furnished.

(4) If the Policy is not assigned and delivered, or delivered within the said period of three months, any amount withheld or withdrawn from the Fund in respect of the policy shall, with interest thereon at the rate provided in rule 14, forthwith be paid or repaid, as the case may be, by the subscriber to the Fund, or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the Head of the Department.

(5) Notice of assignment of the policy shall be given by the subscriber to the Life Insurance Corporation and the acknowledgment of the notice by the Life Insurance Corporation shall be sent to the Account Officer within three months of the date of assignment.

Note:- The subscriber shall not during the currency of the policy draw any bonus the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith in to the Fund by the subscriber or in case of default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required.

23. If a subscriber to any other Fund framing his insurance policy or policies under the rules of that Fund comes over to the Fund constituted under these rules and intends to finance that policy or policies under the rules of the Fund, constituted under these rules he shall on reassignment of the policy or policies by the Account Officer concerned in the form prescribed in the Fourth Schedule to these rules, make within a period of three months of the reassignment a fresh assignment of the policy or policies in the appropriate form prescribed in the Second Schedule to these rules.
24. (1) Save as provided by sub-rule (2) of rule 26, when the subscriber-
- (a) quits the service; or
  - (b) has proceeded on leave preparatory to retirement or if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, and applies to the Account Officer for reassignment or return of the policy; or

(c) while on leave has been permitted to retire or declared by a competent medical authority to be unfit for further service and applies to the Account Officer for reassignment or return of the policy, or

(d) pays or repays to the Fund the whole of any amount withdrawn from the Fund for any of the purposes mentioned in rule 17 with interest thereon at the rate provided in rule 14, the Account Officer shall, for and on behalf of the Governor;

(i) if the policy has been assigned to the Governor under rule 22 reassign the policy in Form I in the Third Schedule to these rules to the subscriber, or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the reassignment addressed to the Life Insurance Corporation; or

(ii) if the policy has been delivered to him under clause (b) of sub-rule (1) of rule 22 make over the policy to the subscriber.

(2) Save as provided by sub-rule (2) of rule 26, when the subscriber dies before quitting the service, the Account Officer shall deal with the Policy as indicated below namely:

(a) if there is a beneficiary and if the beneficiary be the same as the person entitled to his Provident Fund, the Account Officer shall for and on behalf of the Governor reassign the policy to the beneficiary in Form No. II in the Third Schedule to these rules;

(b) if there is a beneficiary who is different from the person entitled to the Provident Fund, the Account Officer shall draw the amount from the life Insurance Corporation and recoup to the Provident Fund such amount as has been withdrawn for payment of premia together with interest as calculated under rule 14 and pay the balance if any, to the beneficiary;

(c) if there is no beneficiary, the Account Officer shall draw the amount from the Life Insurance Corporation and credit to the Provident Fund Account of the Subscriber and dispose it of as follows:-

From the amount so realised, so much of the amount as has been withdrawn from his Provident Fund amount for the payment of premia with interest as calculated under rule 14 shall be paid to the person or persons entitled for his Provident Fund amounts. The balance if any will form part of the estate of the deceased and shall be paid to his heirs according to law provided it is free from attachment by a Court of law.

25. (1) If a policy assigned to the Governor under rule 22 matures before the subscriber quits the service, or if a policy on the joint lives of a

subscriber and the subscriber's wife or husband assigned under rule 22 falls due for payment by reason of the death of the subscriber's wife or husband, the Account Officer shall, save as provided by sub-rule (2) of rule 26 proceed as follows:-

(i) if the amount assured is greater than the whole of the amount withdrawn from the Fund in respect of the policy with interest, the Account Officer shall for and on behalf of the Governor, re-assign the policy in the Form set forth in the Fourth Schedule to these rules, to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber who shall immediately on receipt of the policy moneys from the Life Insurance Corporation pay or repay to the Fund the whole of any amount withdrawn with interest, and in case of default, the provisions of sub rule (4) of rule 22 applicable to a failure to assign and deliver a policy shall apply;

(ii) if the amount assured is less than the whole of the amount withdrawn with interest, the Account Officer shall realise the amount assured together with any bonuses which have acquired and shall place the amount so realised to the credit of the subscriber in the Fund.

(2) Save as provided by sub-rule (2) of rule 26, if a policy delivered to the Account Officer under clause (b) of sub-rule (1) of rule 22 matures before the subscriber quits the service, the Account Officer shall make over the policy to the subscriber.

Provided that if the interest in the policy of the wife of the subscriber or of his wife and children, or any of them, as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the Life Insurance Corporation, shall immediately on receipt thereon, pay or repay to the Fund.

(i) the whole of any amount withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in rule 14; or

(ii) an amount equal to the amount assured together with the amounts of any bonuses which have accrued whichever is less and, in case of default, the provisions of sub-rule (4) of rule 22 applicable to a failure to assign and deliver a policy shall apply.

**26.** (1) If the policy lapses or is assigned otherwise than to the Governor under rule 22 or is charged or encumbered, the provisions of sub-rule (4) of rule 22 applicable to a failure to assign and deliver a policy shall apply.

(2) If the Account Officer receives notice of -

(a) an assignment (other than an assignment to the Governor) under rule 22 of; or

(b) a charge or encumbrance on; or

(c) an order of a Court restraining dealings with the policy or any amount realised thereon; the Account Officer shall not, for and on behalf of the Governor:-

(i) re-assign or make over the policy as provided in rule 24; or

(ii) realise the amount assured by the policy or re-assign or make over the policy, as provided in rule 25; but shall forthwith refer the matter to the Government.

27. The provisions of rules 17 to 26 shall apply only to subscribers who, before the date of commencement of these rules, have been making withdrawals from any other Funds for such payments:

Provided that withdrawals from the Fund shall not be permitted for making payments in respect of any new policy.

#### NON-REFUNDABLE WITHDRAWALS

28. **Withdrawals from the fund:-** (1) Subject to the conditions specified herein non-refundable withdrawals from the amount standing to the credit, of a subscriber in the Fund may be sanctioned by an authority competent to sanction an advance for special reasons under clause (d) of sub-rule (1) of rule 15, at any time:-

(a) after the completion of 20 years of service (including broken periods of service, if any) of the subscriber or within ten years of the date of his attainment of the age of superannuation, whichever is earlier, except during the month in which he retires or proceeds on leave preparatory to retirement from service on superannuation, for one or more of the following purposes, namely:-

(i) meeting the cost of higher education, including, where necessary, the travelling expenses of any child of the subscriber and if he has no child, or any other relative actually dependent on him in the following cases, namely:

(A) for education outside India for academic, technical, professional or vocational course beyond the high school stage, and

(B) for any medical, engineering, or other technical or specialised course in India beyond the high school stage, provided that the course of study is for not less than three years.

(ii) meeting the expenditure in connection with the marriage of a son or daughter of the subscriber, and if he has no daughter, or any other female relative dependent on him, or repaying any outstanding amount on account of a loan expressly taken for this purpose.

(iii) meeting the expenditure in connection with the illness, including, where necessary, the travelling expenses of the subscriber or any person actually dependent on him or repaying any outstanding amount on account of a loan expressly taken for this purpose;

(iv) purchasing a house site in the name (s) of the subscriber and/or his wife or repaying any outstanding amount on account of a loan expressly taken for this purpose from the Government or any other source before the date of application for the withdrawal;

Provided that the house to be constructed on the site so purchased is for the actual residence of the subscriber and/or his family;

(v) building a suitable house on a site owned or acquired by the subscriber and or his wife or without any assistance from the Provident Fund, or acquiring a house together with the site thereof in the name (s) of the subscriber and /or his wife, or repaying any outstanding amount on account of a loan expressly taken by the subscriber and/or his wife from the Government or any other source for any of these purposes before the date of application for withdrawal;

Provided that the house is for the actual residence of the subscriber and/or his family; and (vi) making additions or alterations to, or reconstructing, or completing, or repairing a house owned or acquired by the subscriber and/ or his wife with or without any assistance from the Provident Fund, or repaying any outstanding amount on account of a loan expressly taken by the subscriber and/ or his wife from the Government or any other source for any of the said purpose before the date of application for the withdrawal:

Provided that the house is for the actual residence of the subscriber and or his family.

Note:- In respect of a female subscriber the words 'his' and 'wife, occurring in sub clauses (iv), (v) and (vi) shall be read as ' her' and 'husband' respectively.

<sup>33</sup>[Note:- In the case of subscriber who has elected to discontinue subscription in terms of the third proviso to rule 9, non-refundable



withdrawal from Provident Fund shall not be sanctioned after the application for closure is forwarded to the Accounts Officer (P.F.).

(b) after the completion of twenty-five years of service (including broken periods of service, if any) of a subscriber or within three years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the Fund for the purpose of purchasing a motor car for his own use or repaying any outstanding amount on account of a Government loan expressly taken for this purpose before the date of application for the withdrawal:

Provided that the subscriber draws, on the date of application, a pay (as defined in rule 12 (23) Part I, Kerala Service Rules) of not less than Rs. 550 per mensem:

Provided further that the amount of withdrawal shall in no case exceed the actual cost of the car or the balance outstanding against the loan taken for the purpose:

Provided also that no withdrawal for this purpose shall be allowed more than once:

(2) (a) Any sum withdrawn by a subscriber at anyone time for one or more of the purposes specified in sub-rule (1) from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six month's pay, which ever is less. <sup>34</sup>[The Director] may, however, sanction the withdrawal of an amount in excess of this limit up to of 3/4<sup>th</sup> of the balance at his credit in the Fund having due regard to the object for which the withdrawal is being made, the status of the subscriber and the amount to his credit in the fund.

Provided that-

(i) in the case of subscriber who has availed himself of a loan under any of the schemes sponsored by the Government for the grant of advances for house building purpose or has been allowed any assistance in this regard from any other Government source a non-refundable withdrawal by him from the Provident Fund will be permitted if the amounts withdrawn from the Fund, together with the amount of a loan taken under the Housing Scheme sponsored by the Government or the assistance taken from any other Government source, does not exceed Rs. 75,000 or five years pay of the subscriber, whichever is less:

(ii) a subscriber who has been permitted a non-refundable withdrawal from the Fund for the purpose of building or acquiring a suitable house for residence at any place will not be permitted to make another non-refundable withdrawal from the Fund for any of these purposes or for the purchase of a house site at the same or another place.

(iii) in the case of a subscriber who has been permitted a non-refundable withdrawal under sub clause (iv) of clause (a) of sub-rule (1) to purchase a house site he will not be permitted to make another withdrawal for acquiring another house site or a house together with site at the same or another place;

(iv) a subscriber who has been permitted under sub-clause (iv) or sub - clause (v) of clause (a) of sub-section (1) of rule 28 to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority.

(b) A subscriber referred to in paragraph (iv) of the proviso to clause (a) shall submit a declaration not later than the 31<sup>st</sup> day of December of every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his title to the property is based. If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority, the sum withdrawn by him shall forthwith be repaid in one lumpsum together with interest thereon at the rate determined under rule 14, by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lumpsum or in such number of monthly instalments, as may be determined by the Government:

Provided that those subscribers, whose deposits in the Fund carry no interest shall not be required to pay any interest.

(3) A subscriber who has been permitted to withdraw money from the Fund under sub-rule (1) shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn, shall forth with be repaid in one lump together with interest thereon at the rate determined under rule 14, by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump or in such number of monthly instalments, as may be determined by the Government.

(4) Nothing in sub-rule (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest, on any sum repayable by him under that sub-rule.

(5) A subscriber who has drawn an advance under rule 15 for any of the purposes specified in sub-clauses (i), (ii) and (iii) of clause (a) sub-rule (1) may convert, at his discretion, by written request addressed to the Account Officer through the sanctioning authority, the balance of the advance outstanding (against it) into a non-refundable withdrawal on his satisfying the conditions laid down in sub-rules (1) to (4),

<sup>35</sup>[28A. (1) Only one non-refundable withdrawal can be allowed for the same purpose. In this context, the marriage/education of different sons/daughters/relatives actually dependent on the subscriber and the illness of the subscriber or dependent, on different occasions will not be treated as the same purpose. Regarding educational expenses, a withdrawal will be permitted for meeting the expenses for each year of education (of the kind mentioned in the Provident Fund Rules). Similarly a further non refundable withdrawal can be allowed for a second or subsequent marriage of the same, son or daughter or relative actually dependent on the subscriber. In the case of marriage the amount should not be drawn earlier than three months of the date of marriage and if for any reason the marriage is postponed beyond 3 months from the date of drawal of the amount, it should be refunded. In such cases a fresh withdrawal can be allowed when the need actually arises.

(2) When a non-refundable withdrawal is sanctioned for medical treatment of the same person within six months of the previous sanction, it should be specified in the sanction that the nonrefundable withdrawal is for illness on a different occasion.

(3) In respect of the grant of non-refundable withdrawals for purchasing house site, if the payment is required in instalments through house building Co-operative Societies or similar agencies, a subscriber shall be permitted to make non-refundable withdrawals as and when he is called upon to pay an instalment and each call for payment of instalment will be treated a different purpose.

**Note 1:** The cost of electrification and sanitary arrangements, etc shall be treated as part of the expenditure for building a suitable house.

2. The various purposes specified in sub clause (1) shall be treated as the same purpose for the grant of non-refundable withdrawal.

3. The amount of part-final withdrawal for any of the purpose in sub-clause (1) should be fixed with reference to the net estimate amount for such purposes, after deducting the provision for electrification etc, if

any included in the estimate and a certificate to the effect that the cost of additions, alterations, repairs, etc. for which the part final withdrawal is sanctioned does not include cost of electrification, sanitary arrangements etc. should also be furnished by the sanctioning authority at the time of sanctioning the withdrawal.

(4) A temporary advance should not be granted when a previous non-refundable withdrawal was granted for the same purpose, within a period of four months. Similarly a non-refundable withdrawal should not be granted when a previous temporary advance was granted for the same purpose. Further the temporary advance which is subsequently converted into a non-refundable withdrawal should be treated as a non-refundable withdrawal and in such cases another non-refundable withdrawal should not be granted for the same purpose. A temporary advance for the same purpose is permissible after a period of four months and within a period of six months only when the previous advance sanctioned to the subscriber is a non-refundable withdrawal.

(5) In the case of a subscriber under suspension, his period of suspension will also be taken into account for the purpose of reckoning the minimum service of 20 years).

- 29. Recovery of moneys drawn or withdrawn from the Fund for improper use:-** Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under sub-rule (1) of rule 15 or withdrawn from the Fund under rule 17 has been utilised for a purpose other than that for which sanction was given to the drawal or withdrawal of the money, the amount in question shall, with interest at the rate provided in rule 14 forthwith be repaid or paid, as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one sum from the emoluments of the subscriber, even if he be on leave. If the total amount to be repaid or paid, as the case may be, more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount recoverable be repaid or paid, as the case may be, by him.

Note:- In this rule, the term "emoluments" shall not include subsistence allowance.

- 30. Final withdrawal or Accumulations in the Fund:-** (1) When a subscriber quits the service, the amount standing to his credit in the Fund shall be- come payable to him:

Provided that a subscriber who has been dismissed, removed or compulsorily retired from the service and is subsequently reinstated in

the service shall, if required to do so by the Government, repay any amount paid to him from the Fund in pursuance of this rule, with interest thereon in the manner provided in the proviso to the rule 31.

(2) The amount repaid by a subscriber under the proviso to sub-rule (1) shall be credited to his account in the Fund.

(3) A subscriber holding a post in an officiating or temporary capacity may either withdraw the amount on the termination of his post or leave it in the Fund to be withdrawn at the time he finally quits service.

**Note I.** When a subscriber quits service for appointment in Government service his balance in the Fund shall be transferred to the Government Provident Fund with the concurrence of the Account Officer of that Fund.

<sup>36</sup>[**Note 2.** When a subscriber to the Kerala Aided School Employee's Provident Fund quits Aided School Service for appointment in a Private College, the balance at his credit in the Kerala Aided School Employee's Provident Fund shall be transferred to the Kerala Private College Teacher's Provident Fund].

**31. When a subscriber:-**

(a) has proceeded on leave preparatory to retirement or, if he is employed in a vacation department, on leave preparatory to retirement combined with vacation: or

(b) while on leave, has been permitted to retire or has been declared by a competent medical authority to be unfit for further service; or (c) has attained the age of superannuation but has not been permitted to retire from service owing to some reason or other, the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Account Officer, become payable to him:

Provided that the subscriber, if he returns to duty shall, if required to do so by the authority competent to sanction an advance for the grant of which special reasons are required under clause (d) of sub-rule (i) of rule 15, repay to the Fund, for credit to his account, the whole or part of any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in rule 14 in cash or securities or partly in cash and partly in securities, by instalments or otherwise by recovery from his emoluments or otherwise as may be directed by the said authority.

**32.** On the death of subscriber before the amount standing to his credit has become payable, or where the amount has become payable before payment has been made-

(1) when the subscriber leaves a family-

(a) if a nomination made by the subscriber in accordance with the provisions of rule 7 or of the corresponding rule heretofore in force 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 the 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 a 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 nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in the equal shares:

Provided that no share shall be payable to -

- (i) sons who have attained legal majority;
- (ii) sons of a deceased son who have attained legal majority;
- (iii) married daughters whose husbands are alive;
- (iv) married daughters of a deceased son, whose husband are alive; if there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv):

Provided further 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 should have received if he had survived the subscriber and had been exempted from the provisions of clause (i) of the first proviso;

(2) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of rule 7, or of the corresponding rule heretofore in force 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.

**Note 1:-** Payment of Provident Fund money due to a minor beneficiary of a deceased subscriber may be made to the guardian nominated by the subscriber. When the subscriber has not nominated a guardian, a guardian appointed by the Court to receive payment on behalf of a minor beneficiary should alone be recognised even where the amount involved does not exceed the limit of Rs. 5000 specified in clause (b) or sub-section (i) of section 4 of the Provident Funds Act, 1925. But if the party pleads inability to incur expenditure for obtaining the

guardianship certificate from the Court, the orders of the Government, should be obtained for making any payment.

**Note 2:-** Payment may, however, be made without requiring the production of a guardianship certificate from the Court if the share of a minor beneficiary does not exceed Rs. 500 and when the total amount payable to all the minors in a particular case does not exceed Rs. 1,000, orders of Government being obtained in cases when the above limits are exceeded-

(i) to the natural guardian of such minor beneficiary; or

(ii) in the absence of a natural guardian, to the person considered fit by the Head of the Office to receive payment on behalf of such minor beneficiary on such person executing a bond in the form in Appendix 2 signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise:

Provided that be natural guardian may, if it is considered expedient, also be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made.

Provided further that, in cases governed by the Hindu Law, payment may be made, without requiring the production of guardianship certificate from the Court, to a Hindu widow of a deceased subscriber on behalf of her minor children other than step children, irrespective of the limit of Rs. 500 specified above and such widow, may if considered expedient, also be required execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made.

**Note 3:-** Payment of Provident Fund money due to a person nominated to receive the whole or part of the amount standing to the credit of a subscriber in the fund shall be made as follows in cases where the nominee dies after the subscriber but before receiving payment:-

(a) When the amount due to the deceased nominee does not exceed Rs. 500, the Account Officer may authorise payment of the amount to the claimant or claimants reported by the Collector of the district concerned, to be entitled to receive payment, after making such enquiry into the right and title of the claimant or claimants as the Collector may deem sufficient, if the Collector considers that the production of letters of administration or other legal authority may be dispensed with. The records of enquiry 'should contain the signed statements of at least two trustworthy or disinterested persons:

Provided that the Collector may, in such cases, if he considered it expedient, require the party to execute, before the payment is made, a bond in the form in Appendix 3 signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise;

(b) When the amount due to the deceased nominee exceeds RS.500 payment shall be made by the Account Officer to the person who produces probate or letters of administration evidencing the grant to him of administration to the estate of the deceased nominee or a succession certificate entitling the holder thereof to receive payment of the amount:

Provided that in cases where the Government are satisfied of the right and title of a person claiming payment as heir of the deceased nominee and that undue delay and hardship would be caused by insisting on the production of letters of administration or other legal authority they may authorise Account Officer to pay the amount to the claimant on his executing a bond in form in Appendix 3 signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise.

**Note 4:-** Notwithstanding the grant of a succession certificate in favour of anyone or more of the claimants, the Provident Fund balance standing to the credit of a deceased subscriber shall be paid to the claimant or claimants in accordance with the provisions of the Provident Fund Act, 1925 and the Rules framed there under; as the Act and the Rules supercede the personal law of succession, inheritance, etc, in respect of Provident Fund money standing to the credit of a deceased subscriber.

33. When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Account Officer to make payment, as provided in section 4 of the Provident Fund Act, 1925.
34. If the person whom under these rules any amount or policy is to be paid, reassigned or delivered is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 the payment, reassignment or delivery shall be made to such manager and not to the lunatic.
35. **Relaxation of the provisions of the rules in individual cases:-** When the Government are satisfied that the operation of any of these rules causes or is likely to cause undue hardship to <sup>37</sup>[an employee or any class of employees of an aided school, they may, after recording the reasons for so doing and notwithstanding anything contained in these rules, deal with the case of <sup>37</sup>[such employee or



class of employees] in such manner as may appear to it to be just and equitable:

Provided that the case shall not be dealt with in any manner less favourable to <sup>37</sup>[such employee or class of employees] than that prescribed in these rules.

36. **Interpretation:-** If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.
37. **Rules of procedure:-** All sums paid into the Fund under these rules shall be credited in the books of Government to an account named "The Kerala Aided School Employees Provident Fund". Sums of which payment has not been taken within one year after they become payable under these rules, shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.
38. When paying a subscription either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Account Officer. Any change in the number shall similarly be communicated to the subscriber by the Account Officer.
39. (1) As soon as possible after the close of each year, the Account Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1<sup>st</sup> April of the year, the total amounts credited or debited during the year, the total amount of interest credited as on the 31<sup>st</sup> March of the year and the closing balance on that date. The Account Officer shall attach to the statement of account an inquiry as to whether the subscriber-
- (a) desires to make any alteration in any nomination made under rule 7 or under the corresponding rule heretofore in force;
- (b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to sub-rule (1) of rule 7.
- (2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Account Officer within three months from the date of receipt of the statement.
- (3) The Account Officer shall, if required by a subscriber, once but not more than once, in a year inform the subscriber of the total amount

standing to his credit in the Fund at the end of the last month for which his account has been written up.

40. **Advance from the Fund:-** Application for the advance against Provident Fund Deposit shall be in Form B and for non-refundable with-drawal from Provident Fund shall be in Form B1 appended to these rules. Applications of all employees in aided school shall be sent through the Headmaster of the school who shall verify the details with reference to the last credit card, copies of pay bills etc. In the case of Headmasters such application shall be sent through the Educational Officer concerned who shall verify the details with reference to the last credit card, copies of pay bills etc.
41. Sanction for the grant of temporary advance shall be in Form C appended to these rules. In the case of non-refundable advance, the sanction shall be accompanied by Form C1 appended to these rules also.

Note:- The sanction for a withdrawal, refundable or non-refundable, shall remain operative for a period of three months only and shall be deemed to have lapsed thereafter unless specifically renewed.

42. Bills of payments shall be in Form D appended to these rules. A separate bill shall be drawn for each payment of Provident Fund money, by the Head of the institution in which the employee is working or by any other authority authorised to draw his pay bills.

**Note 1:-**In respect of final withdrawals from Provident Fund exceeding Rs. 1000 disbursement certificate should be furnished to the Account Officer immediately after payment has been made, in respect of payment not exceeding Rs. 1,000 a certificate relating to the period from First September to 31<sup>st</sup> August of each year should be furnished in the following form by the disbursing officer along with the Provident Fund Schedule for November (Schedule attached to October pay bills paid in November) each year.

"Certified that in respect of all final withdrawals from Provident Fund of amounts not exceeding Rs. 1,000 in each case drawn on bills from ..... to ..... disbursements have been duly made to the parties authorised to receive payments and their acquaintances obtained and filed in my office. A "Nil" certificate should be furnished along with the schedules even there is no disbursement below Rs. 1,000 in any office in a particular year.

**Note 2:-** In respect of withdrawal for insurance premium, the drawing Officer should furnish in the bill for withdrawal a certificate to the effect that he is satisfied that the amount previously withdrawn towards payment of insurance premium has been utilised for the

purpose for which it was intended and that the necessary premium receipt has been duly enforced by him.

- 43. Closure of Provident Fund Account:-** (1) Applications received for closure of Provident Fund Account in <sup>38</sup>[Form E1, E2 and E3 as the case may be] shall be sent by the Heads of institutions where the subscribers are working sufficiently early to the <sup>39</sup>[Controlling Officer] concerned so as to enable him to forward them along with necessary documents to the Account Officer within a fortnight of the event which necessitates the closure of the Fund Account.

(2) In respect of deceased subscriber the application for the closure of their Provident Fund Account in <sup>40</sup>[Form E3] appended to these rules obtained from nominee (s) or other claimant (s) along with heirship certificates, guardianship certificate, succession certificate and other documents required for closing the Account and arranging payment shall be forwarded by the Head of institution through the <sup>39</sup>[Controlling Officer] to the Account Officer within a fortnight of the death of the subscriber.

<sup>41</sup>[(3) A Subscriber who under the fourth proviso to rule 9 elects not to subscribe to the Kerala Aided School Employees Provident Fund during that last one year of service immediately preceding the date of his retirement, can apply for closure of his Provident Fund account three months after the date of such option and the amount standing at his credit shall become payable to him before the date of his retirement. Applications submitted under this sub-rule shall be forwarded to the Account Officer (Provident Fund) as provided in sub-rule (1). <sup>42</sup>[No, non-refundable advance from the Provident Fund shall be sanctioned after the application for closure is forwarded to the Account Officer (P.F.)].

<sup>43</sup>[Explanation:- For the purpose of this rule Controlling Officer means the Assistant Educational Officer/the District Educational Officer under whose immediate administrative and inspectional control the institution in which the subscriber working is situated].

- 44.** (1)The Account Officer shall on receipt of the application for closure of Provident Fund Account in <sup>44</sup>[Form E1, E2 and E3 as the case may be] along with the necessary documents, close the account and issue an authorisation in Form F appended to these rules to the Head of the Institution or the Authority who disburses the salary of the subscriber.

(2) The bill for the drawal of the money shall be in Form D.

(3) Bills are to be drawn and disbursed after complying with necessary formalities prescribed therefor. In the case of deceased subscribers, the

Head of the institution where the subscriber was last working shall draw and disburse the amount after due verification of the title and identification of the claimants.

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1. Chapter XXX added by notification dated 29-5-67 in Gazette dated: 13-6-67 with effect from 1-4-67.
  2. Added by G.O (P) 185/68/Edn. dated: 22-04-1968 notification in gazette dated: 7-5-68.
  3. Substituted for the words "teacher" by G.O (P) 24/72/S.Edn. dated: 21-02-72 in gazette dated: 14-3-72.
  4. Substituted by G.O (P) 185/68/Edn. dated: 22-04-68 Notification in gazette dated: 7-5-68.
  5. Words " and sweepers and other staff referred to in sub-rule (3) of rule 1 of Chapter XXIV(A)"omitted by Notn: in Gazette dated 21-9-71.
  6. Substituted by G.O (P) 191/68 Edn. dated: 25-04-68 published in Kerala gazette dated 7-5-1968
  7. Inserted by G.O (P) 25/72/S.Edn. dated: 21-02-72 and published in gazette dated: 21-3-72.
  8. Substituted by Notification in gazette dated 16-7-68for "(3) The Educational Officer shall, on receipt of the copy under sub-rule (2) inform the Head master that the applicant has been admitted to the Fund under Account No.(as communicated by the Account Officer to be specified in the letter) and direct him to recover subscription regularly in accordance with the rules of the Fund".
  9. Substituted by Notification No. G.O (P) 136/72/S.Edn. dt. 11-10-1972 in Gazette dt. 31-10-72.
  10. Added by Notification in Gazette dated 16-7-1968.
  11. Substituted by Notification No. G.O (P) 382/69/Edn. dated: 20-09-69 in Gazette dated 30-9-1969.
  12. Added by G. O. (P) 117/75/G.Edn. dated 17-5-1975 in gazette dated:10-6-1975
  13. Substituted by G. O. (P) 117/75/G.Edn. dated 17-5-1975
  14. Substituted for "10 percent" by G. O. (P) 23/75/Edn. dated 14-1-75 published in Gazette dated 4-2-75. Originally the rate was 6 per cent. It was increased to 8 percent by Notification in Gazette dated11-8-70. Then it was increased to 10 percent by Notification in Gazette dated 31-8-71. Again it has been changed as 6 percent.
  15. Inserted by No. G.O (P) 92/72/S.Edn. dated 1-7-72 published in gazette dated 11-7-1972.
  16. Inserted by G. O.(P) 23/75/G. Edn dated 14-1-75 in Gazette dated 4-2-75.
  17. Inserted by No. G.O (P) 8/72 dated: 18-01-72 and published in Gazette dated 15-2-72.
  18. Added by notification in gazette dated 2-9-69
  19. Substituted by GO(P) 250/2001/G. Edn. of 8.8.01 published in the Gazette dt. 22.8.01
  20. Added by G. O. (P) 111/74//G. Edn. dated 11-6-74 published in gazette dated 16-7-1974.
  21. Inserted by G. O. (P) 189/79/G. Edn dated 12-11-79 in Gazette dated: 4-12-79.

22. The Six Months has been revised as twelve months by G.O. (P)23/75/G.Edn. dated 14-1-75 and it was amended again as "6 months" by G. O. (P) 124/75/G. Edn. dated 31-5-75 in gazette dated 24-6- 75.
23. Substituted by G. O. (P) 23/75/G. Edn. dated 14-1-75 in Gazette dated 4-2-75 for" more than two advances in the course of financial year".
24. Substituted for "150" by G. O. (P) 124/75/ G. Edn. dated 31-5-75.
25. Substituted by G. O. (P) 124/75/G. Edn. dated 31-5-75 for "3a-2 b/5.
26. Substituted by G. O. (P) 124/75/G. Edn. dated 31-5- 75 in gazette dated 24-6-1975.
27. Deleted by G.O.(P) 189/79/G. Edn. 12-11-1979 published in Gazette dt. 4-12-1979 for" (d) A fresh advance when three advances already granted from Fund are outstanding repayment and note under (e)  
Note.- When a third advance is granted, the full circumstances necessitating the grant of the advance should be recorded in the order sanctioning the advance".
28. Inserted by G. O. (P) 117/75/G. Edn dated 17-5-75gazette dated 10-6-1975.
29. Substituted by Notification in Gazette date 30-9-69 for" while he is on leave of any kind for a full month or part of a month"
30. Substituted by G. O. (P) 19/74/ G. Edn/ dated 31-1-74 in gazette dated 14-5-74 for" if more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery".
31. Deleted by G. O. (P) 189/79/G. dated 12-11-79 published in Gazette dt. 4-12-79 for "of last instalment".
32. Inserted by G.O. (P) 117/75/G.Edn. dated 17-5-75 in gazette dated: 10-6-75.
33. Added by G.O. (P) 268/75/G.Edn dated 6-11-75 in Gazette dated 25-11-75.
34. Substituted by G.O. (P)167/79/G. Edn. Dated: 5-10-1979 in gazette dated 13-11-79.
35. Added by G. O. (P) 167/79/G.Edn dated 5-10-1979 in gazette dated: 13-11-79.
36. The existing Note renumbered as 1 and Note 2 added by G. O. (P) 197/79/ G. Edn. dated 21-11-1979 published in gazette dated 25-12-1979. The amendment shall be deemed to have come into force on the 21<sup>st</sup> of November 1979, by G. O. (P) 8/91/G. Edn dated 14-1-1991 in gazette dated 19-1-1991.
37. Substituted for the words "an employee" by G.O (P) 165/68/Edn. dated: 22-04-68 and published in Gazette dated 7-5-1968.
38. Substituted by G.O.(P) 199/77/G. Edn. Dated 27-9-77 in gazette dated 22-11-77 for "Form E".
39. Substituted for the words" District Educational Officer "by G.O.(P)71/74/G. Edn. Dated 20-4-1974 in gazette date 9-7-1974.
40. Substituted by G. O. (P) 199/77/G. Edn. dt. 27-9-77 Gazette dt. 22-11-77 for "Form E".
41. Substituted by G. O.(P) 15/83/G.Edn dated 8-2-83 published in gazette dt. 7-6-83
42. Substituted by G. O. (P) 25/87/G. Edn. dated 31-1-87 published in gazette dt. 7-7-87. for" No non-refundable advance from the Provident Fund shall be sanctioned after the application for closure is forwarded to the Account Officer (P. F.)".
43. Inserted by G. O. (P) 189/79/G. Edn. Dated 12-11-79 published in Gazette dt. 4-12-79.
44. Substituted by G. O. (P) 199/77/G. Edn. dated 27-9-77 in Gazette dated 22-11-77 for" Form E".

**FIRSTSCHEDULE**  
(See rule XXX -7 (3))  
**[Form of Nomination]**

I (Name) ..... hereby nominate the person (s) mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has become payable or having become payable, has not been paid.

Name of full address of nominee (s)	Relationship with the subscriber	Age	Share payable to each	Contingencies on the happening of which the nomination shall become invalid	Name, Address, relationship and age of the person to whom the right of the nominee shall pass in the event of his predeceasing the subscriber	Name & address of the person to whom share is to be paid on behalf of minor
-------------------------------------	----------------------------------	-----	-----------------------	---	---	---

Dated this ..... day of ..... 19 .....

Signature  
Name:  
Account No.

Two witnesses  
to signature (1)  
(2)

Countersignature of Educational Officer

**Column 1:-** A subscriber can nominate more than one person if he /she has a family as defined in K. A. S. E.P. F. Rules the nomination shall not be in favour of any person who is not a member of the family.

**Column 4:-** If the subscriber nominates only one person, the words "In full" may be noted, otherwise the share payable to each so as to cover whole amount standing at the credit of the subscriber may be specified.

**Column 5:-** Death need not be shown as a contingency. In the case of persons having no family as defined in K. A. S. E. P. F. Rules the subscriber shall state that the nomination shall become invalid in the event of his subsequently acquiring a family. Similarly, in the case of subscriber having only one member in the family and who wishes to nominate another person as alternate nominee, he shall specify that the right conferred on the alternate nominee shall become invalid in the event of the subscriber acquiring an additional member in the family.

**Columns 6 & 7:-** The name to be specified in these columns shall be that of a person other than the subscriber or nominee.

**Account No:-** In the case of person who file the nomination along with application for admission to the Fund, this will be furnished by the Account Officer.].

**SECOND SCHEDULE**  
(See Rule XXX- 22 (1) (a))  
**Forms of Assignment**

**I**

I, A B of .....hereby assign unto the Governor of Kerala the within policy of assurance as security for payments of all sums which under rule 26 of the Kerala Aided school Employee's Provident Fund Rules, I may hereafter become liable to pay to that Fund.

I hereby certify that no prior assignment of the within policy exists.

Dated this ..... day of ..... 19 .....

(Signature of the subscriber)

One Witness to signature:

Station:

**II**

We, AB (the subscriber) of ..... and C. D. (the joint assured) of ..... in consideration of the Governor of Kerala agreeing at our request to accept the withdrawal of the sum of Rs ..... from the sum at credit of the said A. B. in the Kerala Aided School Employee's Provident Fund for the payment of the premium of the within policy of assurance hereby jointly and severally assign unto the said Governor the within policy of assurance as security for payment of all sums which under rule 26 of Kerala Aided School Employees Provident Fund Rules and said A, B may hereafter become liable to the Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated this ..... day of ..... 19 .....

(Signature of subscriber and the joint assured)

One Witness to signature

Station:

**Note:-** The assignment may be executed on the policy itself either in the subscriber's handwriting or in type; or alternatively a typed or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A typed or printed

endorsement must be duly signed and if pasted on the policy it must be initialed across all four margins.

### III

I. C. D. wife of A. B. and the assignee of the within policy, having, at the request of A B. the assured agreed to release my interest in the policy in favour of A B. in order that AB. may assign the policy to the Governor of Kerala who has agreed to accept the withdrawal of the sum of Rs. .... from the sum at credit of the said A.B. in the Kerala Aided School Employee's Provident Fund for payment of premium of the within policy of assurance, hereby at the request and by the direction of A. B. assign and confirm unto the said Governor the within policy of assurance as security for payment of all sums which under rule 26 of Kerala Aided Schools Employee's Provident Fund Rules the said A. B. may hereafter become liable to pay to the Fund.

We hereby certify that no prior assignment of the within policy exists.  
Dated this ..... Day of ..... 19 .....

One witness to signature  
Station:

(Signature of the assignee and  
the subscriber)



**THIRD SCHEDULE**

(See rule XXX-24)

**Form of reassignment by the Governor of Kerala**

**I**

All sums which have become payable by the above named A. B. under rule 26 of the Kerala Aided School Employees Provident Fund Rules having been paid and all liabilities for payment by him of any such sums in the future having ceased the Governor of Kerala both hereby reassign the within policy of assurance to the said A B. / AB. and CD.

Dated this ..... day of ..... 19 .....

Executed by-

Account Officer (for and on behalf of the  
Governor of Kerala in the presence of)

XY

(Signature of the Account Officer)

YZ

Witness- (One Witness who should add his designation and address)

**THIRD SCHEDULE**

(See rule XXX-24)

**Form of reassignment by the Governor of Kerala****II**

The above named A. B. having died on the ..... day of ..... 19 ..... the Governor of Kerala doth hereby reassign within policy of assurance to CD.

Dated this ..... day of ..... 19 .....

Executed by-

Account Officer (for and on behalf of the  
Governor of Kerala in the presence of)

XY

(Signature of Account Officer)

Witness

YZ

(One Witness who should add his designation and address)

**FOURTH SCHEDULE**

(See rule XXX-25)

**Form of reassignment by the Governor of Kerala**

The Governor of Kerala doth hereby reassign within policy to the said A. B./ A. B. and C. D.

Dated this ..... day of ..... 19.....

Executed by-

Account officer (for and on behalf of the  
Governor of Kerala in the presence of)

XY

(Signature of Account Officer)

Witness

YZ

(One witness who should add his designation and address)

**APPENDIX I**  
(See Rule XXX-32)

**Payment of amounts to nominees**

1. Any sum payable under rule 32 to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Funds Act 1925.
2. When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Funds Act, 1925, the amount vest in such nominee under sub-section (2) of section 3 of the Act.
3. When the subscriber leaves no family and no nomination made by him in accordance with the provisions of rule 7 subsists, or if such nominations relates only to part of the amount standing to his credit in the Fund, the relevant provisions of clause (b) and of sub -clause (ii) of clause (c) of subsection (1) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.

## APPENDIX II

(See Note 2 (ii) under rule XXX-32)

**Form of Bond of Indemnity for drawal of Provident Fund money due to the  
minor child/ children of a deceased subscriber by a person other than its/  
their natural guardian where each  
minor's share does not exceeds Rs.500.**

KNOW ALL MEN BY THESE PRESENTS that we Sri .....  
(Here enter name and address) (hereinafter called" the bounden") (a) and Sri  
..... and Sri ..... (b) (here enter names and  
addresses) (hereinafter called "the sureties") do here by bind ourselves and  
each of us our and each of our heirs, executors and administrators jointly and  
severally to pay to the Governor of Kerala (hereinafter referred to as "the  
Government") on demand the sum of Rs. (Rupees in words).

Signed and dated this the ..... day of .....one  
thousand nine hundred and .....

WHEREAS (c) ..... was at the time of his death a subscriber to the  
Kerala Aided School . Employees Provident Fund Rules AND WHEREAS the  
said (c) ..... died on the day of ..... 19 ..... and a sum of rupees  
..... (Rs ..... ) is payable by the Government on account of his  
Kerala Aided School Employee's Provident Fund accumulations AND  
WHEREAS the above bounden

(a) ..... (hereinafter called the claimant (s) claim(s)\* the said sum  
on behalf the minor /child/ children of the said (c) ..... but has/have  
not obtained a guardianship certificate.

AND WHEREAS THE claimant (s) has/have satisfied the (d)  
.....(office concerned) that he/she/they/is/are entitled to the  
aforesaid sum and that would cause undue delay and hardship if the claimant  
(s)were required to produce a guardianship certificate/AND WHEREAS  
Government desire to pay the said sum of the claimant (s) but under  
Government rules and orders it is necessary that the claimant (s) should first  
execute a bond with two sureties to indemnify Government against all claims  
to the amount so due as aforesaid to the said (c) ..... (deceased) before  
the said sum can be paid to the claimants.

NOW THE CONDITION of this bond is such that if after payment has  
been made to the claimant (s), the claimant (s) or sureties shall in the event of  
a claim being made by any person other than the claimant (s) against  
Government with respect of the aforesaid sum of Rs ..... refund to  
Government the sum of Rupees ..... (Rs.....) and shall  
always indemnify and save Government harmless from all liabilities in  
respect of the aforesaid sum and all cost incurred in consequence of any claim  
thereto.

THEN the above written bond or obligation shall be void but otherwise the same shall remain in full force and virtue:

The liabilities of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may be recovered jointly and severally from them and their properties movable and immovable as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may, deem fit.

Signed by the Bounden Sri .....

In the presence of witness:

- (1)
- (2)

Signed by the Sureties Sri-  
and Sri

In the presence of Witnesses

- (1)
- (2)

---

\* Here insert "to be entitled to" or "as guardian", as the case may be.  
 (a) Full name of claimant (s) with place (s) of residence.  
 (b) Full name (s) of the sureties  
 (c) Name of deceased.  
 (d) Title of the officer responsible for payment.

**APPENDIX III**

(See Note 3 under Rule XXX-32)

Form of Indemnity that should be taken for authorising payment of the Kerala Aided School Employees Provident Fund deposits without insisting on the production of letters of administration or other legal authority to a person claiming payment as heir of the deceased nominee of the subscriber.

KNOW ALL MEN BY THESE PRESENTS that we Sri ..... (Here enter name and address) (hereinafter called "the bounden") (a) and Sri..... and Sri ..... (b) (Here enter name and addresses) (hereinafter called "the sureties") do hereby bind ourselves and each of us and each of our heirs, executors and administrators jointly and severally to pay to the Governor of Kerala (here in after referred to as "the Government") on demand the sum of Rs ..... (Rupees in words).

Signed and dated this the ..... day of ..... One thousand nine hundred and sixty .....

WHEREAS (c) ..... was at the time of his/her death a subscriber to the Kerala Aided School Employee's Provident Fund AND WHEREAS the said (c) ..... died on the ..... day of ..... 19 .....

WHEREAS a sum of Rupees ..... (Rs.....) is payable to (d) ..... the nominee of the said (c) ..... by the Government on account of the Kerala Aided School Employee's Provident Fund Accumulations of the said (c) ..... AND WHEREAS the said (d) ..... predeceased the said (c) ..... died after the said (c) ..... but before receiving payment;

AND WHEREAS the above bounden (hereinafter called the claimant (s) claim (s) the said sum but has/have not obtained probate or letters of administration or other legal authority;

AND WHEREAS the ..... /Government desire (s) to pay the said sum to the claimant (s) but consider (s) it necessary that the claimant (s) should first execute a bond with two sureties to indemnify the Government against all claims to the amount so due as aforesaid before the said sum can be paid to the claimant (s). NOW THE CONDITION of this bond is such that if, after payment has been made to the claimant (s), the claimant (s) or the said sureties shall in the event of a claim being made by any person other than the claimant (s) against the Government with respect to the aforesaid sum of Rupees (Rs ..... ) refund to the Government the sum of Rs ..... and shall otherwise indemnify and save the Government harmless from all liabilities in respect of the aforesaid sum and all costs incurred in consequence of any claim, thereto.

THEN the above written bond or obligation shall be void but otherwise the same shall remain in full force and virtue.

The liability of the sureties under this bond is co-extensive with that of the bounden and shall not be affected by the Government giving time or any other indulgence to the bounden:

Provided further that the bounden and the sureties do hereby agree that all sums found due to the Government under or by virtue of this bond may recovered jointly and severally from them and their properties movable and immovable as if such dues were arrear of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

Signed by the bounden Sri .....

In the presence of witnesses:

- (1)
- (2)

Signed by the Sureties Sri .....  
and Sri

In the presence of witnesses:

- (1)
- (2)

- (a) Full name (s) of the claimant (s) with place (s) of residence.
- (b) Full name of the surety
- (c) Full name of the subscriber
- (d) Full name of the nominee.





**FORM B****(See Rule XXX-40)****Form of Application for Temporary Advances against deposits in Kerala****Aided School Employees' Provident Fund**

1. Name and account No. of subscriber
2. Monthly pay, dearness pay and designation
3. Amount of advance required (both in figures and words.)
4. Purpose for which it is required
5. Number of instalments of recovery proposed
6. Date of complete repayment of the previous loan
7. Details of advances pending recovery,
  - (1) the amounts of previous advances
  - (2) dates of drawal of each advances
  - (3) balance outstanding against each advance
- [7A. Amount of consolidated advance items 3 and 7 (3) and the number and amount of monthly instalments in which the consolidated advance is proposed to be repaid].
8. Name of treasury at which payment is desired
9. I hereby declare that the above statements are true and that I agree to abide by the Kerala Aided School Employees' Provident Fund Rules in force. I also promise to repay the above advance in equal monthly instalments.

Place .....

Date. ....

Signature of the subscriber  
with name and designation)

10. Enquiry certificate

Place .....

Date ... ..

(Signature of Head of institution)

**Verification Report**

11. Total amount at the credit of the applicant
12. Amount of advance admissible
13. Number of instalments of repayments
14. Any other fact requiring consideration

Account officer/ Head of the Office/ Department

**FORM B-1**  
(Se Rule XXX-40)

**Application for non-refundable withdrawal from the Kerala Aided School**

**Employees Provident Fund**

1. Name and designation of the subscriber
2. Pay and dearness pay
3. Provident Fund Account Number
4. Whether the subscriber has opted for the Kerala Aided School Employees Provident Fund Rules within the prescribed time- limit
5. Date of retirement on superannuation
6. Total service (in year) under the management as on this date
- \*[7 Object of the withdrawal:

(a) If the withdrawal is required for meeting the expenditure in connection with the:

(i) higher education of any child or dependent of the subscriber; specify the nature and duration of the course (in the case of a dependant also specify whether the subscriber has any child.)

(ii) marriage of a son or daughter or any other female relative dependent, on the subscriber; indicate also the month in which the marriage takes place (in the case of a dependent, specify also whether the subscriber has any daughter).

(iii) illness of the subscriber or any other person actually dependent, on him; mention the nature of illness also; (iv) acquisition of a house and/ or site furnish in whose name (s) (subscriber's and /or his wife's) it will be acquired and whether it is for the actual residence of the subscriber and/or his family.

(v) construction, reconstruction, repair, etc. of a house; state whether the site on which the house is proposed to be constructed, or the site on which the house proposed to be reconstructed, repaired, altered, etc. is situated, is owned by the subscriber and/or his wife, and whether the house is for the actual residence of the subscriber and/or his family.

(b) if the withdrawal is required for payment of a loan taken for the:

(i) marriage of a son or any female relative dependent on him, specify the amount of the loan taken on account of the marriage, the balance outstanding against it and the date on which the marriage h CHAPTER XXX celebrated.

(ii) construction of the house or allied purpose, state the amount of loan expressly taken for the purpose, the balance outstanding

against it and in whose name (subscriber's and /or his wife's) the ownership of the house and/or site is vested.

8. Amount of the loan, if any, taken by the subscriber and /or his wife from the Government under any scheme sponsored by them for the grant of the house construction loans, and the number and date of the orders/proceedings in which sanction was issued therefor.

(This column need be filled in only if the subscriber proposes to make a withdrawal for house' construction or allied purpose.)

9. Amount of withdrawal proposed (both in figures and words)
10. Name of the treasury at which payment is desired.
11. (a) whether any non-refundable withdrawal was made by him from the fund previously for the same or different object and if so, furnish the details thereof.

(b) If any withdrawal was made as mentioned in (a) above, state whether he had submitted the utilisation certificate in respect of that withdrawal to the appropriate authority within the period of the time limit. if the certificate was not submitted within the said periods, furnish the reason there for.

12. Special circumstances which necessitate the withdrawal. (This column need be filled if only in the amount proposed to be withdrawn exceeds half the amount at the credit of the subscriber in the Fund or six months pay which ever is lessor if the withdrawal requires sanction in relaxation of any of the provision in the rules).

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\* In respect of a female subscriber who applies for withdrawal for house construction or allied purpose, the words' his' and 'wife' occurring in column 7 may be read as ' her' and 'husband' respectively.

### DECLARATION

I, ..... do hereby declare that the above statements furnished by me are true and that I agree to abide by the Kerala Aided School Employees' Provident Fund Rules as amended from time to time.

Dated signature of the subscriber  
with full official address

Place;.....

(To be filled in by the Head of Institution/Department)\

I recommend for sanction the withdrawal of Rs .....(Rupees ..... only) by the subscriber.

### CERTIFICATES

1. It is certified that I have verified the particulars furnished by the subscriber against columns 2,3,4,5,6,8 and 11 with reference to the relevant records in my office and that they are found to be correct.

2. It is also certified that I have caused enquires to be made about the statement contained in the application regarding the object of the proposed withdrawal and that I am satisfied that it is bonafide.

Station .....

Dated signature of the Head of  
Institution/Department

### \*[VERIFICATION REPORT

1. Total amount at the credit of the subscriber in the Fund.
2. Amount admissible under the rules.
3. Rule (s) under which the sanction permitting the withdrawal by the subscriber is to be accorded,
4. Any other facts which require special consideration,

Account Officer/Head of Institution/Department

Endt. No. .... dated .....

To  
The .....  
.....

---

\* The verification report shall be furnished by the Head of Institution with reference to the latest annual account slip issued by the Account Officer and the Office copies of the pay bills etc relating to the subsequent periods.

**FORM C**  
**(See Rule XXX -41)**

Form of sanction for Temporary Advances from Kerala Aided  
School Employees' Provident Fund

A temporary advance from the Kerala Aided School Employees' Provident Fund as particularised below is sanctioned by the undersigned under the rule regarding that Fund.

1. Subscriber's name
2. Subscriber's designation
3. Subscriber's pay and Dearness pay
4. Subscriber's Provident Fund Account Number
5. Amount of advance
6. Object of advance
7. Rule or Rules under which the advance is sanctioned
8. Balance at credit of the subscriber on this date (as verified from the account last rendered by the Account Officer/Head of Institution /Department)
9. Balance of previous advance, if any, outstanding against the subscriber.
10. Date of repayment of previous advance, if any
11. Special reasons for granting the advance under rule 15(1) (d),
12. Number of instalments in which the advance is to be recovered.
- <sup>1</sup>[12A. Amount of consolidated advance (items Sand 9) and the number of instalments in which the consolidated advances is to be recovered]
13. Amount of each such instalment.

(Signature of the sanctioning  
Authority with designation)

To

The Account Officer (P.F.) Office of the Director of Public instruction,  
The District Treasury/Sub-Treasury Officer .....

The .....

Sri. .... .

**Form C-1**  
**(See Rule XXX - 41)**

1. Subscriber's name in full
2. Subscriber's designation
3. Subscriber's pay (and D. P. if any) at the time of sanctioning the withdrawal (pay as defined in rule 12(2) Part I, Kerala Service Rules).
4. Subscriber's P.F. Account Number.
5. Object of the non-refundable withdrawal.
6. (i) Particulars and amount of loan, if any, taken by the subscriber for house building purposes under any housing scheme of the State Government.  
  
(ii) Particulars and amount of any other assistance received by the subscriber from other Government sources, for the same purpose.  
  
(Sub columns (i) and (ii) above need be filled up only if the withdrawal is sanctioned for house building or allied purpose.)
7. Balance at the credit of the subscriber on the date of application (as verified from the account last rendered by the Account Officer and subsequent deposits and withdrawals).
8. Date of retirement.
9. Total service rendered by the subscriber on the date of application.
10. Amount of the non-refundable withdrawal.
11. Rules and orders under which sanction is accorded
12. Number of instalments in which payments is to be made.
13. Special reasons, if any, for granting the withdrawal.

**FORM D**  
**(See Rule XXX-17 and 42)**

Adjustable by  
Voucher No .....  
Date .....

Bill for withdrawing Final Payment/Advance/other withdrawals  
from the Kerala Aided School Employees' Provident Fund of  
Shri/Smt ..... of the ..... for the month of  
.....

Sl. No.	Name of subscriber and monthly pay	Kerala Aided School Employee's Provident Fund Account No.	No. & date of sanction / letter of authority	Final Payment/ advance/ Other withdrawal	Acquittance

Total  
Net amount required for payment (in words)  
Rupees .....

Space for classification .....

Signature

Stamp

.....

(Designation of the Drawing Officer)

Pay Rs .....  
(Rupees .....)

Station  
Date  
Contents received  
Pay to

Treasury Officer  
Examined and entered  
Treasury Account

(Signature of Drawing Officer)

CERTIFICATES

I. Certified that I have satisfied myself that all sums included in bills in Form D drawn 1 month/2 months/3 months previous to this date in favour of Messrs ..... Accounts Nos ..... with the exception or those detailed below (of which the total has been refunded by deduction from this Bill) have been disbursed to the proper persons and that their acquittance

have been taken and filed in my office with receipt stamp duly cancelled for every payment in excess of Rs 20.

II. Certified that the balance at my credit/at the credit of the subscriber on the date of the withdrawal covers the sum drawn in the bill. Certified also that the amount asked for in this bill is required to meet the yearly premium, due on ..... in respect of Policy No ..... with the Life Insurance Corporation of India and that the policy in question has been assigned to the Governor and is in the custody of the Account Officer ..... or the details of the policy proposed to be taken have been communicated to and accepted by the Account Officer in his letter No ..... dated .....

Certified also that the number of policies financed from the Kerala Aided School Employees' Provident Fund does not exceed four/ the number of policies financed from Kerala Aided School Employees' Provident Fund exceeds four as these were accepted prior to the commencement of the Kerala Aided School Employees' Provident Fund Rules.

Certified that I have satisfied myself that the amount withdrawn previously on the same account have been utilised by the subscriber for the purpose for which it was intended and that the relevant premium receipt/receipts has/have been duly encased by me.

(Signature)  
(Designation)

Give details here if more than one policy has to be cited.

#### FOR USE IN AUDIT OFFICE

Admitted Rs.  
Objected Rs  
Auditor

Accountant.



<sup>1</sup>[Form E-1]  
**SEE RULE XXX 43 (1) AND 44 (1)**  
**APPLICATION FOR CLOSURE OF KERALA AIDED SCHOOL**  
**EMPLOYEES PROVIDENT FUND ACCOUNTS**

**IMPORTANT**

1. This form is to be used except in cases where the subscriber has died or resigned Aided School Service.
  2. Please read through the instructions carefully before filling up the form
  3. The application is to be sent to the Account Officer., (P. F.) Office of the Director of Public Instruction, Trivandrum -695014, through the Head of Office and the Controlling Officer.
  4. In the case of a subscriber who has elected to discontinue subscription in terms of third proviso to Rule 9, the application can be sent within 3 months prior to the date of retirement. Other wise the application is to be sent immediately after the salary for the month preceding the month in which the subscriber is to retire, is drawn; for ego if the subscriber retires on 31st March the application can be sent immediately after the salary for February is drawn or after.
- A. Details to be furnished by the subscriber**
1. (a) Name in full of the subscriber and account number (as indicated in the latest Annual Account Statement) received from Accounts Officer (P.F)
  - (b) Designation
  - (2) Institution in which working, or worked last
  - (3) How did you quit service was it by
    - (a) Retirement
    - (b) Proceeding on leave preparatory to retirement
    - (c) Dismissal or discharge or removal
  4. Date of quitting service
  5. (a) Have you been sanctioned and paid any non-refundable advance or Temporary advances during the 12 months preceding the date of your quitting service:
    - (b) If so, quote the numbers and dates of sanctions:

- (i) Non-refundable advance
  - (ii) Temporary Advance
6. Give particulars of Life Insurance Policies financed by you from P. F. money which are to be released.
  7. (a) What is this amount at your Credit in the Fund as communicated by the Account Officer,(P.F.) through the latest Annual Account Statement received by you.
    - (b) Do you accept the balance as correct?
    - (c) If not, give details of discrepancies
  8. Have you furnished a Nomination?
  9. The address in which communications are to be sent to you (Full postal address to be given)

Station:

Date:

Signature of the Subscriber

**B. Details to be furnished by Head of office and Controlling Officer**

1. If the subscriber retired (or will be retiring within 30 days) the date of his retirement (Specify Forenoon or Afternoon).
2. If he has not retired, but proceeded on leave preparatory to retirement; date of proceeding on leave preparatory to retirement.
3. (a) Has he been dismissed, or discharged or removed.
  - (b) If so, date of discharge, dismissal or removal.
  - (c) Number and date of the order by which dismissed, removed from service or discharged.
4. Details of Temporary advances and Non-Refundable withdrawals paid to the subscriber during the 12 months preceding the date of quitting service.

Amount	Sanction No. and date	Date of withdrawal	Treasury of encashment of Bill
(a) Temporary Advances			
(b) Non-Refundable withdrawals			
(5) Details of last Fund deductions			
(i) Subscription			
(ii) Refund of advance			
(iii) Total deduction			
(iv) Gross and Net amount of bill			
(v) Date of encashment and Name of Treasury			

Certified that the information furnished above has been verified by referring to the records in my office.

Signature of Head of Office  
(Name of School with Postal Address)

Signature Controlling Officer  
(Give Full Address)

- 
1. Form E1, E2, E3 Substituted by G. O. (P) 199/77/G. Edn dated 27-9-77 published in gazette dated 22-12-77

**FORM -E2****[SEE RULE XXX -43 (1) AND 44 (1)]****APPLICATION FOR CLOSURE OF KERALA AIDED SCHOOL  
EMPLOYEES****PROVIDENT FUND ACCOUNTS****IMPORTANT**

This form is to be used only in cases where the subscriber has resigned Aided School Service.

**A. Details to be furnished by subscriber**

1. (a) Name in full of the Subscriber and account number (as indicated in the latest Annual Account Statement received from the Account Officer. (P.E)  
(b) Designation
2. Aided School in which you worked last.
3. Date with effect from which you resigned from Aided School Service.
4. Have you resigned Aided School Service to take up appointment in Government Service?
5. (a) Have you been sanctioned and paid any Non refundable advances or Temporary advances during the 12 months preceding the date of your quitting service?  
  
(b) If so, what are the numbers and dates of sanctions and amounts
  - (i) Temporary Advances.
  - (ii) Non-refundable Advances.
6. Give particulars of Life Insurance Policies financed by you from the P.E money which are to be released.
7. (a) what is the amount at your Credit in the Fund as communicated by the Account Officer,(P.E) through the latest Annual Account Statement received by you  
  
(b) Do you accept the balance as correct?  
  
(c) If not give details of the discrepancies

8. What is the address in which communications are to be sent to you.
9. If you have resigned Aided School Service to take up appointment in Government Service or another Aided School.
  - (a) Have you been admitted to G. P.F
  - (b) If so, what is your G. P.F Alc Number
  - (c) what is the address of the Government Institution in which you were working at the time of Admission to G.P.F. . .

Station:

Date:

Signature of the Subscriber

**Details to be furnished by Head of Office and Controlling Officer**

1. Was the resignation tendered by the subscriber for joining Government Service or another Aided School.
2. What is the date with effect from which resignation was accepted.
3. Details of Temporary advances and Non-refundable withdrawals paid to the subscriber during the 12 months preceding the date of resignation:

Amount	Sanction No. and date	Date of withdrawal	Treasury of the encashment of the Bill
(a) Temporary advances			
(b) Non- Refundable withdrawals			

Certified that the information furnished above has been verified by referring to the records in my Office.

Signature of Head of Office  
(Name of School with Postal Address)

Signature of Controlling Officer  
(Give Full Address)

**FORM -E3**  
**[See Rule XXX- 43(1) and (2) and 44 (1)]**

**APPLICATION FOR CLOSURE OF KERALA AIDED SCHOOL  
EMPLOYEES**

**PROVIDENT FUND ACCOUNTS**

IMPORTANT:-This Form is to be used only when the subscriber died before retirement or before receiving the amount in his P.F. account.

**A. Details to be furnished by the Nominee or other claimants**

1. (a) Name in full of the subscriber and account number (as indicated in the latest Annual Statement received from the Account Officer (P.F)
- (b) Designation
2. Name of School in which the subscriber worked last.
3. Date of death.
4. Have you produced proof of death of the subscriber before the Head of the Office.
5. (a) Has the subscriber been sanctioned any Non-refundable withdrawal or temporary advance during the 12 months preceding the date of quitting service ?
  - (i) Non-refundable withdrawal
  - (ii) Temporary advance
  - (b) If so, the number and date of sanctions
    - (i) Non-refundable withdrawals
    - (ii) Temporary advances
  - (c) Amount
    - (i) Non-refundable withdrawals
    - (ii) Temporary advances
6. Give particulars of Life Insurance of Policies financed by the subscriber from P.F. money which are to be released.
7. (a) What is the amount at Credit in the Fund as communicated by the Account Officer, (P.F) through the latest Annual Account Statement
  - (b) Do you accept this balance as correct?
8. Have you ascertained from the Account Officer, (P.F) or the Head of the Office, that you are the Nominee?

Note:- The item below need be filled up only when the subscriber has not filed a nomination in favour of a member of the "Family"

9. Had the subscriber a family? if so, Please furnish the details of the members of the "Family", viz:-

- (i) Name and address of wife
- (ii) Name of minor children with dates of birth
- (iii) Name and address of daughters who were unmarried or widows at the time of death of the subscriber.
- (iv) Names and address of widows of the subscriber's son who died before the death of the subscriber.
- (v) Minor children of the sons of the subscriber who died before the death of the subscriber.
- (vi) Unmarried daughters of sons of the subscriber who died before the death of the subscriber.

10. If there is no "Family"

- (a) What is your relationship with the subscriber?
- (b) Has the subscriber tiled a nomination in your favour?
- (c) If there is no nomination in your favour have you obtained a heirship certificate from the Tahasildar or a succession certificate a from the court of law?

Note:- When the balance in the P.F. account exceeds Rs. 5,000 and when there is no nomination or a "Family", a succession certificate from a Court of law has lobe produced.

11. What is the address in which communications are to be sent to you.

Station:

Date:

Name and Signature of Applicant

**B. Details to be furnished by the Head of office and the Controlling Officer**

1. Have you satisfied yourself that the subscriber is dead and the date of death furnished by the claimant is correct.
2. Is a copy of the nomination tiled by the subscriber available with you? (If so please enclose it with this application.)
3. Have you conducted a local enquiry and ascertained that the particulars furnished by the claimant against item (9) are correct ?

Note:- The Head of the office and the controlling officer should conduct a local enquiry and satisfy themselves that the particulars furnished against item (9), furnished by the applicant are correct.

4. Details of Temporary advances and Non-refundable withdrawals paid to the subscriber during the 12 months preceding the date of quitting service.

Amount	Sanction No. and Date	Date of Withdrawal	Treasury of encashment of the Bill
(a) Temporary advance (b) Non-refundable withdrawals 5. Details of last fund deduction:- (a) Subscription (b) Refund of advance (c) Total deduction (d) Gross and net amount of Bill (e) Date of encashment, and Name of Treasury			

Certified that information furnished above has been verified by referring to the records in my office.

Signature of Head of Office  
(Name of school with postal address)

Signature of Controlling Officer  
(Give full address)



**FORM- F**  
**(See rule XXX - 4)**

Office of the .....

No.

From

THE .....

To

.....

Sir,

With reference to your letter No ..... dated ..... the .....intimating that ..... quitted the service/ died ..... on ..... and asking for payment of the amount at .....credit (Account No. ....) in the Kerala Aided School Employees' Provident Fund on the date, I authorise you to draw a sum of Rs. ( ..... ) representing the amount of ..... deposit with interest calculated up to ..... by representing the bill at the ..... Treasury/cash counter of this office.

2. The disbursement should be made in terms of Rules ..... of Kerala Aided School Employees' Provident Fund Rules and a certificate of disbursement of the amount furnished in your next establishment bill.

3. The deceased by a declaration, dated ..... desired that the whole/portion of /his accumulations in the Fund should be paid to the persons named below in the proportions mentioned against each.

4. The payee should be informed that he/she shall have to accept that amount when tendered.

5. The ..... has been advised accordingly.

Yours faithfully

(Signature)

(Designation)

Copy to the ..... for information and favour of necessary action.

(Signature)

(Designation)

Note:- Paras 2 and 3 may be cut out when not required.

<sup>1</sup>[CHAPTER XXXI**QUALIFICATIONS OF PRIVATE SCHOOL TEACHERS**

1. (1) The teachers in the private schools shall have the educational and professional qualifications prescribed in this chapter. The conditions regarding age, Departmental Test qualifications, service qualifications and other service conditions shall be governed by the provisions of the Act and the Rules contained in the foregoing chapters:

Provided that nothing contained in this chapter shall affect the teachers appointed in private schools prior to the coming into force of this chapter and who possess qualifications prescribed under valid orders then in force and whose appointments have been approved as fully qualified teachers:

Provided further that such persons will be eligible for appointment in any schools.

<sup>2</sup>[(2) A pass in S. S.L. C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent shall be the minimum general educational qualifications for all teaching posts in Private Primary Schools including posts of Language Teachers and Specialist Teachers. But in respect of persons holding an oriental title conferred or recognised by the Universities in Kerala the possession of S. S. L. C. as the minimum general educational qualification shall not be insisted upon.

(3) Qualified teachers in service in Private Schools as on 30-6-1980 and teachers who have approved qualified service in Private Schools prior to that date shall be, permanently exempted from the requirement of the general educational qualifications prescribed for all teaching posts in Private Primary Schools under sub-rule (2) above, not only in respect of posts held by them but also in respect of promotions to higher posts provided they have the qualifications prescribed for such higher posts, but for the prescription of the revised minimum general educational qualifications.

(4) In the absence of the candidates with the prescribed minimum general educational qualifications, which should be established by obtaining non-availability certificate from the Employment Exchange and advertisement in two issues of a Newspaper having wide circulation in the locality, appearing within a period of one week, candidates possessing the qualifications in vogue prior to 30-6-1980 shall be appointed as fully qualified hands whether they have acquired

such qualification prior to 30-6-1980 or not.

(5) The appointment of language teachers with the minimum general educational qualification prescribed before 30-6-1980, if any, made before 16-8-1982 shall also be approved as fully qualified.

(6) Nothing contained in these rules shall however affect the entertainment or continuance of under qualified hands permitted by general or special orders of Government].

<sup>3</sup>[1A For the purpose of the rules in this chapter, the words Universities in Kerala shall mean any of the following Universities namely:-

Kerala University.

Mahatma Gandhi University <sup>4</sup>[x x x]

Calicut University]

<sup>4</sup>["Kannur University and

Sree Sankaracharya Sanskrit University"]

## 2. High Schools:-

### <sup>5</sup>[(1) Headmaster:

A degree in Arts or Science or its equivalent and B. Ed./B.T./L.T. or its equivalent conferred or recognised by the Universities in Kerala".]

### (2) High School Assistant:-

#### (a) High School Assistant (Subjects)

A Degree in the concerned subject and B.Ed./B.T./L.T conferred or recognised by the Universities in Kerala.

#### (b) High School Assistant (Languages)

(i) High School Assistant (Malayalam):- A Degree in Malayalam <sup>6</sup>[or Malayalam as one of the two optional Subjects under Pattern II of Part III] and B. Ed/ B.T./L.T. conferred or recognised by the Universities in Kerala: or

A title of Oriental learning in Malayalam awarded by the Universities in Kerala and certificate in Language Teachers Training issued by the

Commissioner for Government Examinations, Kerala.

**(ii) High School Assistant (Tamil):-** A degree in Tamil and B. Ed/ B. T./ L. T conferred or recognised by the Universities in Kerala; or A title of Oriental learning in Tamil Awarded or recognised by the Universities in Kerala and Certificate in language Teacher's Training issued by the Commissioner for Government Examinations, Kerala.

**(iii) High School Assistant (Sanskrit):-** A Degree in Sanskrit and B. Ed/ B.T./ L. T. conferred or recognised by the Universities in Kerala; or

A title of Oriental Learning in Sanskrit awarded or recognised by the Universities in Kerala and Certificate in Language Teachers' Training issued by the Commissioner for Government Examinations, Kerala.

<sup>7</sup>[**Note:-**Shiksha Sastri Examination of the Rashtriya Sanskrit Sansthan and Shiksha Sastri Examination of the Kameswar Singh Darbhanga University of Bihar shall be treated as equivalent to B.Ed. Degree Examination of the Universities in Kerala for the purpose of appointment as H. S. A. (Sanskrit)

**(iv) High School Assistant (Hindi):-**The candidate shall possess anyone of the academic qualifications and a training qualification as specified below:

#### A. ACADEMIC QUALIFICATION

A degree in Hindi conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Hindi awarded or recognised by the Universities in Kerala; or

Praveen of the Dakshina Bharat Hindi Prachar Sabha, Madras with a pass in the S.S.L.C Examination conducted by the Commissioner for Government Examinations, Kerala, or its equivalent; or

Sahithyacharya of Kerala Hindi Prachar Sabha with a pass in S. S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent.

## B. TRAINING QUALIFICATIONS

B.Ed/B.T/L.T. conferred or recognised by the Universities in Kerala or Diploma or Certificate of Language Teachers' Training in Hindi issued by the Commissioner for Government Examinations, Kerala; or

Diploma in Hindi Teachers Training issued by the Commissioner for Government Examinations, Kerala; or

A pass in anyone of the following examinations of the Kendriya Hindi Sikshan Mandai Agra namely:

(i) Hindi Siksha Praveen;

(ii) Hindi Sikshan Parangath

(iii) Hindi Sikshan Nishnat

**Explanation I:-** Persons who have successfully undergone Pracharak Diploma of the Dakshina Bharat Hindi Prachar Sabha up to and including the academic Year 1969-70 shall be considered to possess the requisite training qualification.

**Explanation II:-** Persons who have successfully undergone the Course in Hindi Teachers Diploma course of the Regional Hindi Training College Gandhigram Madura during the academic year 1967-68 or prior to that year shall be considered to possess the requisite training qualifications.

**Explanation III:-** Persons who have successfully undergone the <sup>8</sup>[Acharya course of the Kerala Hindi Prachar Sabha] up to and including the academic year 1969-70 shall be considered to possess the requisite training qualification.

**(v) High School Assistant (Arabic):-** A degree in Arabic <sup>9</sup>[or Arabic as one of the two optional subject under Pattern II of the Part III] and B. Ed/ B.T./ L T conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Arabic awarded or recognised by the Universities in Kerala and Certificate in Language Teachers Training issued by the Commissioner for Government Examinations, Kerala.

**(vi) High School Assistant (Urdu):-** A degree in Urdu and B. Ed/ B.T./L. T conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Urdu awarded or recognised by the

Universities in Kerala and Certificate in Language Teachers Training issued by the Commissioner for Government Examinations, Kerala.

**(vii) High School Assistant (Kannada):-** A degree in Kannada and B. Ed./B.T./L.T. conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Kannada awarded or recognised by the Universities in Kerala and certificate in Language Teachers Training issued by the Commissioner for Government Examinations, Kerala.

**(viii) High School Assistant (Gujarathi):-** A degree in Gujarathi and B. Ed. / B.T./ L.T. Conferred or recognised by the Universities in Kerala.

**(ix) High School Assistant (French):-** A degree with French as Main or Subsidiary or additional subject and B. Ed/ B.T./ L.T. conferred or recognised by the Universities in Kerala.

<sup>10</sup>**(X) High School Assistant (English):-**(i) A degree in English language and literature; and

(ii) B.Ed /B.T./L.T. with English as optional subject, conferred or recognised by the Universities in Kerala;

<sup>68</sup>(iii) In the absence of those with qualification in item (ii) above, candidates with B.Ed/B/T/L.T. any other subject, conferred or recognised by the Universities in Kerala will be considered.

<sup>11</sup>[Provided that a post graduate degree in the subject or language concerned shall be considered as an alternative qualification of degree in such subject or language concerned for appointments as High School Assistant (Subject) or High School Assistant (Languages) as case may be].

### **(3) Specialist Teachers.**

**(a) Drawing Teacher:-** (1) A pass in S. S. L.C Examination conducted by the Commissioner for Government Examinations, Kerala; or its equivalent and

(2) Certificate in Drawing and painting (two year course) issued by the Commissioner for Government Examinations, Kerala; or

Diploma in painting issued by the Commissioner for Government Examinations, Kerala; or

Group Diploma in Drawing, K. G. T. E. or M. G. T. E.

<sup>12</sup>[Or Certificate in Sculpture and Modeling (2 year course) issued by the Commissioner for Government Examinations Kerala].

<sup>13</sup>[Or Certificate in Kerala Government Certificate Examination in Fine Arts issued by the Commissioner for Government Examinations, Kerala]

(b) Physical Education Teachers:- (1) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent and

(2) Certificate of Physical Education issued by the Commissioner for Government Examinations, Kerala, <sup>14</sup>[x x x x].

<sup>15</sup>[(3) Certificate in Physical Education of Karnataka and Tamil Nadu States will be recognised as an alternate qualification for appointment of Physical Education Teacher in aided schools in the State.]

<sup>16</sup>[Note:- Certificate of Physical Education of Mysore will be recognised as a qualification for appointment of Physical Education Teachers in Schools in the linguistic minority area of Kasargod].

<sup>17</sup>[or in the case of Ex-service men of Army/Navy/ Air Force, Physical Training Courses of the Armed Forces (The Assistant Instructions Basic Course in Physical Education) or The Army Physical Training Corps Instructors Course or Naval Physical Training Corps Instructors Course or the Air Force Ground Training Instructors Course].

<sup>18</sup>[x x x x]

**Explanation:-** The service of Ex-Physical Education Instructors of the Army/ Navy/ Air force if any, already appointed in Aided Schools will be regularised from the date of appointment as fully qualified Physical Education teachers. If individual certificate on the above courses are not issued on completion of the courses to the trainees, the discharge certificate issued by the concerned Defence Authorities to the Ex- Physical Education Instructors mentioned above will be taken as sufficient proof for their having under gone the respective courses successfully],

<sup>19</sup>[Or a pass in the Vocational Higher Secondary Education in Physical Education conducted by the Board of Vocational Higher Secondary Education, Kerala or its equivalent or any degree in Physical Education (Regular Course) such as B.P.Ed/ M.P.Ed etc conferred or recognised

by any of the Universities in Kerala]

**(c) Music Teachers:-** graduation in Music conferred or recognised by the Universities in Kerala; or

(a) A pass in S. S. L. C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent, and

(b) A pass in Gana praveena or <sup>20</sup>[Ganabhooshanam Examination in Vocal Music or Ganabhooshana Diploma in Violin/ Veena] conducted by the Commissioner for Government Examinations, Kerala or

Music senior certificate issued by the Commissioner for Government Examinations, Kerala or

Sangeetha Vidwan title of the Central College of Karnatic Music Madras.

**(d) Sewing Teachers:-** (1) A pass in S. S. L. C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent; and

(2) Group certificate in Needle Work and Dress making of the K. G. T. E. (Higher) or M. G. T. E. (Higher); or

Group Certificate in Tailoring of the K.G.T. E. (Higher) or M.G.T.E. (Higher);or

<sup>21</sup>[Group Diploma in crafts issued by the Commissioner for Government Examinations, Kerala; or National Trade Certificate in Cutting and Tailoring <sup>22</sup>[or in Dress Making] issued by the National Council for training in Vocational Trades, Government of India] <sup>23</sup>[or Diploma in Craftsmanship (Tailoring and Garment making) issued by the Director of Technical Education, Kerala.]

<sup>24</sup>[(e) Craft Teachers:-

(1) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or Its equivalent qualification

and

(2) Kerala Government Technical Examination or Madras Government Technical Examination in the particular craft subjects.

or

Diploma in Craftsmanship Issued by the Director of Industries and Commerce, Kerala or by the Director of Technical Education, Kerala or any other equivalent qualifications].



### 3. Upper Primary School:

#### (1) Upper Primary School Assistant

<sup>25</sup>["A pass in S.S.L.C. examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent or a pass in Pre-degree examination conducted by any of the Universities in Kerala or any examination recognised by any such Universities as equivalent to Pre-degree examination or a pass in a Higher Secondary Examination conducted by the Board of Higher Secondary Examination, Kerala or any other examination recognised by Government as equivalent there to and a pass in T.T.C. Examination conducted by the Commissioner for Government Examinations, Kerala; OR a degree in any subject and B.Ed/B.T/L.T. conferred by or recognised by the Universities in Kerala"].

<sup>26</sup>[Or a pass in Pre-degree Examination with Pedagogy as an elective subject conducted by the University of Kerala.]

<sup>27</sup>[Or a pass in Basic T T C Examination (Malayalam) conducted by the Madras Government].

<sup>28</sup>[**Explanation I:-** Such candidate shall be entitled to get the Basic Salary plus D. A. eligible for qualified hands and increments shall be sanctioned only after successful completion of the in service training. Notional increments shall be granted to them taking into account their service from the date of passing the test on completion of their training and the entire service put in by them until they successfully get through the in service course shall be considered as qualifying service for all purposes.]

<sup>29</sup>[**Explanation I (A):-** In the case of schools where Kannada or Tamil is the sole medium of instruction. T T C (Kannada) or T T C (Tamil) issued by the Commissioner for Government Examinations, Kerala respectively, shall be considered as sufficient training qualification for appointment to the post of Upper Primary School Assistant in Kannada or Tamil Medium Schools as the case may be. In the absence of candidate with T T C (Kannada) or T T C (Tamil) issued by the Commissioner for Government Examinations Kerala, candidates with T.C.H. issued by the Karnataka Secondary Education Examination Board, Bangalore, or Basic T. T. C. issued by the Director of Government Examinations, Tamil Nadu shall be considered for appointment.

**Explanation II:-** In the case of school where parallel divisions in Kannada or Tamil are sanctioned as per rule 7 of Chapter VIII, the T. T.

C. (Kannada) or T. T. C. (Tamil) issued by the Commissioner for Government Examinations, Kerala respectively, shall be considered as sufficient training qualification for appointment in those parallel divisions. In the absence of candidates with T. T. C. (Kannada) or T. T.C. (Tamil) issued by the Commissioner for Government Examinations, Kerala, candidates with T.C.H. issued by the Karanataka Secondary Education Examination Board, Bangalore, or Basic T. T. C. issued by the Director of Government Examinations, Tamil Nadu shall be considered for appointment].

<sup>30</sup>[**Explanation II (A)**:- In the case of Schools where, Tamil is the sole medium of instruction or where parallel divisions in Tamil are sanctioned under rule 7 of Chapter VIII, Diploma in Teacher Education (Regular) issued by the Government of Tamil Nadu shall be considered as sufficient training qualification for appointment to the post of Upper Primary School Assistant in those Tamil Medium Schools or parallel divisions as the case may be].

<sup>31</sup>[**Explanation III**:- In the case of English Medium divisions of Aided Schools the Anglo Indian Training School Trained Teachers Certificate issued by the Commissioner for Government Examinations, Kerala shall be considered as sufficient training qualification for appointment in those divisions].

<sup>32</sup>[**Note**:- The Malayalam Vidwan Title \*[shall] also be considered as sufficient qualification for appointment as Upper Primary School Assistant [X X X] subject to the following conditions:-

(a) The appointments \*[shall] be against the post of Upper Primary School \*[Assistants].

(b) Not more than 1/3 of the total number of Upper Primary School Assistants shall be Malayalam Vidwan holders and

(c) The number of periods for Malayalam \*[shall] be sufficient to engage the teachers who are Malayalam Vidwan holders as per the staff fixation principles in Chapter XXIII Kerala Education Rules, that is, a minimum of 25 periods for 1,40 periods for 2,65 periods for 3 and so on]

<sup>69</sup>(2) **Language Teachers:**

<sup>33</sup>(i) **Sanskrit** - A Degree in Sanskrit conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Sanskrit awarded or recognised by

anyone of the Universities in Kerala; or

A pass in the Pre-University or Pre-Degree Examination from the Sanskrit Colleges affiliated to the Universities in Kerala, or

A pass in the Pre- Degree Examination with Sanskrit (Sahitya) and Sanskrit (Sastra) as optional subjects from the Arts or Science Colleges affiliated to the Universities in Kerala, or

(1) A pass in the S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent qualification and

(2) Oriental School Leaving Certificate (Sanskrit) of Kerala, or

A pass in the Preliminary Examination in Sanskrit conducted by any one of the Universities in Kerala or

A pass in Sanskrit Teachers Examination conducted by the Commissioner for Government Examinations, Kerala]

<sup>34</sup>[or a pass in (Park- Sastri Examination conducted by the Rashtriya Sanskrit Sansthan, Ministry of Education and Culture, Government of India]

**(ii) Tamil-** A Degree in Tamil conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Tamil awarded or recognised by the Universities in Kerala

**(iii) Hindi** - A Degree in Hindi conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Hindi awarded or recognised by the Universities in Kerala, or

Praveen of the Dakshina Bharat Hindi Prachar Sabha, Madras with a pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent or

Sahityacharya of Kerala Hindi Prachar Sabha with a pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent or

<sup>35</sup>[R.B.V. of the Dakshina Bharat Hindi Prachar Sabha with a pass in

S.S.L.C. Examination conducted by the Commissioner for Govt. Examinations, Kerala or its equivalent; or

A pass in Hindi Bhooshan Examination of the Kerala Hindi Prachar Sabha with a pass in the S.S.L.C. Examination conducted by the Commissioner for Government Examinations; Kerala or its equivalent]

**(iv) Arabic** - A Degree in Arabic conferred or recognised by the Universities in Kerala; or

A title of oriental learning in Arabic awarded or recognised by the Universities in Kerala; or

A pass in S.S.L.C .Examinations, Kerala or its equivalent, and a pass in Arabic Munshi Examination (Higher) conducted by the Commissioner for Government Examinations, Kerala; or

(a) A pass in S.S.L.C. Examinations, Kerala or its equivalent; and

<sup>36</sup>(b) A pass in Arabic Teacher's Examination conducted by the Commissioner for Government Examinations, Kerala); or

Arabic Preliminary Examinations of the Kerala and Calicut Universities

<sup>37</sup>[Provided that such of those candidates who were otherwise qualified for appointment as Arabic Teachers in Upper Primary Schools before the coming into force of this rule and those who had appeared for the Arabic Examinations prescribed under this rule for such appointments before the coming into force of this rule and had passed them in the results published immediately after the coming into force of this rule, shall stand exempted from the possession of S.S.L.C. Qualification].

**(v) Urdu** - A Degree in Urdu conferred or recognised by the Universities in Kerala; or

A title of oriental learning in Urdu awarded or recognised by the Universities in Kerala; or

<sup>38</sup>[A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent; and

A Pass in Adib-I Fazil (Preliminary) Examination in Urdu conducted by anyone of the Universities in Kerala or

A pass in Urdu Higher Examinations conducted by the Commissioner for Government Examinations, Kerala].

### 3. Specialist Teachers:-

**(i) Drawing Teachers:** - <sup>39</sup>[A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations Kerala] or its equivalent and Group certificates in Drawing of the KGTE/MGTE or.

Certificate in Drawing and Painting (2 year course) issued by the Commissioner for Government Examinations, Kerala; or

Diploma in painting, issued by the Commissioner for Government Examinations, Kerala; or

Group Diploma in Drawing of the K. G. T. E. or M. G. T. E.

<sup>41</sup>[Or certificate in sculpture and modeling (2 year course) issued by the Commissioner for Government Examinations, Kerala].

<sup>40</sup>[Or Certificate in Kerala Government Certificate Examination in Fine Arts issued by the Commissioner for Government Examinations, Kerala.]

**(ii) Physical Education Teachers:-** A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala <sup>41</sup>[or its equivalent] and a pass in the Certificate Examination in Physical Education conducted by the Commissioner for Government Examinations, Kerala.

**Explanation:** Ex-service men having certificate of Assistant Instructors course issued by the Army School or Physical training in the prescribed form are eligible for appointment as Physical Education Teachers in Upper Primary Schools. The minimum general educational qualification of S.S.L.C. need not be insisted in their case <sup>42</sup>[ x x ]

<sup>43</sup>[or Physical Training Course of the Armed Forces, namely (The Assistant Instructors Basis Course in Physical Education, or the Army Physical Training Corps Instructors Course or Naval Physical Training Corps Instructors' course or the Air Force ground Training Instructors' Course.

<sup>44</sup>[Provided that the Ex-service personnel shall have passed the S.S.L.C. examination or its equivalent qualification].

**Explanation:-** The Services of Ex-Physical Education Instructors of the Army/Navy/Air Force if any already appointed in aided school will be regularised from the date of appointment as fully qualified Physical Education teachers. If individual certificates of above courses are not issued on completion of the courses to the trainees, the discharge certificate issued by the concerned Defence authorities to the Ex-Physical Education Instructors mentioned above will be taken as sufficient proof for their having undergone the respective courses successfully].

<sup>45</sup>[Note :- Certificate of Physical Education of Mysore will be recognised as a qualification for appointment of Physical Education Teachers in Schools in Linguistic minority area of Kasargod].

<sup>46</sup>[Or a pass in the Vocational Higher Secondary Education in Physical Education conducted by the Board of Vocational Higher Secondary Education, Kerala or its equivalent or any degree in Physical Education (Regular Course) such as B.P.Ed/M.P.Ed etc conferred or recognised by any of the Universities in Kerala].

<sup>47</sup>[(iii) **Music Teachers:-** Graduation in Music conferred or recognised by the Universities in Kerala; or

(a) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations Kerala or its equivalent and

(b) A pass in Gana Praveena or Ganabhooshana Examination in Vocal Music or Ganabhooshana Diploma, in Violin/Veena conducted by the Commissioner for Government Examinations Kerala or

Music Senior Certificate issued by the Commissioner for Government Examinations Kerala or K.G. T. E. (Higher) or M.G.T.E. (Higher) in Music)].

(iv) **Sewing Teachers:** - <sup>45</sup>[A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala] or its equivalent; and Group Certificate in Needle work, and Dress Making K.G.T.E. (Higher) or M.G.T.E. (Higher); or

Group Certificate in Tailoring K. G. T. E. (Higher) or M. G. T. E. (Higher); or

<sup>48</sup>[Diploma in Craftsmanship (Tailoring and Garment Making) issued by the Director of Industries and Commerce, Kerala or by the Director of Technical Education Kerala or National Trade Certificate in Cutting and Tailoring <sup>49</sup>[or in Dress Making] issued by the National Council for

training in Vocational Trade Government of India.]

<sup>50</sup>**[(V) Craft Teachers:-**

(1) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent qualification.

and

(2) Kerala Government Technical Examination or Madras Government Technical Examination in the particular craft subjects.

or

Diploma in Craftmanship issued by the Director of Industries and Commerce, Kerala or by the Director of Technical Education, Kerala or any other equivalent qualification].

<sup>51</sup>**[3A.** Notwithstanding anything contained in sub rule (1) of Rule 3 the <sup>52</sup>[xx] Educational Officer shall be competent to approve the appointments of candidates possessing higher qualification provided they have any of the training qualification approved by the Government of Kerala.]

**4. Lower Primary School**

**I. Lower Primary School Assistant**

<sup>53</sup>[" A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent or a pass in Pre-degree examination conducted by any of the Universities in Kerala or any examination recognised by any such Universities as equivalent to Pre-degree examination or a pass in a Higher Secondary Examination conducted by the Board of Higher Secondary Examination, Kerala or any other examination recognised by Government as equivalent there to and a pass in T.T.C. Examination conducted by the Commissioner for Government Examinations Kerala".]

<sup>54</sup>[or A pass in the Pre-Degree Examination with Pedagogy as an elective subject conducted by the University of Kerala].

<sup>55</sup>[or A pass in Basic TTC Examination (Malayalam) conducted by the Madras Government].

<sup>56</sup>**[Explanation I :** Such candidates shall be entitled to get the Basic

Salary plus D. A. eligible for qualified hands and increments shall be sanctioned only after successful completion of the in service training. Notional increments shall be granted to them taking into account their service from the date of passing the test on completion of training and the entire service put in by them until they successfully get through the in service courses shall be considered as qualifying service for all purposes.]

<sup>57</sup>**[Explanation IA:-** In the case of Schools where Kannada or Tamil is the sole medium of instruction T T C (Kannada) or T T C (Tamil) issued by the Commissioner for Government Examinations, Kerala respectively, shall be considered as sufficient training qualification for appointment as Lower Primary School Assistant in Kannada or Tamil Medium Schools as the case may be. In the absence of candidates with T T C (Kannada) or T T C (Tamil) issued by the Commissioner for Government Examinations Kerala, candidates with T C H issued by the Karnataka Secondary Education Examination Board, Bangalore or Basic T T C issued by the Director of Government Examinations Tamil Nadu shall be considered for appointment.

**Explanation II:-** In the case of School where parallel divisions in Kannada or Tamil are sanctioned as per rule 7 of Chapter VIII, the T T C (Kannada) or T T C (Tamil) issued by the Commissioner for Government Examinations, Kerala respectively, shall be considered as sufficient training qualification for appointment in those parallel divisions. In the absence of candidates with TTC (Kannada) or TTC (Tamil) issued by the Commissioner for Government Examinations, Kerala, Candidates with TCH issued by the Karnataka Secondary Education Examination Board, Bangalore, or Basic TTC issued by the Director of Government Examinations, Tamil Nadu shall be considered for appointment].

<sup>58</sup>**[Explanation II (A):-** In the case of schools where Tamil is the sole medium of instruction or where parallel divisions in Tamil are sanctioned under rule 7 of Chapter VIII, Diploma in Teacher Education (Regular) issued by the Government of Tamil Nadu shall be considered as sufficient training qualification for appointment to the post of Lower Primary School Assistant in those Tamil Medium Schools or parallel divisions as the case may be].

<sup>59</sup>**[Explanation III:-** In the case of English medium divisions of Aided Schools, the Anglo - Indian Training School Trained Teachers Certificate issued by the Commissioner for Government Examinations, Kerala shall be considered as a sufficient training qualification for appointment in these divisions.



<sup>60</sup>[**69(2) Arabic Teachers-** A Degree in Arabic conferred or recognised by the Universities in Kerala or a Title of Oriental learning in Arabic awarded or recognised by the Universities in Kerala or a pass in the S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala with Arabic under part I and II first language; or

(a) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent and

(b) A pass in Arabic Munshi Examination (Higher) conducted by the commissioner for Government Examinations kerala, or

A pass in Arabic Munshi Examination (Lower) conducted by the Commissioner for Government Examinations, Kerala or

A pass in Arabic Teachers Examination conducted by the Commissioner for Government Examinations, Kerala or

A pass in Arabic Entrance Examination of the Kerala and Calicut Universities].

**<sup>69</sup>(3) Urdu Teachers**

A degree in Urdu conferred or recognised by the Universities in Kerala; or

A title of Oriental learning in Urdu awarded or recognised by the Universities in Kerala;

<sup>61</sup>(a) A pass in the S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala] or its equivalent and

(b) A pass in Adib- I-Fazil (Preliminary) Examination in Urdu conducted by any of the Universities in Kerala; or

A pass in Urdu Higher Examination conducted by the Commissioner for Government Examinations Kerala, or a pass in Urdu Lower Examination conducted by the Commissioner for Government Examinations, Kerala, or a pass in Adib-I-Fazil (Entrance) Examination in Urdu conducted by any of the Universities in Kerala.

**(4) Specialist Teachers:**

<sup>61</sup>[(i) **Music Teachers:-** Graduation in Music conferred or recognised by the Universities in Kerala; or

(a) A pass in S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala or its equivalent and

(b) A pass in Gana Praveena or Ganabhooshana Examination in Vocal Music or Ganabhooshana Diploma in Violin Neena conducted by the Commissioner for Government Examinations Kerala; or

Music Senior Certificate issued by the Commissioner for Government Examinations Kerala; or

K.G.T.E. (Higher) or M.G.T.E. (Higher) in Music]

**(ii) Sewing Teachers:-** <sup>61</sup>[A pass in the S.S.L.C. Examination conducted by the Commissioner for Government Examinations, Kerala] or its equivalent and

2. <sup>62</sup>[Group certificate in Needle work and Dress Making K.G.T.E. (Higher) or M.G.T.E. (Higher) or

Group certificate in Tailoring K.G.T.E. (Higher) or M.G.T.E. (Higher) or Diploma in Craftsmanship (Tailoring and Garment Making) issued by the Director of Industries and Commerce Kerala or by the Director of Technical Education Kerala or

National Trade Certificate in Cutting and Tailoring <sup>63</sup>[or in Dress Making] issued by the National Council for Training in Vocational Trades, Government of India].

<sup>64</sup>**4A.** Notwithstanding anything contained in sub-rule (1) of Rule 4 the <sup>65</sup>[xx] Educational Officer shall be competent to approve appointments of candidates possessing higher qualifications <sup>66</sup>provided they have the training qualification stipulated in the said sub rule]]

<sup>67</sup>**5.** Notwithstanding anything contained in the above rules,

(1) Appointments of all Private School Teachers not possessing the qualifications prescribed in Chapter XXXI of KER but possessing qualifications for appointment to corresponding posts in Departmental Schools shall be approved as under qualified till 31-3-1980 and as fully qualified from the date of their appointment in 1980-81.

(2) Persons possessing T. C. H. issued by the Karnataka Secondary Education Examination Board, Bangalore who have completed the course by the end of the academic year 1980-81 be permitted to join the in service course conducted by the Director, State Institute of Education, Trivandrum and on successful completion of the in service

course at their own cost, they shall be deemed eligible for appointment as teachers in private primary schools.

(3) The appointment of all persons possessing T. C. H. issued by the Karnataka Secondary Education Examination Board, Bangalore made in Private Primary Schools till 31-3-1980 shall be approved as under qualified. They shall be treated as fully qualified on successful completion of the in service course conducted by the Director, State Institute of Education, Trivandrum.

(4) Persons who have passed the Certificate Course in Physical Education Examination conducted by the Karnataka Secondary Education Examination Board, Bangalore or by the Director of Government Examinations, Tamil Nadu and those possessing higher qualification in Physical Education of those States, like B. P. Ed. and M. P. Ed. etc. who have undergone the course after June, 1978 and who have been appointed in Private High Schools and Upper Primary Schools upto the end of March 1980 shall be approved as under qualified till 31-3-80 and as fully qualified from the date of their appointment in 1980 -81,81-82 and 1982-83]

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1. Added by G. O. (P) 146/72/S. Edn. dt 27-10-72 Published in gazette dated 5-12-72 with effect from 5-12-72.
  2. Inserted by G. O. (P) 55/87/G. Edn. dated 6-3-87 published in Gazette dt.16-6-87
  3. Inserted by G. O. (P) 224/89/G. Edn. dt. 28-11-89 published in Gazette dt. 30-11-1989.
  4. Amended as per GO (P) 249/01 dated: 7.8.01 published in Gazette dt. 14.8.01
  5. Substituted as per GO (P) 247/01/G. Edn. dt. 3.8.01 published in Gazette dt. 14.8.01
  6. Inserted by G. O.(P) 125/75/G.Edn. Dated 31-5-75 in gazette dated 24-6-1975
  7. Added by G.O. (P) 55/87/G.Edn. Dated 6-3-1987 published in gazette dt. 16-6-87.
  8. Substituted by G. O.(P) 71/82/G. Edn dated 21-5-1982 Published in gazette dated 29-6-1982 for "Acharya Diploma course of the Kerala Hindi Prachar Sabha.
  9. Inserted by G. O. (P) 152/76/G. Edn. dated 11-8-1976 in gazette dated: 31-8-1976.
  10. Added by G.O.(P)149/03/G.Edn dated 6<sup>th</sup> June 2003 published in Gazette dt. 9-06-03 w.e.f. 7-1-02.
  11. Inserted by G.O. (P) 83/03/G.Edn dated: 3<sup>rd</sup> April 2003 Published in Gazette 23-04-03 with effect from 22-08-1987.
  12. Added by G.O.(P) 230/84/G. Edn. dated 27-10-84 in gazette dated 18-12-84.
  13. Inserted by G.O. (P) 132/05/G.Edn. dated 27-4-05 in gazette dated

- 11-5-05.
14. The words " or certificate of Physical Education (L. G.) issued by the Commissioner for Govt. Examinations, Madras or certificate of Physical Education of Mysore State" were omitted by G. O. (P) 42/75/ G. Edn dated: 27-1-1975 published in Gazette dated 11-3-75.
  15. Inserted by G. O. (P) 10/2007 G. Edn. dt. 12-1-2007 published in Gazette dt. 17-1 -2007 with effect from 1-6-1984.
  16. Added by G.O. (P) 60/77/G.Edn. dt. 25-3-77 in Gazette. dt.10-5-77.
  17. Added by G. O. (P) 35/76/G. Edn dt 20-2-1976 in K.G. dt. 23-3-76.
  18. Omitted by G. O. (P) 4/83/ G. Edn. dated 4-1-1983 published in Gazette dated 15-2-1983. The Omitted proviso was "Provided that the ex-service personnel must have successfully completed the four months special re-orientation training prescribed by the Ministry of Education and Social welfare at the lakshmi Bai National College of Physical Education, Gwalior or any other physical Education College.
  19. Inserted by G.O(P) 82/03/G.Edn dated: 3-4-03 published in Gazette dt. 23-4-03.
  20. Substituted for the words 'Ganabhoosha Examination in Vocal Music' by G. O. (P) 131/75/G. Edn. Dated 5- 6-75 published in Gazette dated 15-7-75.
  21. Substituted by G. O. (P) No. 106/821G.Edn. dated 29-7-82 published in Gazette dated 24-8-82 for" Group Diploma in Crafts issued by the Commissioner for Government Examinations, Kerala".
  22. Inserted by G.O(P)112103/G.Edn dt. 13-5-2003 Published in Gazette 30-05-03
  23. Added by G. O. (P) 246/77/ G.Edn dt. 26-12-77 in Gaz. dt 17-1-78
  24. Added by G. O. (P) 182/84/G.Edn. dated 30-8-84 Published in gazette dt.14-9-84.
  25. Amended by GO(P)No. 188/2000/Edn. dated 8-6-2000
  26. Added by G. O. (P) 165/73/G.Edn. Dated 4-10-73 in Gazette dated: 18-12-73
  27. Added by G. O. (P) 111/75/G. Edn. dated 3-5-75 in Gazette dt 3-6-75
  28. Explanation IA and Explanation II substituted by G. O. (P) No. 8/91/G. Edn. Dated 14-1-91. Amendment shall be deemed to have come in force on 5-10-1979.
  29. Inserted by G. O. (P) 74/88/G. Edn. dt. 29-3-1988 published in Gazette dt. 31-5-88
  30. Inserted as per G. O.(P) 47/82/G. Edn dt. 12-4-82 published in Gazette dt.1-6-82
  31. Added by G. O. (P) 39/79/G/Edn. dated 5-3-79 in gazette dt. 3-4-79.
  32. 'till 31-3-1979' was substituted as 'till 31-3-1980' by G. O. (P) 420/80/ G. Edn. dt. 25-7-1980 and published in Gazette dt. 2-9-80. Then the word and figures' till 31-3-80 omitted by G.O. (P) 157/81/G.Edn. dt.27-8-81 published in Gazette dt. 27-8-81.
  - \* Amended by G. O. (P) No. 8/91/G. Edn. dt. 14-1-91 in K. G. dt. 19-1-91 w. e. f. 5-3-79.
  33. Substituted by G. O.(P)55/87 G. Edn. dt. 6-3-1987 published in Gazette dt.16-6-87.
  34. Inserted with effect from 1-2-1988 by G.O.(P) 223/89/G.Edn. Dated 28-11-89 published in Kerala Gazette dated 30-11-89

35. Substituted by G. O. (P) 71/82/G. Edn. dated 21-5-82 published in Gazette dated 29-6-82 for the words Acharya Diploma Course of the Kerala Hindi Prachar Sabha.
36. Substituted by G.O.(P) 55/87/G.Edn. dt. 6-3-87 published in Gazette dt. 16-6-87
37. Added by G.O. (P) 91/75/G. Edn. dated 5-4-75 published in Gazette dated 20-5-75.
38. Substituted by G. O. (P) 55/87/G.Edn.dt. 6-3-87 published in Gazette dt. 16-6-87.
39. Added by G. O. (P) 230/84/G. Edn. dt 27-10-84 in Gazette dt. 18-12-84
40. Inserted by G.O. (P) 132/05/G. Edn. dt 27-4-05 in Gazette dt 11-5-05.
41. Inserted by G.O. (P) 46/79/G. Edn. dt 20-3-79 in Gazette dt 17-4-79.
42. The sentence "such teachers are eligible for confirmation only after the successful completion of the orientation training" omitted by G. O. (P) 4/83/G. Edn. dt. 4-1-83 published in Gazette dated 15-2-83.
43. Added by G. O.(P) 35/76/G.Edn. dated: 20-2-76 in Kerala Gazette dt. 23-3-76
44. Substituted by G. O. (P) 4/83/G. Edn. dt. 4-1-83 published in Gazette dt. 15-2-83 for "Provided that (a) The Ex service Personnel should be matriculate or equivalent and (b) The Ex-service Personnel must have successfully completed the four months special re-orientation training prescribed by the Ministry of Education and Social Welfare at the Lakshmi Bai National College of Physical Education, Gwalior or any other Physical Education Training College.
45. Added by G. O. (P) 60/77/G.Edn. 25-3-77 in Gazette dt. 10-5-77
46. Inserted by G.O(P) 82/03/ G.Edn dt. 3-4-2003 Published in Gazette 23-04-03.
47. Substituted by G. O. (P) 55/87/G.Edn. dt. 6-3-87 published in Gazette dt. 16-6-1987.
48. Substituted by G. O. (P) 106/82/G. Edn. dated 29-7-82 published in Gazette dated 24-8-1982. for "Diploma in Craftmanship (Tailoring and Garment Making) issued by the Director of Industries and Commerce, Kerala or by the Director of Technical Education, Kerala.
49. Inserted by G.O (P) 112/03/G.Edn dt. 13-5-2003 Published in Gazette 30-05-03
50. Added by G. O. (P) 182/84/G.Edn. dt. 30-8-1984 published in Gazette dt. 14-9-1984.
51. Added by G.O. (P)47/74 G. Edn. dated 28-2-74 in K. G. dated 30-4-74
52. The words "District" has been omitted by G. O. (P) 91/76/G. Edn. dt. 25-5-76.
53. Amended by G. O. (P) No. 188/2000/G. Edn. dated 8-6-2000.
54. Added by G. O. (P) 165/73/G. Edn. dated 4-10-73 in KG dated 18-12-73.
55. Added by G. O. (P) 111/75/G.Edn. dated 3-5-75 in K.G. dated 3-6-75.
56. Explanation I renumbered as Explanation IA and before Explanation IA as so renumbered this inserted as Explanation I by G. O. (P) 165/73/G. Edn. dated 4-10-73 in Gazette dated 18-12-73.
57. Explanation IA and Explanation" substituted by G. O. (P) No.8/91/G. Edn. dt. 14-1-91published in K.G. Ext. No.86 dt. 19-1-91. Amendment shall be deemed to have come into force on 5<sup>th</sup> October 1979.
58. Inserted by G.O.(P) 74/88/G.Edn dt. 29-3-88 published in Gazette dt. 31-5-1988.

59. Inserted by G.O. (P) 47/82/G. Edn. dt. 12-4-82 published in Gazette dt. 1-6-82.
60. Substituted by G. O. (P) 55/87/G. Edn. dt. 6-3-87 published in Gazette dt. 16-6-87.
61. Substituted by G. O. (P) 55/87/G. Edn. dt. 6-3-87 published in Gazette dt. 16-6-87.
62. Substituted by G. O. (P) 106/82/G. Edn. dated 29-7-82 published in Gazette dated 24-8-82 for "Group certificate in Needle work and dress making K.G.T.E. (Higher) or M.G.T.E.(Higher); or Group Certificate n Tailoring KG TE (Higher) or M GTE (Higher); or Diploma in Craftsmanship (Tailoring and Garment Making), issued by the Director of Industries and Commerce, Kerala or by the Director of Technical Education Kerala".
63. Inserted by G.O(P)112/03/G.Edn dt.13-5-2003 Published in Gazette dt. 30-05-03
64. Inserted by G.O. (P) 47/75/G. Edn dt.28-2-74.
65. The words "District" has been omitted by G. O. (P) 91/76/G.Edn. dated 25-10-76.
66. Substituted by G. O. (P) 180/2009/G.Edn. dt. 9-9-2009 published in Gazette dt. 16-9-2009.
67. Added G. O. (P) 55/87/G. Edn. dt. 6-3-87 pub. in Gazette dt. 16-6-87.
68. Item (iii) deleted as per G.O (P) No. 2/2009/G.Edn. dated: 05-01-2009. Formal amendment has not been made. However 51 A claimants appointed upto 05/01/2009 stand exempted from the purview of the G.O dated: 05/01/2009 (as per G.O (P) No. 114/10/G.Edn. dated: 04/07/2010.
69. Appointments of Language Teachers without SSLC qualification shall not be made under Rule 3 (2) and 4 (2) and 4 (3) of this chapter as per G.O (MS) No. 232/2009/G.Edn. dated: 30-11-2009. But formal amendment has not been made.

<sup>1</sup>[CHAPTER XXXII

**METHOD OF APPOINTMENT AND QUALIFICATIONS OF  
TEACHERS AND NON - TEACHING STAFF IN AIDED  
HIGHER SECONDARY SCHOOLS**

1. **Definitions:-** For the purpose of this chapter, unless the context otherwise requires,-

(a) 'Department' means, The Higher Secondary Education Department of Kerala.

(b) 'Director' means, Director of Higher Secondary Education Department, Kerala or such other Officer or Officers who may, from time to time, be appointed by the Government to exercise all or any of the powers of the Director of Higher Secondary Education;

(c) 'Higher Secondary Course' means a continuous two year course of study offered as part of School Education after Standard X.

(d) 'Higher Secondary School Teacher' means a Higher Secondary School Teacher of an aided school whose workload is 15 or more periods per week per subject.

(e) 'Higher Secondary School Teacher (Junior)' means a Higher Secondary School Teacher of an aided school whose work load is less than 15 periods per week per subject.

(f) 'Principal' means the teacher who acts as the academic and administrative head of the Higher Secondary School.

(g) 'Junior Lecturer' means Junior Lecturer who become excess on delinking of Pre-Degree Course from the Colleges under the management and who opted to become Higher Secondary School Teacher.

(h) Unless the context otherwise requires, words and expressions used in this chapter, but not defined here in, shall have the meanings assigned to them in the Kerala Education Act, 1958 and in the foregoing Chapters of these rules.

2. **Method of appointment and qualification of Teachers and Non-Teaching Staff:-** Notwithstanding anything contained in these rules the method of appointment and qualifications of the teaching and non - teaching staff in the aided Higher Secondary School in the State shall be as prescribed in this Chapter.

3. **The Kerala Aided Higher Secondary Education Service:-** The service of every aided Higher Secondary School shall consist of all or any of the following categories of posts as the Director may sanction.

Category 1- Principal

Category 2 - Higher Secondary School Teacher in

- |                           |                                  |
|---------------------------|----------------------------------|
| (1) English               | (21) Political Science           |
| (2) Communicative English | (22) History                     |
| (3) Malayalam             | (23) Islamic History and Culture |
| (4) Hindi                 | (24) Economics                   |
| (5) Arabic                | (25) Philosophy                  |
| (6) Urdu                  | (26) Psychology                  |
| (7) Tamil                 | (27) Commerce                    |
| (8) Kannada               | (28) Sociology                   |
| (9) Sanskrit              | (29) Social Work                 |
| (10) German               | (30) Anthropology                |
| (11) Syriac               | (31) Home Science                |
| (12) French               | (32) Geology                     |
| (13) Latin                | (33) Statistics                  |
| (14) Russian              | (34) Music                       |
| (15) Mathematics          | (35) Gandhian Studies            |
| (16) Physics              | (36) Journalism                  |
| (17) Chemistry            | (37) Computer Science            |
| (18) Botany               | (38) Computer Application        |
| (19) Zoology              | (39) Electronics                 |
| (20) Geography            |                                  |

Category 3 - Higher Secondary School Teacher (Junior) in-

- |                           |                                  |
|---------------------------|----------------------------------|
| (1) English               | (21) Political Science           |
| (2) Communicative English | (22) History                     |
| (3) Malayalam             | (23) Islamic History and Culture |
| (4) Hindi                 | (24) Economics                   |
| (5) Arabic                | (25) Philosophy                  |
| (6) Urdu                  | (26) Psychology                  |
| (7) Tamil                 | (27) Commerce                    |
| (8) Kannada               | (28) Sociology                   |
| (9) Sanskrit              | (29) Social Work                 |
| (10) German               | (30) Anthropology                |
| (11) Syriac               | (31) Home Science                |
| (12) French               | (32) Geology                     |
| (13) Latin                | (33) Statistics                  |
| (14) Russian              | (34) Music                       |



- |                  |                           |
|------------------|---------------------------|
| (15) Mathematics | (35) Gandhian Studies     |
| (16) Physics     | (36) Journalism           |
| (17) Chemistry   | (37) Computer Science     |
| (18) Botany      | (38) Computer Application |
| (19) Zoology     | (39) Electronics          |
| (20) Geography   |                           |

Category 4 - Librarian Grade III  
 Category 5 - Librarian Grade IV  
 Category 6 - Laboratory Assistant  
 Category 7- Lower Division Clerk  
 Category 8 - Part Time Menial

4. **Method of Appointment:-** Appointment to the various categories specified in Column (2) of the Table below shall be made by the method of appointment specified against each in column (3) thereof-

**TABLE**

Sl. No.	Category	Method of Appointment
(1)	(2)	(3)

1.	Principal	(1) By promotion from category 2 under the respective educational agency.
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OR

(2) By transfer from qualified Headmasters of Aided High Schools under the respective educational agency.

Note:- (i) 2[x x x x]

(ii) 2[x x x x]

(iii) The post shall be filled up by the methods specified in item (i) and (ii) above in the ratio 2:1. If qualified candidates are not available for appointment to a vacancy by any one of the methods specified above, such vacancies shall be filled up by the other method.

2.	Higher Secondary School Teacher	(1) By transfer from Junior Lecturer in the subject concerned under the management / Higher Secondary School Teacher (Junior)
		(2) In the absence of qualified hands under clause (1) above, the vacancies shall be apportioned in the ratio 1:3 between appointment by transfer and direct appointment as detailed below:

- (i) a) By transfer from High School Assistants, who possess the requisite qualifications, under the Educational Agency.
- b) In the absence of qualified persons under (a) above, by transfer from qualified Upper Primary School Assistants/ Lower Primary School Assistants who possess the requisite qualification in the subject concerned, under the Educational Agency.
- (ii) By direct appointment
- Note:- (i) When qualified persons are not available to fill up the vacancies set apart for appointment by transfer under item 2(i) above such vacancies shall also be allotted for direct appointment.
- (ii) Appointments under item (I) above shall be made from select lists of qualified persons prepared on the basis of seniority and merit.
3. Higher Secondary School Teacher (Junior)
1. (i) By transfer from qualified High School Assistants in the subject concerned under the Educational Agency.
- (ii) In the absence of qualified hands under item (i) above, by transfer from qualified Upper Primary School Assistants / Lower Primary School Assistants in the subject concerned under the Educational Agency.
2. By direct appointment
- Note:- (i) 25% of the total posts shall be filled up by the method specified in item (I) above on seniority - cum suitability basis and 75% of such post shall be filled up by direct appointment.
- (ii) When qualified persons are not available to fill up the vacancies set apart for appointment by transfer under item 1 above, such vacancies also shall be allotted for direct appointment.
4. Librarian Grade III
1. By direct appointment; and
2. By promotion from qualified persons in category 5 under the Educational Agency.
- Note:- Direct Appointment and promotion shall be in the ratio 1:1 in the absence of qualified candidates under item 2 above such posts shall be filled up by direct appointment.

5. Librarian Grade IV
1. By direct appointment; and
  2. By transfer from qualified persons in any category of service in the schools under the Educational Agency.
- Note:- 75% of the total post shall be filled up by direct appointment and the remaining 25% by transfer on the basis of seniority as above. In the absence of qualified persons for appointment by the method specified in item 2 above, such vacancies shall be filled up by the method specified in item I above.
6. Laboratory Assistant
1. By direct appointment, and
  2. By transfer from among qualified last grade employees in Schools under the Educational Agency.
- Note:- 25% of the total posts of Laboratory Assistants shall be filled up by transfer from among qualified class IV employees in the Schools under the Educational Agency and the remaining 75% by direct appointment. Appointment to the said 25% would be on the basis of seniority.
- In the absence of qualified candidates under item 2 above such vacancies shall be filled up by direct appointment.
7. Lower Division Clerk (1)
- (1) By promotion from qualified Peons, Sweepers and other Staff under the Educational Agency.
  - (2) In the absence of (1) above by direct appointment.
8. Part time Menial
- By Direct appointment

5. **Authority for Appointment and Approval:-** (1) The appointing authority for the various category of posts shall be the Manager.

Note:- <sup>3</sup>[Appointments to teaching post shall be made on the recommendation of a selection committee consisting of the Manager or his nominee (Chairman), Principal of the school and a representative of the Government selected by the Manager from a panel of officers not below the rank of a Deputy Collector or officers not below the rank of Deputy Secretary to Government prepared by the Director Higher Secondary Education for every academic year].

(2) All appointments are to be approved by the Director of Higher Secondary Education Department.

- 6. Qualifications:-** No person shall be eligible for appointment to the category in column (2) in the table below under the method specified in column (3) unless he possesses the Qualifications prescribed in the corresponding entry in column (4) there of.

Sl. No.	Category	Method of Appointment	Qualifications
(1)	(2)	(3)	(4)
1.	Principal	By Promotion	<p>(1) Master's Degree with not less than 50% marks from any Universities in Kerala or a qualification recognised as equivalent thereto by any University in Kerala.</p> <p>(2) B. Ed. Degree from any Universities in Kerala or a qualification recognised as equivalent thereto by any University in Kerala.</p> <p>(3) <sup>1</sup>[Minimum approved teaching experience of 12 years at Higher Secondary Level under the same Educational Agency.</p>
<p>Note - 1. In the absence of persons having qualification as specified above, approved teaching experience at High School /Upper/ Primary/Lower Primary School's under the same Educational Agency shall be considered.</p> <p>2. Such experience shall be reckoned only for qualifying Service and shall not be reckoned for Seniority.</p> <p>3. Such persons must possess a minimum Service of Six years as Higher Secondary School Teacher (Senior/Junior)"</p>			
		By transfer	<p>(1) Master's Degree with not less than 50% marks from any of the Universities in Kerala or a Qualification recognised as equivalent thereto by any University in Kerala.</p> <p>(2) B. Ed. Degree from any of the Universities in Kerala or qualification recognised as equivalent thereto by any University in Kerala.</p> <p>(3) <sup>4</sup>[Minimum approved teaching experience of 12 years under the same Educational Agency]</p>
2.	Higher Secondary School Teacher and Higher Secondary School Teacher (Junior)in	By Transfer and by direct appointment	<p>(1) Masters Degree in the concerned subject with not less than 50% marks from any of the Universities in Kerala or a qualification recognised as equivalent thereto in the respective subject by any University in Kerala.</p>
(1)	English		

- (2) Communicative English
- (3) Malayalam
- (4) Hindi
- (5) Arabic
- (6) Urdu
- (7) Tamil
- (8) Kannada
- (9) Sanskrit

(ii) (1) B. Ed. in the concerned subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent there to by a University in Kerala.

(2) In the absence of persons with B.Ed. Degree in the concerned subject, B.Ed degree acquired in anyone of the subjects under the concerned Faculty as specified in the Acts/ Statutes of any of the Universities in Kerala.

(3) In the absence of persons with B. Ed. Degree as specified in items (1) and (2) above, persons with B.Ed. degree in any subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent there to by anyone of the Universities in Kerala.

(iii) Pass in the State Eligibility Test for the Post of Higher Secondary School Teacher conducted by Government of Kerala or by the agency authorised by the State Government.

Note

- (i) In the absence of B. Ed. degree holders candidate having Master's Degree with not less than 50% marks and who have passed State Eligibility Test will be considered. Preference will be given to Ph. D/M Phil Degree holders or those qualified at Junior Research Fellowship/ National Eligibility Test. The Teachers appointed under this provision will have to acquire B. Ed. Degree at their own expense within 5 years from the date of entry in service.
- (ii) For selection of category 2(2) (Communicative English) Preference will be given to those who have acquired Post Graduate Diploma (Not below 'B' Grade) in Teaching of English from Central Institute of English and foreign Languages or M. Phil in English Language teaching from a recognised University. Higher Secondary School Teachers English and Communicative English must be capable of

handling both the subjects.

- (iii) Those who have passed Languages Teachers Training Course<sup>5</sup>[or in the case of category 2 (4), those who possess Diploma in Hindi teaching] are exempted from acquiring B. Ed.
- (iv) Persons who have acquired M. Ed. in the subject concerned recognised by any University in Kerala are exempted from acquiring B. Ed.

- |   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li>(10) German</li> <li>(11) Syriac</li> <li>(12) French</li> <li>(13) Latin</li> <li>(14) Russian</li> </ul> | <p>By transfer and<br/>by direct<br/>appointment</p> | <ul style="list-style-type: none"> <li>(1) Master's Degree in the concerned subject with not less than 50 % marks from any of the Universities in Kerala or a qualification recognised as equivalent thereto in the respective subject by any University in Kerala.</li> </ul> |
|---|--|--|
- (ii)
    - (1) B. Ed. in the concerned subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent there to by any University in Kerala.
    - (2) In the absence of persons with B. Ed. Degree in the concerned subject, B. Ed. Degree acquired in anyone of the languages under the concerned Faculty as specified in the Acts/Statutes of any of the Universities in Kerala.
    - (3) In the absence of persons with B. Ed. Degree as specified in items (1) and (2) above persons with B.Ed. degree in any subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by any of the Universities in Kerala.
  - (iii) Pass in the State Eligibility Test for the post of Higher Secondary School Teacher conducted by Government of Kerala or by the Agency authorised by the State Government.

Note:- (i) In the absence of B. Ed. Degree holders, candidates having Master's Degree with not less than 50% marks and who have passed State Eligibility Test will be considered. Preference will be given to Ph. D/M Phil Degree or those qualified at Junior Research Fellowship/ National Eligibility Test. The Teachers appointed under this provision will have to acquire B. Ed. Degree at their own expense within 5 years from the date of entry in service.

- (ii) Persons who have acquired M. Ed. in the subject concerned recognised by any University in Kerala are exempted from acquiring B. Ed.

- |  |  |   |
|--|--|---|
| <p>(15) Mathematics<br/> (16) Physics<br/> (17) Chemistry<br/> (18) Botany<br/> (19) Zoology<br/> (20) Geography</p> | <p>By transfer<br/> and by direct<br/> appointment</p> | <p>(i) Master's Degree in the concerned subject with not less than 50 % marks from any of the Universities in Kerala or a qualification recognised as equivalent thereto in the respective subject by any University in Kerala.</p> <p>(ii) (1) B. Ed. in the concerned subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by a University in Kerala.</p> <p>(2) In the absence of persons with B. Ed. degree in the concerned subject, B. Ed. Degree acquired in any one of the subjects under the concerned Faculty as specified in the Acts I Statutes of any of the Universities in Kerala.</p> <p>(3) In the absence of persons with B. Ed. degree as specified in items(1) and (2) above, persons with B.Ed. degree in any subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by any of the Universities in Kerala.</p> |
|--|--|---|

OR

- M. Sc. Ed. in the concerned subject with not less than 50% marks from any of the Regional Institutes of Education sponsored by National Council for Education Research and Training (NCERT)
- (iii) Pass in the State Eligibility Test for the post of Higher Secondary School Teacher conducted by Government of Kerala or by the Agency authorised by the State Government.

Note:- Persons who have acquired M.Ed in the subject concerned recognised by any University in Kerala are exempted from acquiring B. Ed.

<p>(21) Political Science  (22) History  (23) Islamic History  and Culture  (24) Economics  (25) Philosophy  (26) Psychology  (27) Commerce</p>	<p>By Transfer  and by  direct  appointment</p>	<p>(i) Master's Degree in the concerned subject with not less than 50% marks from any of the Universities in Kerala or a qualification recognised as equivalent thereto in the respective subject by a University in Kerala.</p>
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(ii) (1) B. Ed. in the concerned subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by a University in Kerala.

(2) In the absence of persons with B. Ed. degree in the concerned subject, B. Ed. degree acquired in anyone of the subject under the concerned Faculty as specified in the Acts /Statutes of any of the Universities in Kerala.

(3) In the absence of persons with B. Ed degree as specified in items (1) and (2) above, persons with B. Ed. degree in any subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by any of the Universities in Kerala.

(iii) Pass in the State Eligibility Test for the post of Higher Secondary School Teacher conducted by Government of Kerala or by the Agency authorised by the State Government.

Note:- (1) Persons who have acquired M. Ed in the subject concerned, recognised by any University in Kerala, are exempted from acquiring B. Ed.

(2) In the case of Philosophy, Psychology and Commerce in the absence of B. Ed. Degree holders, candidates having Master's degree with not less than 50% marks and who have passed State Eligibility Test will be considered. Preference will be given to Ph. D/ M. Phil degree holders or those qualified at Junior Research Fellowship/ National Eligibility Test. The Teachers appointed under this provision will have to acquire B. Ed. Degree at their own expense within five years from the date of entry in service.



- |                       |   |  |
|-----------------------|---|--|
| (28) Sociology        | By transfer<br>and by direct<br>appointment | (i) Master's Degree in the concerned subject with direct appointment not less than 50% marks from any of the Universities in Kerala or a qualification recognised as equivalent thereto in the respective subject by a University in Kerala. |
| (29) Social Work      |   |  |
| (30) Anthropology     |   |  |
| (31) Home Science     |   |  |
| (32) Geology          |   |  |
| (33) Statistics       |   |  |
| (34) Music            |   |  |
| (35) Gandhian Studies |   |  |

- (36) Journalism
- (ii)
- (1) B. Ed. in the concerned subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent there to by a University in Kerala.
- (2) In the absence of persons with B.Ed. Degree in the concerned subject. B. Ed. Degree acquired in anyone of the subjects under the concerned Faculty as specified in the Acts/ Statutes of any of the Universities in Kerala.
- (3) In the absence of persons with B.Ed. Degree as specified in items (1) and (2) above, persons with B.Ed. Degree in any subject acquired after a regular course of study from any of the Universities in Kerala or a qualification recognised as equivalent thereto by any of the Universities in Kerala.
- (iii) Pass in the State Eligibility Test for the post of Higher Secondary School Teacher conducted by Government of Kerala or by the agency authorised by the State Government.

Note:- (1) In the absence of B. Ed. Degree holders, candidates having Master's Degree with not less than 50% marks and who have passed the State Eligibility Test will be considered. Preference will be given to those who have acquired PhD./ M. Phil Degree or have qualified at Junior Research Fellowship or National Eligibility Test. The Teachers appointed under this provision will have to acquire B. Ed. at their own expense within 5 years from the date of entry in service.

- (2) (2) Persons who have acquired M. Ed. in the subject concerned recognised by any University in Kerala are exempted from acquiring B. Ed.

- |      |                      |                                       |   |
|------|----------------------|---------------------------------------|---|
| (37) | Computer Science     | By transfer and by direct appointment | (1) Master's Degree in Engineering or Technology in the concerned subject / M. Tech. Degree in Computer Science / Computer Engineering/ Information Technology/ Software Engineering with not less than 50% marks from a recognised University. |
| (38) | Computer Application | By transfer and by direct appointment |   |

OR

Master's Degree in Computer Application/ Master's Degree in Computer Science or Information Technology with not less than 50% marks from a recognised University.

- (2) In the absence of qualified candidates in item (1) above, B. Tech/Bachelor of Engineering Degree with not less than 50% marks in Computer Science/ Computer Engineering/ Information Technology from a recognised university.

OR

B. Tech or Bachelor of Engineering Degree with not less than 50% marks in any branch of study with Post Graduate Diploma in Computer Application from a recognised University or Lal Bahadur Sastri Centre for Science and Technology/ Institute of Human Resources Development or Department of Electronics 'A level accredited.

OR

Master's Degree with not less than 50% marks in Mathematics/ Physics with Post Graduate Diploma in Computer application from a recognised University or Lal Bahadur Sastri Centre for Science and Technology/ Institute of Human Resources Development or Department of Electronics' A level accredited.

OR

M. Tech Degree with not less than 50% marks in Electronics and Telecommunication/ Electronics Engineering from a recognised University.

OR

B. Sc. Degree in Computer Science with not less than 50% marks and Post Graduate Diploma in Computer Application from a recognised University or Lal Bahadur Sastri Centre for Science and Technology / Institute of Human Resources Development or Department of Electronics' A level accredited.

OR

M. Sc. Statistics with not less than 50% marks and Post Graduate Diploma in Computer Application from a recognised University or Lal Bahadur Sastri Centre for Science and Technology/ Institute of Human Resources Development or Department of Electronics 'A level accredited.

(39) Electronics

By transfer and by direct appointment

1. Master's Degree in Electronics/ M. Tech in Electronics [or Electronics and Communication] with not less than 50% marks from a recognised University.

OR

B. Sc. (Engineering) or B. Tech or B. E. Degree in Electronics/ Electronics and Communication/ Electronics and Instrumentation/Electrical and Electronics with not less than 50% marks from a recognised University.

- (2) In the absence of qualified hands under item (1) above B. Sc. in Electronics/ B. Sc. in Computer Science with not less than 50% marks and pass in MCA from a recognised University.

- |     |                      |   |   |
|-----|----------------------|---|---|
| (4) | Librarian Grade III  | By direct appointment and (2) By promotion    | Bachelor's Degree in Library and information Science acquired after a regular course of study or equivalent qualification from a recognised University. |
| (5) | Librarian Grade IV   | (1) By direct appointment and (2) By transfer | <sup>7</sup> [Pass in SSLC Examination and Certificate in Library Science recognized by Government]   |
| (6) | Laboratory Assistant | (1) By direct recruitment                     | (1) Pass in S.S.L.C Examination<br><br>(2) Pass in Laboratory Attender's Test conducted by Kerala Public Service Commission.                            |
|     |                      | (2) By Transfer                               | (1) Pass in VII Std.<br><br>(2) Pass in Laboratory Attender's Test conducted by Kerala Public Service Commission.                                       |
|     |                      | Note:-  | Pass in laboratory Attender's Test is not compulsory at the time of appointment. Candidates shall pass the test during the period of probation.         |
| (7) | Lower Division Clerk |   | Qualification as prescribed in Government Service.  |
| (8) | Part-time Menial     |   | As prescribed in Government Service.  |

7. **Probation:-** Every person appointed to any of the categories shall from the date on which he joins duty be on probation.

(i) if appointed by direct appointment or by transfer for a total period of two years on duty within a continuous period of 3 years and (ii) if appointed by promotion, <sup>7</sup>[or by transfer for a total period of two years] on duty within a continuous period of two years.

8. **Age limit:-** No person shall be eligible for appointment by direct appointment to any of the posts in categories of Teachers if he has not completed 20 years or is above 39 years of age on the first day of January of the year in which the applications for appointment are invited. For posts other than teaching posts, the candidate must have completed 18 years and must have not completed 35 years of age on the first day of

January of the year in which the applications for appointment are invited. Usual relaxation in upper age limit shall be allowed to candidates belonging to Scheduled Castes/Scheduled Tribes and other Backward Classes.

9. **Tests:-** Every person appointed to the category of Principal, shall during the period of probation, pass the Account Test for Executive Officers (Kerala) or Account Test (Lower) if he has not already passed the test.

10. **Exemption:-** (1) Those persons who have passed the State Level Eligibility Test for post of College Lecturers conducted by Government of Kerala are exempted from passing the State Eligibility Tests for Higher Secondary School Teacher.

(2) Those persons who have passed the National Eligibility Test/Junior Research Fellowship shall be exempted from passing the State Eligibility Test.

(3) Persons with Ph. D/M. Phil/ M. Ed. degree shall be exempted from passing the State Eligibility Test provided the M. Phil in the concerned subject is awarded by any of the Universities in Kerala or recognised as equivalent thereto by any of the Universities in Kerala.

<sup>8</sup>[4. Teachers who have completed ten years of approved teaching service at the High School level shall be exempted from passing the State Eligibility Test].

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1. Inserted by G. O. (P) 331/2001/G. Edn. dt. 9-11-2001 published in Gazette dt.12-11-2001.
  2. Omitted by G. O. (P) 93/09/G. Edn. dt. 27-3-2009 published in gazette dt. 28-3-2009 with effect from 6-1-2006.
  3. Substituted by G.O.(P)38/2005/G. Edn dated: 4-02-05 published in Gazette dated: 4-02-05.
  4. Substituted by G. O. (P) 93/09/G. Edn. dt. 27-3-09 published in gazette dt. 28-3-2009 with effect from 6-1-2006.
  5. Inserted by G. O. (P) 240/05/G. Edn. dt. 23-7-2005 Published in Gazette dt. 23-7-2005.
  6. Inserted by GO (P) 38/2005/G. Edn dated 4-02-05 published in Gazette dated 4-02-05
  7. Substituted by GO(P)38/2005/GEdn dated 4-02-05 published in Gazette dated 4-02-05.
  8. Inserted by GO(P)38/2005/GEdn dated 4-02-05 published in Gazette dated 4-02-05

**FORMS****FORM 1**

[See Rule V-2 (3) and (4)]

APPLICATION FOR PERMISSION TO OPEN A SCHOOL OR A NEW  
STANDARD WITH A VIEW TO ITS SUBSEQUENT RECOGNITION

1. (a) Name and address of applicant  
 b) Whether individual or Corporate. If Corporate, the name of the Corporate Management should be furnished.  
 1[(C) If Corporate, the number of schools under the Corporate Management and their location]
2. Position of School
3. Position with respect to neighbouring schools as per enclosed sketch plan of the locality with names of all the schools within a radius of 3 miles of the proposed site and their distance from it. The distance from the nearest cemetary or cremation ground:
 

Taluk			Village	
Lower & Upper Primary Schools	Distance from the proposed site	High Schools	Distance from the proposed site	
4. (a) Name of the proposed school  
 (b) Class and grade of school with highest standard of instruction intended at opening  
 (c) Whether new or in continuation of the existing school
5. Date on which it is proposed to open the school
6. (a) Nature of tenure of the property by owner  
 (b) Whether the applicant proposes to acquire the site for the school and if so when?  
 (c) Extent of site of the existing school which is proposed to be raised.
7. Reason for opening the school
8. Whether the school will be open to all the classes of the community
9. Details of the guarantees, the applicant can give of his ability to conduct the school successfully from a financial point of view:
 

(a) Site;
(b) Landed property for School;
(c) Nature of accommodation;
(d) Ready money;
(e) Other guarantees
10. Whether the applicant is already the Educational Agency of any recognised institution under the Department, and if so the name of that institution.

11. Whether the applicant is prepared to furnish the cash security required by the department.
12. Whether the applicant intends to run school as an aided or recognised school
- <sup>2</sup>[13 Whether the applicant or if corporate any members has been convicted of an offence involving moral turpitude, by a court of law, if so give details]
- <sup>3</sup>[14 Whether the applicant is prepared to absorb qualified teachers who are retrenched and declared protected as per various orders issued by Government from time to time.

### DECLARATION

I solemnly declare that the facts stated above are correct.

Station .....

Date ....

Applicant.

Note :- Roman figure indicates the number of the chapter in the Rules

1. Added by G. O. (P) 70/79/G. Edn. dated 2-5-79 published in Gazette dated:22-5-79.
2. Added by notification No. G.O (P) 576/62 dated 29-8-62 and published in K. G. dated 18-9-1962.
3. Substituted by G. O. (P) 79/2010/G.Edn. dated: 25-05-2010 published in gazette dated: 26-5-2010.

**FORM 2**  
[See Rule V-16 (1)]  
**APPLICATION FOR RECOGNITION**

1. Name of School .....
2. Taluk ..... Village .....
3. Class of School ..... Grade of School.....
4. Date of establishment .....
5. No. and date of order sanctioning / opening of School.....
6. Name and address of Educational Agency .....
7. Name and address of Manager .. ..

8. Standards already recognized		9. Standards for which recognition is now sought	
Standard	Strength on date of application	Standards	Strength on date of application

10. Total area of

- |     |                 |        |         |        |    |
|-----|-----------------|--------|---------|--------|----|
| (a) | Class- rooms    | Length | Breadth | Height |    |
| (b) | Other buildings | do     | do      | do     | do |
| (c) | Playground      | Length | Breadth |        |    |

11. (a) Number of Class -rooms and superficial and cubic area of each room, with the maximum number of pupils likely to be taught in each room.  
(b) Whether the School introduced shift system.
12. Fees in each standard.





- |  |          |         |
|--|----------|---------|
| 14. Sanitation, latrine and water supply   |          |         |
| 15. Furniture, apparatus and appliances,<br>(Information separately for each Standard<br>or class should be given) | Ordinary | Special |
| 16. If a library is provided whether a catalogue<br>and a register of books issued are kept.                       |          |         |
| 17. The registers maintained and whether in the<br>prescribed forms.   |          |         |

### **Declaration**

On behalf of the management of the School, I hereby declare that the school fulfills all the conditions specified in the Kerala Education Act and the Rules under it and I promise to comply with all the conditions relating to the recognition of schools affording public instruction and other matters which are laid down in the Kerala Education Act and the Rules under it.

Station .....

Date .....

**Educational Agency or Manager**

**FORM 3**  
**[See Rule VI-1(1)]**  
**APPLICATION FOR ADMISSION**

Name of School .....

1. Name of pupil (initials to be given at the end):
2. Name of parent or guardian and his relation to the pupil:
3. Occupation and address of parent or guardian:
4. Name and address and occupation of local guardian in case the pupil does not live with his/her responsible guardian:

5. Schools previously attended

Name of Schools	Standard	Date of Admission	Date of leaving

6. (a) Date of birth (in figures and words):

<sup>1</sup>[(b) Whether certified extract from register of Births/ declaration from the parent or guardian/ certificate from the Registered Medical Practitioner has been produced (vide Rule VI-1(1)]

7. Age on date of applications (in words number of years and completed months should be given);

8. <sup>2</sup>[x x x x] Religion\*

9. Nationality and State to which the pupil belongs;

10. Does the candidate belong to the Scheduled castes or Scheduled Tribes or other Back-ward Communities or is he a convert from Scheduled Castes or Scheduled Tribes?

11. Standard to which admission is sought

(in words)

12. Mother tongue of the pupil;
- <sup>3</sup>[12A. The language in which the pupil desires to be instructed];
13. No. and date of transfer certificate produced on admission;
14. Date of last vaccination;
- <sup>4</sup>[15. Whether immunised from Tetanus, Diphtheria, Measles Polio and B. C. G. (give details)];

I have read the rules of discipline of this School and undertake that my ward will abide by them.

I solemnly declare that the above particulars about ..... are true and correct.

Station .....

Date .....

**Signature of Parent or  
responsible guardian**

**To be filled in by the Headmaster**

Date of admission ..... Admission No .....

Standard to which admitted ..... Signature of Headmaster

<sup>4</sup>[Note: Whatever be the entry against item 15, admission shall be given to the applicant].

1. Substituted by notification published in Gazette dated 17-5-61.
  2. The words 'community and' deleted by notification No. G.O (P) 99/62 dated: 07-02-62 published in Gazette dt. 13-2-62.
  3. Added by G. O. (P) 153/77/G. Edn. dated 13-7-77 in Gazette dt. 13-9-77.
  4. Inserted by G. O. (P) 173/87/G. Edn. dated 17-8-87 published in Gazette dt. 1-9-87.
- \* It is not compulsory to show religion. In such cases item 8 may be filled up as "Religion not stated". G. O. (Ms) 77/74/G. Edn. Dated 29-4-74.

**FORM 4**  
**(See Rule VI-2 (1))**  
**ADMISSION REGISTER**

No.	1	2	3	4	5	6	7	8	9	10	10A	10B	11	12	13	14	15	16	16A	16B	17
	Name	Name of parent or guardian and the relationship of the pupil to the guardian	Occupation of Parent or guardian and his residence	Schools previously attended and the periods spent in each standard (dates to be specified)	Date of Admission	Date of Birth	[x x x x] Religion	Does the pupil belong to the scheduled castes or Schedules Tribes or other Backward Communities or is he a convert from Scheduled Castes of Scheduled Tribes?	Standard on admission	Mother Tongue of Pupil	The language in which the pupil desires to be instructed	Standard on leaving	Date of leaving	No. and date of transfer certificate produced on admission	No. and date of transfer certificate granted on leaving	Reasons for leaving	Date of vaccination	Whether immunised from Tetanus Diphtheria, Measles, Polio and B.C.G. (give details)	Whatever be the entry under item 16 A admission shall be given to the applicant	Remarks	

1. The words "Community and" deleted by Notification in Gaz. Date 13-02-62.  
10 A & 10 B inserted by G.O. (P) 153/77/G.Edn. dated: 13-7-77 published in Gazette dated: 13-09-77.  
16A & 16B inserted by G.O. (P) 173/87/G.Edn dated: 17-08-87 published in Gazette dated: 1-9-87.

**FORM- 5**  
**[See rule VI-17(1)]**  
**TRANSFER CERTIFICATE**

Name of School പാഠശാലയുടെ പേര്

Whether the School is a Government, Aided or Recognised School  
പാഠശാല ഗവൺമെന്റ് വകയോ എയ്ഡഡോ അംഗീകാരം സിദ്ധിച്ചിട്ടുള്ളതോ എന്ന്

Name of Pupil വിദ്യാർത്ഥിയുടെ പേര്

<sup>1</sup>[Name of Parent/ guardian and relationship of the pupil to the guardian  
പിതാവിന്റെ / രക്ഷകർത്താവിന്റെ പേരും വിദ്യാർത്ഥിയുമായുള്ള ബന്ധവും

Identification marks, if any of the pupil  
വിദ്യാർത്ഥിയെ തിരിച്ചറിയാനുള്ള അടയാളങ്ങൾ ഏതെങ്കിലുമുണ്ടെങ്കിൽ അവ]

Nationality ദേശം

<sup>2</sup>[xxxxxx] Religion (മതം)

Whether the candidate belongs to Scheduled Castes or Scheduled Tribes or other Backward Communities or whether he is a convert from the Scheduled castes or Scheduled Tribes. വിദ്യാർത്ഥി പട്ടികജാതിയിലോ പട്ടിക വർഗ്ഗത്തിലോ മറ്റു പിന്നോക്ക സമുദായത്തിലോ പെട്ടവനോ, പട്ടിക ജാതിയിൽ നിന്നോ പട്ടിക വർഗ്ഗത്തിൽ നിന്നോ മത പരിവർത്തനം ചെയ്തവനോ എന്ന്.

Date of birth according to Admission Register (in words)  
അഡ്മിഷൻ രജിസ്റ്റർ അനുസരിച്ചുള്ള ജനനതീയതി (അക്ഷരത്തിൽ)

Standard in which the pupil was last enrolled (in words)  
പാഠശാല വിട്ടുപോകുന്ന അവസരത്തിൽ പഠിച്ചിരുന്ന ക്ലാസ് (അക്ഷരത്തിൽ)

Date of admission or promotion to that standard  
ആ ക്ലാസ്സിലേയ്ക്ക് പ്രവേശനം കൊടുത്ത തീയതി

Whether qualified for promotion to a higher standard  
പഠിച്ചിരുന്ന ക്ലാസ്സിൽ നിന്നും കയറ്റത്തിന് അർഹതയുണ്ടോ എന്ന്

Whether the pupil has paid all the fees due to the school  
അടയ്ക്കേണ്ട ഫീസു മുഴുവൻ അടച്ചിട്ടുണ്ടോ എന്ന്

Whether the pupils was in receipt of fee concession  
വിദ്യാർത്ഥിക്ക് ഫീസു സൗജന്യം ലഭിച്ചിട്ടുണ്ടോ എന്ന്

Date of pupil's last attendance at school  
വിദ്യാർത്ഥി പാഠശാലയിൽ ഹാജരായ അവസാന തീയതി

Date on which the name was removed from rolls  
രജിസ്റ്ററിൽ നിന്നും പേരു നീക്കപ്പെട്ട തീയതി

Date of application for certificate  
സർട്ടിഫിക്കറ്റിനു അപേക്ഷിച്ച തീയതി

Date of issue of the certificate  
സർട്ടിഫിക്കറ്റു കൊടുത്ത തീയതി

Reason for leaving  
സർട്ടിഫിക്കറ്റു മൂലം വിടുവാനുള്ള കാരണം

School to which the pupil intends proceeding  
സർട്ടിഫിക്കറ്റു മൂലം ചേരുവാനുദ്ദേശിക്കുന്ന സ്കൂൾ

Date of last successful vaccination  
ഒടുവിൽ വിജയകരമായി മസൂരി കുത്തിവച്ച തീയതി

Number of School days up to the date  
ആകപ്പാടെ അന്നു വരെയുള്ള സാധ്യമായ ദിവസങ്ങൾ

Number of School days the pupil attended  
വിദ്യാർത്ഥി ഹാജരായ ദിവസങ്ങൾ

**Principal Headmaster/Headmistress**  
പ്രിൻസിപ്പാൾ/ഹെഡ്മാസ്റ്റർ/ഹെഡ്മിസ്ട്രസ്

- N. B. 1. Fee concession/Scholarship history of the pupil may be entered below when necessary.
- 2. In the case of pupils of Higher Standards, details of the courses of the studies should be furnished below.

- 1. Inserted as per G. O. (P) 260/75/G.Edn. dt. 24-10-75 published in Gazette dt.11-11-75.
- 2. The words community and" deleted by notification No. G.O (P) 99/62 dated: 07-02-62 published in Gazette dt.13-2-62, and substituted for the words സമുദായവും മതവും.

**<sup>1</sup>[FORM 5A  
See Rule VI-17(3)]  
LEAVING CERTIFICATE ISSUED TO OVER AGED PUPILS  
REMOVED FROM THE ROLLS OF SCHOOLS**

This is to certify that ..... was a pupil of the ..... school. He/She was admitted/promoted to standard ..... (in words) on ..... He/She left he school on; ..... while he/she was reading in ..... (in words). His/her date of birth according to the school admission register ..... is (in words).

Station:

Headmaster

Date:

..... School

[Note:- All certificates to be sealed with the school seal before issue)

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1. Inserted by notification published in gazette dated 6-2-62



**FORM 6**  
[See Rule VII- 6 (1)]  
**REGISTER OF ATTENDANCE FOR THE MONTH OF ..... 19 .....** STANDARD

ഉറപ്പാക്കിയ ഉപയോഗിച്ച്	പേര്	ശ്രീമതി	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
			ദിവസം പ്രതി ശരാശരി ഹാജർ ആകെ ഹാജർ															

മാസാരംഭത്തിൽ തന്നെ പരിശോധിക്കുക .....  
 രജിസ്റ്റർ സംഖ്യ .....  
 തന്നെ പരിശോധിക്കുക .....

സ്കൂൾ ദിവസങ്ങളുടെ സംഖ്യ .....  
 തന്നെ പരിശോധിക്കുക .....

തന്നെ പരിശോധിക്കുക .....  
 തന്നെ പരിശോധിക്കുക .....

17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	ധാരാളം		പ്രത്യേക കാര്യങ്ങൾ	
															കുടിശ്ശിക	പരിശോധിക്കുക	കുടിശ്ശിക	പരിശോധിക്കുക

തന്നെ പരിശോധിക്കുക .....  
 തന്നെ പരിശോധിക്കുക .....

തന്നെ പരിശോധിക്കുക .....  
 തന്നെ പരിശോധിക്കുക .....

തന്നെ പരിശോധിക്കുക .....  
 തന്നെ പരിശോധിക്കുക .....

**FORM 7**  
**[See Rule VIII-12(2)]**

**PROGRESS REGISTER**

Name of pupil

Name of Guardian

Relationship of the Guardian to the pupil

Occupation and address of guardian

Religion of pupil

Sex

Date of Birth (in figures and in words)

Permanent bodily marks

Date of admission

Admission Register Number

**Schools attended for the High School course commencing from Standard**

**VIII**

Name of School	Standard	Date of admission	Date of leaving	Remarks

Year of presentation of the pupil for S.S.L.C. Examination

Name Admission No. Standard

Subjects	School year		Standard		Standard		Standard		Standard	
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
I. Group (A) Language Subjects First Language (to be entered) Second Language Third Language  II. Group (B) Core subjects Social Studies General Science General Mathematics  III. Group (C) Art and Craft  IV. Elective subjects (From Standard IX onwards) Subject to be entered 1 2 3	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %
	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %	Percentage of Marks	Class average %

Remarks by class teacher on handwriting, character, conduct, etc  
 Number of school days during the year  
 Number of days present during the year  
 Percentage of attendance for the whole year.

Headmaster

**FORM 8**  
[See Rule VIII-12 (3)]

**PROGRESS CARD**

Name of School in full .....

Name of pupil .....

Standard and division .....

Year .....

Subject	Quarterly Examination		Half yearly Examination	
	Maximum Marks	Marks Scored	Maximum Marks	Marks Scored
	I Term		II Term	
Number of working days Number of days present <sup>1</sup> [Whether medical inspection was conducted, if so the result serious illness and the suggestions of the Doctor if any)				
	Remarks of class teacher and Headmaster		Remarks of class teacher and Headmaster	

Station

Date

Signature of Headmaster

Remarks if any by the guardian about the pupil

Date

Signature of Headmaster

N.B. This form to be filled up and sent to the guardian as soon as the Quarterly and Half Yearly examination results are announced and got back within a week from the date of issue.

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1. Inserted by Notification published in gazette dated: 27-11-1962.

**<sup>1</sup>[FORM 8A  
[See Rule VIII-12(3)]  
PROGRESS REPORT OF PUPILS IN STANDARDS V TO X**

- |                  |                                 |
|------------------|---------------------------------|
| 1. Name          | 4. School                       |
| 2. Address       | 5. Date of enrolment            |
| 3. Date of Birth | 6. Date of leaving              |
|                  | 7. Parent's name and occupation |

Attendance				Home circumstances
Year	Possible	Actual	Long absence with reasons	Pupil's position in the family
20				Economic and Social Status Special circumstances (Such as broken home, loss of parents, Step mother, etc.)
20				
20				
20				
20				
20				

PHYSICAL DATA: GENERAL CONDITION  
DISABILITIES (PHYSICAL OR ANY OTHER)

Year	Height	Weight	<sup>2</sup> [Whether medical inspection was conducted if so the result- serious illness and the suggestions of the doctor, if any]	
Year	Games and sports	Hobbies	School activities special interest	Special abilities
20				
20				
20				
20				
20				
20				

1. Inserted as per notification published in Gazette dated 15-5-62
2. Substituted by notification published in Gazette dated 27-11-62

**FORM 8A** (Contd.)

**SCHOOL ACHIEVEMENT**

Subjects 20 20 20 20 20 20

I Language

II Language

III Language

Social Studies

Science

Mathematics

Subject taken

under diversified course

(1)

(2)

(3)

.....

Place in class

.....

Special Merit obtained

.....

**PERSONAL CHARACTERISTICS**

Nature 20 20 20 20 20 20

Industry

Self Confidence

Initiative

Responsibility

Co-operativeness

Sociability

Courtesy and consideration for others

Leadership

Integrity

Cheerfulness

Emotional Control and stability

Habits of work (Punctuality)

Perseverance, Neatness etc.)

Headmaster,

Station

Date

Class Teacher

Remarks, if any by the guardian

Signature of Guardian

**FORM 9**

(See Rule IX-9 (1))

## REGISTER OF PUNISHMENTS INFLICTED ON PUPILS

1. Serial Number
2. Admission Number
3. Name of pupil
4. Age
5. Standard
6. A brief account of the offences for which punishment is awarded
7. Date of offence
8. Date of award of punishment
9. Nature of the punishment (full details to be given)
  - (a) <sup>1</sup>[Censure]
  - (b) Fine -Amount to be specified
  - (c) Suspension - Period to be specified
  - (d) Removal
10. Remarks
11. Signature of the Headmaster
12. Date of realisation of fine
13. Initials of the Headmaster

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1. Substituted for the words "Canening Number of cuts to be specified". notification published' in Gazette dated 30-6-1959

**FORM 10**  
 [(See Rule X -1)]  
**STATEMENT OF MOVABLE AND IMMOVABLE PROPERTIES**  
**SUBMITTED AS REQUIRED BY SECTION 5(1) OF THE KERALA**  
**EDUCATION ACT**

Name and position of the School \*(Name of Taluk, Village and Sy. Nos to be given)

	As on 1-4- 20..... (1)	As on 1 <sup>st</sup> April of previous year (2)	Reason in brief for variation if any (3)
1. Extent of site including playgrounds and nature of ownership			
2. Total area of (a) Class rooms (b) Other buildings including hostels, if any			
3. Number of class rooms and size of each			
4. Whether the building are tiled, cementfloored, etc.			
5. Furniture			
Tables                   .....			
Chairs                   .....			
Almirahs               .....			
Benches                .....			
Desks                   .....			
Blackboards           .....			
Boxes                   .....			
Stools, etc,           .....			

\* School includes the land, buildings, playgrounds, and hostels of the school and the movable properties such as furniture, books apparatus, maps and equipments pertaining to the school.



**FORM 10** (Contd.)

	As on 1-4- 19..... (1)	As on 1 <sup>st</sup> April of previous year (2)	Reason in brief for variation if any (3)
6. Science and other apparatus			
7. Appliances Maps Charts Pictures Models, etc.			
8. Number of books in the School Library			
9. Particulars of electric fittings, water supply and sanitation			
10. Equipments for games and athletics			
11. Audio – Visual equipments such as- Film strip projectors Radios, Magic lanterns, Epidiascopes, etc.			
12. Craft equipments			
13. Investments in Government Securities, etc.			
<sup>1</sup> [14. Whether there are other buildings used by any church/ Mosque/Temple/ Mutt or Convent or Seminary etc. in the land mentioned in item (1)			
15. Whether the said land is to be used for the purpose of any Church/ Mosque/ Temple/ Mutt or Convent or Seminary, etc also]			
16. Other items, if any.			

Station: .....

Date.....

Signature of Manager

- 
1. Item 14, renumbered as 16 and inserted 14 and 15 by G. O. (P) 187/77/G. Edn. dated 7-9-77 published in Gazette dated 11-10-77.

**FORM 11**  
**(See Rule XII-12)**

Fee Receipt No.

Name of School

Name of pupil

Admission No.

Standard

Division

Instalment

Rs

np.

Tuition fees

Games fees

Library fees

Laboratory and

Technical Subjects fees

Stationery fees

Hobbies and Craft fees

Excursion and Scouting fees

Audio visual Education fees

<sup>1</sup>[Festival activities]

Fines

Date of payment.

Signature

Teacher, Standard, Division

1. This item was inserted by G. D. (P) 25/91 G. Edn, dated 21-2-91 published as SRO No. 239/91 in K. G. Ex. No. 222 dated 21-2-91.

**\*FORM 11 A**  
(See Rule 34 Chapter XIV (A))

Name of Educational Agency:

Seniority List of Teachers belonging to Primary /Upper Primary/Secondary School as on .....

Serial Number	(1)	Name of Teacher	(2)	Date of birth	(3)	Qualification specifying date of acquisition or as in Service Book			(4)	Date of 1 <sup>st</sup> appointment under the management	(5)	Designation	(6)	Name of School working	(7)	Date of commencement of continuous service under the Management in the present grade	(8)	Pay and scale of pay	(9)	Rules opted	(10)	Signature of teacher	(11)	Remarks	(12)
						General (Additional if any)	Professional if any)	Special																	

Place:

Date:

Signature of the Manager

Order of the Educational Officer

\* Inserted by G.O. (P) 176/84 G.Edn. dated: 27-08-1984 published in Gazette dated: 09-10-1984.

**FORM 12**

(See Rule XVII -15)

(To be filled by the proposer)

1. <sup>1</sup>Election to the Local Educational Authority .....

Educational District

2. <sup>2</sup>Managers/Graduate

Teachers/non-Graduate

Teachers/ Local Bodies Constituency

1. Full name and official address of the proposer.

2. Full name and official address of candidate.

Date:

Signature of proposer

(To be filled by the candidate)

I, the above mentioned candidate assent to the nomination

Date:

Signature of Candidate

(To be filled by Returning Officer)

Serial No. of nomination.

This nomination was delivered at my office at .....  
on ..... by the candidate/ proposer.

Date:

Returning Officer

- 1. Appropriate particulars of the election to be specified here.
- 2. The particulars which do not apply to be scored out.

DIRECTIONS TO ELECTOR

FORM 13

COUNTER FOIL OF POSTAL BALLOT PAPER

(See Rule XVII-19) \*Election

to the Local Educational Authority ..... Educational District from the ..... constituency Serial number of ballot paper .....

Name of elector ..... Name of School / Manager/ Local Body to which/ whom the ballot paper is supplied .....

\* Appropriate particulars of the election to be inserted here.

POSTAL BALLOT PAPER

(See Rule XVII- 19) Election

to the Local Educational Authority ..... Educational District from the ..... constituency Serial number of ballot paper ..... Serial No. of

Candidate Name of candidate Mark (1) (2) (3) 1. .... 2. .... 3. .... 4. .... etc.

1. Appropriate particulars of the election to be inserted here.

(1) Before recording your vote read carefully the following directions and also the instruction in Form 17 sent with this ballot paper.

(2) You must not vote for more than one candidate. If you do, your ballot paper will be rejected.

(3) Record your vote by placing clearly a mark in column (3) of the ballot paper opposite the name of the candidate to whom you wish to give the vote.

(4) The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote, the vote will be invalid.

(5) Your vote is secret. You must not put your signature on the ballot paper per make any other mark on it which reveal your identity. If you do, your ballot paper will be rejected.

**FORM 14**

[See Rule XVII-20 (2) (a)]

**DECLARATION BY ELECTOR**

<sup>1</sup>Election to the Local Educational Authority from the .....  
..... Constituency:  
  
..... Educational District.

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number ..... has been issued at the above election.

Date: Signature of Elector  
Address.....

**ATTESTATION OF SIGNATURE**

The above has been signed in my presence by ..... (elector) who is personally known to me/has been identified to my satisfaction by ..... identifier) who is personally known to me.

Signature of identifier, if any.....  
Address .....

Signature of Attesting Officer  
Designation  
Address  
Date:

**FORM 15**

[See Rule XVII-20 (2) (b)]

COVER

A

Not to be opened before counting

<sup>1</sup>[Election to the Educational Authority  
..... Educational District  
from the ..... Constituency Serial  
number of ballot paper .....

**FORM 16**

[See Rule XVII -20 (c)]

COVER

B

Not to be opened before counting.

Election immediate <sup>2</sup>[Local Educational  
Authority

..... Educational District

..... Constituency

To

The Returning Officer, <sup>3</sup>.....

- 
1. Appropriate particulars of the election to be inserted here
  2. Insert here appropriate particulars of the election and constituency  
eg:- Local Educational Authority, Trivandrum  
Educational District Managers constituency
  3. Full postal address of the Returning Officer to be inserted here.

**FORM 17**

[See Rule XVII -20 (2) (d)]

**INSTRUCTIONS FOR THE GUIDANCE OF ELECTORS**

Election to the Local Educational authority .....  
Educational District from the ..... constituency  
.....

The persons, whose names are printed on the ballot papers sent here with, are candidates at the above election. If you desire to vote, you should record your vote in accordance with the directions given on the ballot paper and then follow the instructions detailed below:

(a) After you have recorded your vote on the ballot paper place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.

(b) You have then to sign the declaration in Form 14 also sent herewith in the presence of a person competent to attest your signature viz., a member of the Legislative Assembly, a member of a Panchayat, Municipal Councilor Corporation or the Headmaster or a teacher of a Government or aided school. Take the declaration to any such officer and sign it in his presence after he has been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.

(c) After your declaration has been signed and your signature has been attested in accordance with item (b) place the declaration in Form 14 as also the smaller cover marked 'A' containing the ballot paper in the larger cover marked 'B' After closing the larger cover sent it to the Returning Officer by registered post or by messenger. Graduate and non-Graduate teachers and members of Panchayats and Municipal Councils or Corporation may entrust the smaller cover marked 'A' and the declaration to the Heads of the schools or the President of the Panchayat or the Commissioner of the Municipal Council/Corporation for transmission to the Returning Officer.

(d) You must ensure the cover reaches the Returning Officer before 5 p.m. on the (date)

(e) Note that-

(i) If you fail to get your declaration attested or certified in the manner indicated above your ballot paper will be rejected; and

(ii) If the cover reaches the Returning Officer after 5 p.m. on the ..... (date), your vote will not be counted.



**FORM 18**

(See Rule XX-(1) (2)

**NOTICE**

To

.....

.....

Whereas, the Government have received reports that you have neglected to perform the duties imposed by the Kerala Education Act; 1958 and the rules issued there under namely; ..... and, whereas, the Government consider that in the public interest it is necessary to take over the management of ..... School for a period of ..... years.

Now, therefore, you are hereby required to show cause within 10 days in writing to the undersigned why action should not be taken for taking over management of the school for the above period.

Station,  
Date.

Designation of Officer

**FORM 19**

<sup>1</sup>[(See Rule XX -1(5)x x x x x)]

**FORM 20**

<sup>1</sup>[(See Rule XX -2(1)x x x x x)]

**FORM 21**

(See Rule XX-3)

**STATEMENT OF RENT**

1. Taluk
2. Village
3. Survey Number
4. Extent of land
5. Details of trees on the land
6. Annual rent for the land and trees
7. Particulars of buildings
8. Annual rent for the buildings
9. Particulars of furniture
10. Annual rent of furniture
11. Particulars of books, maps, laboratory apparatus, etc.
12. Annual rent for books, maps, laboratory apparatus, etc.
13. Total annual rent
14. Deductions on account of aid or grant given by the Government
15. Net annual rent

Station

Date

Name and designation of Officer  
preparing the statement

---

1. Forms 19 and 20 omitted by G.O (P) 245/87/G.Edn. dated: 17-12-87 published in Gazette dated: 17-12-87 with effect from 1-6-87.



**FORM 23 (1)**

(See Rule XX -6)

**NOTIFICATION**

Whereas the Government are satisfied that it is necessary in the public interest to acquire the ..... School in..... Village ..... Taluk, the management of which was taken over by the Government as per their notification dated ..... published in the Gazette of .....

Now, therefore, in exercise of the powers conferred by section 14(8) of the Kerala Education Act, 1958, it is hereby notified that the said school shall vest in the Government absolutely with effect from .....

Government Secretariat,  
Trivandrum  
Date .....

(By order of the Governor)  
Secretary

**FORM 23 (2)**

(See Rule XX -6)

**NOTIFICATION**

Whereas the Government are satisfied that for .....  
it is necessary in the public interest to bring education relating to  
..... within the area .....  
under their direct control;

Now, therefore, in exercise of the powers conferred by Section 15 of  
Kerala Education Act, 1958 read with Rules XX-6 and 7 of the Kerala  
Education Rules, 1959, the under mentioned School shall vest in the  
Government absolutely with effect from ..... except the  
immovable properties specified in the Schedule which have been exempted  
under Section 16 of the said Act.

The ..... is hereby authorised to take possession of the  
Schools from the above date.

The proposal to take over the Schools was approved by the resolution  
of the legislative assembly passed on .....

Schedule

Government Secretariat,  
Trivandrum.

Date: .....

(By order of the Governor)  
Secretary

**FORM 24**

(See Rule XX-9)

## VALUATION STATEMENT

1. Name of School
2. Taluk
3. Village
4. Survey Number
5. Extent
6. Details of buildings and trees
7. Compensation for the land, trees and buildings Rs .....
8. Particulars of furniture, books, maps, laboratory apparatus etc.
9. Compensation for he furniture, books, maps laboratory apparatus, etc
10. Total amount of compensation Rs.
- <sup>1</sup>[11. Deductions on account of aid or grant given by the Government and public contribution received, for the acquisition, construction or improvement of property.
- 11A. Deductions on account of utilization of special fees for the acquisition, construction or improvement of-property]
12. Net compensation payable Rs.....
13. The person/persons to whom compensation is to be paid.

Station:  
Date:

Signature of the Officer preparing  
the valuation statement

**FORM 25**

(See Rule XX-10)

**NOTICE**

To

.....  
.....

You are hereby informed that in the valuation statement prepared in connection with the acquisition of the School Village Taluk, the amount fixed as value for the school is shown below. You are hereby required to prefer the claims and objections to the amount of compensation fixed, before this office at 10 a.m. on .....

- |                 |   |          |
|-----------------|---|----------|
| 1.              | Compensation for land, trees and buildings  | .....    |
| 2.              | Compensation for furniture, books, maps laboratory apparatus, etc   | .....    |
| 3.              | Total amount  | Rs ..... |
| <sup>1</sup> 4. | Deductions on account of value of property acquired, constructed or improved with aid or grant from the Government. | .....    |
| 4 A             | Deductions on account of utilisation of special fees for the acquisition, construction or improvement of property]  | .....    |
| 5.              | Net compensation payable.   |          |

Station:

Date:

Name and designation of Officer

1. Substituted by notification No. G.O. (P) 66/68/Edn. dated: 14-02-68 published in Gazette dated 5-3-68 for "11, Deductions on account of value of property acquired, constructed, or improved with aid or grant from Government"

**FORM 26**  
(See Rule XX -11)  
AWARD

No. \_\_\_\_\_ Dated \_\_\_\_\_

Made by.....

Whereas the ..... School .....Village  
.....Taluk, and the movable and  
immovable properties of the school have been acquired by the Government  
the undersigned after full enquiry into the case and having due regard to the  
Provisions of section 15 of the Act and the Rules, make the following award  
under his hand:-

1. The extent of land acquired is ..... hectare/ cents  
and is comprised in Sy. Nos .....in  
.....village ... ..
2. The particulars of buildings acquired are  
.....
3. The compensation awarded for the lands, trees and  
buildings is Rs .....
4. The particulars of the furniture, books, maps, laboratory  
apparatus etc. acquired are the following.
5. Compensation for the furniture, books, maps, laboratory  
apparatus, etc. is Rs .....
6. Total compensation for the lands, trees, buildings, furniture maps,  
books, laboratory apparatus, etc. is Rs  
.....
- <sup>1</sup>[7. Deductions on account of aid or grant given by the  
Government and public contribution received, for the  
acquisition, construction or improvement of properties,  
movable or immovable is Rs .....
- 7A. Deductions on account of utilization of special fees for  
the acquisition, construction or improvement of  
properties, movable, is Rs .....
- .....
8. Net compensation payable is Rs .....
9. The person/persons to whom compensation is to be  
paid and the amount/amounts payable to each of them  
is/ are.

Station:

Date:

1. Substituted by notification No. G.O (P) 66/68/G.Edn. dated: 14-02-68 published in Gazette dated 5-3-68 for item 7 which was "7. Deduction on account of value of properties movable or immovable acquired, constructed or improved with aid or grant, from the Government is Rs .....



**<sup>1</sup>[FORM 27**  
(See Rule XIV (A)-7)  
**APPOINTMENT ORDER**

Station:

Date:

Shri .....(name and address of teacher)  
..... is appointed as a  
permanent/probationary/acting <sup>2</sup>[x x x] teacher under this management on a  
pay of Rs ..... per mensem in the scale of Rs  
..... and is posted as .....  
(Designation) in the .....  
(Name of school) from ..... to ..... in  
the vacancy of ..... who has  
..... This appointment  
is subject to the provisions of the Kerala Education Act and the Rules there  
under and such other rules or orders issued from time to time by the  
Government or other competent authority.

<sup>3</sup>[Certified that there is no qualified teacher existing in service under  
this Educational Agency who is eligible for promotion to the vacancy for  
which the above appointment is made].

Signature of manager

Signature of Teacher

The appointment is approved

<sup>4</sup>[Certified that the above appointment has been made after satisfying  
that no qualified person retrenched <sup>5</sup>[from any of the aided high schools in  
the Education District or aided primary Schools in the  
Education sub Districts] "after putting in 2 years of service and drawing 2  
vacation salaries is available for absorption to the post in the school"].

Signature and Designation of  
Educational Officer].

1. Inserted by Notification No. G.O (P) 254/64/Edn. dated: 06-05-64 published in Gazette dated 12-05-64.
2. The word "temporary" omitted by Notification dt. 4-7-72 published in Gazette dt. 18-7-72.
3. Inserted by G. O. (P) 14/84/G Edn dated 18-1-84 published in Gazette dated 14-2-84.
4. Added by G. O. (P) 70/79/G. Edn. dt. 2-5-79 published in Gazette dated 21-5-79.
5. Substituted by G. O. (P) 111/79/G. Edn. dated 13-7-79 published in Gazette dt. 16-7-79.

**<sup>1</sup>FORM 28**

(See Rule XXVII 1-6)

APPLICATION FOR MAINTENANCE GRANT

Year .....

1. Name of aided school and location (Name of the District, Taluk, Village and Post Office to be given)
2. Name and address of the Manager
3. Name of the standards and number of divisions with strength of each\*

Standard	Number of Divisions	Strength in each
I		
" II		
" III		
" IV		
" V		
" VI		
" VII		
" VIII		
" IX		
" X		

Total Strength .....

4. Amount of maintenance grant due with reference to the rates prescribed by Government (with details of calculation)
5. Amount of advance, if any, received
- <sup>2</sup>[5A Amount realised by way of sale proceeds of unserviceable articles of furniture]
6. Excess, if any in the maintenance grant sanctioned for the previous year carried over to the current year.
7. Amount of maintenance grant due less amounts under 5 [5A] and 6.

Station:

Date:

Manager

1. Forms 28 to 30 added by Notification G.O (P) 900/62/ Edn. dated: 13-12-62 published in Gazette dated 18-12-62.

\* If any of the standards are run on shift system the morning and afternoon session together shall be taken as one division and the number of pupils to be taken into account for purpose of calculating maintenance grant shall be one- half of the number of students in the morning and evening sessions together fraction if any being counted as one.

2. Inserted by Notification No. G.O (P) 258/70/S.Edn. dated: 12-06-70 published by in Gazette dated 30-6-70.

**FORM 29**  
(See Rule XXVIII-6)  
STATEMENT OF EXPENDITURE UNDER  
MAINTENANCE GRANT

Year .....

Item	In the previous financial year	Estimate for the current financial year
(1)	(2)	(3)
	Rs. Ps.	Rs. Ps.
<sup>1</sup> [(i) (a) Petty construction (each item of work and its expenditure should be noted separately)  (b) Annual maintenance of school buildings, repairs or rent as per note (1) to Rule 4] (ii) Purchase of educational appliances such as globes, maps, charts, apparatus for teaching of Geography and allied subjects and instruments for mathematical drawing: (iii) Repairs to furniture and its replacement (iv) Office expenses and miscellaneous including stationery and postage and telegraph charges.  (v) Contingencies for purchase of chalk, dusters, cleaning materials, buckets, ropes, registers and forms etc.  (vi) Purchase of books and periodicals relating to Education other than books for school library.  (vii) Raw materials for craft education  (viii) Kindergarten and sewing appliances  (ix) Water charges including expenditure on gardening.  (x) Electric charges.  (xi) Sweeping and scavenging charges in Lower primary Schools and in Upper Primary Schools with or without Lower Primary Section.  (xii) Travelling allowance to the staff of the school for journey to the treasury		
	Total -----	

Total -----

---

Note:- Items the expenditure for which is met or is to be met from special fees should not be included in the statement.

II	Rs.	Ps.
(i) Maintenance grant sanctioned in the previous financial year.		
(ii) Excess if any in the maintenance grant sanctioned for the previous financial year over the expenditure incurred that year,		
[i. e, II (i) minus the total under Col. 1 (2)]		

### DECLARATION

I here by certify that the expenditure shown in the statement is correct and that the expenditure is supported by proper vouchers. I also certify that the amount has been utilised for the purpose for which it was granted.

Manager

---

1. Substituted by Notification No. 111/69/Edn. dated: 14-03-69 published in Gazette dated 25-3-69

**FORM 30**

(See Rule XXVIII-8)

**BILL FOR MAINTENANCE GRANT**

Head of Debit

Voucher No.  
of the ..... list of  
payment for .....  
.....

No. and Date of sanction	Period for which grant is payable	Name of Institution and Manager	Amount		Remarks
			Rs.	Ps.	

Received Rs. (in words)

Station:

Date:

Signature of the Manager

Passed for Rs. (in words)

<sup>1</sup>[Certified that the maintenance grant drawn for the year ..... has been properly and fully utilised for the propose for which it was granted.].

Station:

Date:

Signature and Designation of  
Controlling Officer

Pay Rs. (in words)

Examined

Treasury Officer,  
Treasury

Head Accountant

<sup>1</sup>[FORM 31  
(See Rule XXIX-5)  
**Application for Admission to the Provident Fund  
for Teachers in Aided schools**

1. Name of Subscriber
2. Father's name
3. Date of Birth
4. General Educational qualifications
5. Professional educational qualifications
6. Name of Aided School in which he/she  
is employed at present
7. Designation of appointment held
8. Date of entertainment in the institution
9. Pay now drawn
10. If subscriber to any existing Teachers  
Provident Fund, the name of the fund and  
Account No.

I ..... hereby declare that the above entries are correct to the best of my knowledge and that I accept the rules framed by Government for the Provident Fund instituted by Government for teachers in Aided schools and I agree to abide by them in case I am admitted to the benefits of the Fund,

Signature of Subscriber

NOMINATION

In case of my admission to the Fund and in the event of my death occurring while my account in the Fund is open, I desire that the amount due to me from the fund, viz., the amount standing to my credit, in the Treasury Savings Bank and the Government contribution due to me shall be paid.

(a) If any widow (s) <sup>1</sup>[husband] or /and child (ren) survive(s) me to such one or more of them as are specified in Schedule I below and in the manner shown against his or their names; and

(b) If neither a widow <sup>1</sup>[husband] nor a child survives me to the person or persons specified in Schedule II below and in the manner shown against his or their names.

The amount due to a nominee who is a minor at the time of my death should be paid to the person whose name appears in column 5 of the Schedule I/II.

**Note:-** Where a widow is excluded under clause (3) of rule, 15, the subscriber may, if there is neither a surviving child nor any other surviving widow distribute the amount under Schedule II.

**Schedule I**

Manner of distribution in case there is a surviving widow (s) <sup>2</sup>[husband]  
or/and child (ren)]

Name and address of the nominee or nominees	Relationship with the subscriber	Whether Major or minor if minor state age of minor	Amount or share of deposit	Name and address of the person to whom is to be made on behalf of the minor	Sex and parentage of persons payment mentioned in col. 5
1	2	3	4	5	6

**Schedule II**

Manner of distribution in case there is a surviving widow (s)  
<sup>2</sup>[husband]or child

Name and address of the nominee or nominees	Relationship with the subscriber if any	Whether Major or minor if minor state age of minor	Amount or share of deposit	Name and address of the person to whom payment is to be made on behalf of the minor	Sex and parentage of persons payment mentioned in col. 5
1	2	3	4	5	6

Station:

Signature of subscriber

Date:

Two witnesses

Certificate to be given by the Headmaster (Assistant Educational Officer in the case of Primary Schools) I hereby certify that the pay of the subscriber shown in column (9) of the above application is correct.

Station:

Headmaster/Assistant Educational

Officer

Date:

- 
1. Inserted by Notification No. G.O(P) 816/63/Edn. dated: 11-12-63 published in Gazette dated 24-12-63.
  2. Inserted by notification No. G.O(P) 816/63/Edn. dated: 11-12-63 published in Gazette dated 24-12-1963.

**FORM 32**  
(See Rule XXIX- 5)

Name

Date of birth

Date of the admission to the Fund

Details of service, rates of pay and periods during which subscriptions are made.

Name of institution in which employed	Designation of the post held	Rate of Pay	Period for which subscription was paid		Particulars of periods during which subscription was not paid with reason therefore	Attestation by the District Educational Officer
			From	To		
1	2	3	4	5	6	7

Note:- (1) District Educational Officer shall maintain separate register on behalf of schools in each Taluk for each District. -

(2) Columns (1) to (4) to be filled up at the outset, columns (5) to (7) to be filled up whenever there is change in designation, rate of pay or in the school of employment and a fresh set of entries commence filling up columns (1) to (4).

(3) Periods during which subscription were not paid due to the subscriber being on leave, out of employment, etc.; should be noted in column (6) briefly with reasons therefor.

**FORM 33**  
(See Rule XXIX-9 (1) (b))

Name of the Institution ..... Month of .....

Account as in the pass book	Name of Subscriber	Monthly pay of the subscriber	The Teachers subscription	Amount of advance refunded	Total
		Rs. Total	Rs.	Rs.	Rs.







**FORM 36**

(See Rule XXIX- 12 (2))

Register of advances from the Provident Fund sanctioned by the District Educational Officer on behalf of the subscribers and other refund

Serial Number	Name of Subscriber	Name of institution in which employed	Account No. as in the pass book of the subscriber	Amount at credit of the subscriber	Amount of advance applied for	Purpose for which advance is required	Amount of advance sanctioned by the District Educational Officer	Number of monthly instalments in which advance repayable	Month in which the advance was drawn by the subscriber
1	2	3	4	5	6	7	8	9	10

Months in which the several instalments were refunded

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)	(34)

**FORM 37**

(See Rule XXIX-13 (2)(b))

**FORM OF ASSIGNMENT**

I, A, 6, of hereby assign upto the Governor of Kerala the within policy of Assurance as security for payment of all sums which under rules 13 of the Teacher's Provident Fund Rules, I may hereafter become liable to pay to that Fund.

I hereby certify that no prior assignment of the within Policy exists.

Dated this ..... day of ..... 19 .....

Signature of subscriber  
(One witness to signature)

**FORM 38**

(See Rule XXIX-13(3) (a))

APPLICATION FOR WITHDRAWAL FROM THE TEACHERS PRVIDENT FUND  
TOWARDS PAYMENT OF INSURANCE PREMIA

1. Name of the subscriber
2. Designation and name of the School  
in which he is working
3. Policy number and amount of  
Premia payable
4. Amount at credit in the savings  
bank pass book on the date of application
5. Amount of subscriber's subscription
6. Amount to be withdrawn (in whole Rupees)

Place: Signature of the Headmaster

Date: (Asst. Edl. Officer in the case of Primary Schools)

Signature of the Subscriber



**FORM 40**

(See Rule XXIX-13(5))

**REASSIGNMENT BY THE GOVERNOR OF KERALA**

The Governor of Kerala doth hereby reassign the within policy to the said A. B.  
Dated this ..... day of ..... 19 .....

Executed by the District  
Educational Officer on  
behalf of the Governor  
of Kerala in the presence of

Signature of the District  
Educational Officer

(One witness who should add  
his designation and address)

**FORM 41**

(See Rule XXIX-15(1))

**BILL FOR CONTRIBUTION TO TEACHER'S PROVIDENT FUND**

Received the sum of Rs ..... ( .....) being the amount  
due from Government as contribution to Aided School Teachers' Provident Fund for  
disbursement to .....

Certified that acknowledgement from the payees will be forwarded to the  
Accountant General .....as soon as the amount is  
disbursed to the parties concerned.

Signature of countersigning Officer  
(District Educational Officer)

Signature of Headmaster  
(Assistant Educational Officer in the  
Case of Primary School)

**FORM 42**

(See Rule XXV-18(2)(b))

**CERTIFICATE OF HEALTH**

I do hereby certify that I examined (full name) ..... an applicant seeking admission to training institution in the Kerala State and cannot discover that he/she has any physical deformity, blindness of one or both eyes 'or deafness or stammering or stuttering or other defect of speech. I further certify that I cannot discover that he/she has any disease, constitutional affection or bodily infirmity except ..... I do not consider this would affect his/her performing efficiently the duties of a teacher, and taking active part in physical or other manual activities.

His/her age is years, according to his/her own statement and by appearance ..... year. I certify that he/she has marks of small-pox/vaccination.

Personal marks of identification.

- 1.
- 2.
- 3.

Signature