

The Tripura Special Institutions  
(Muktabs and Madrassas) Recognition  
and Grant-in-aid Rules, 1983



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**GOVERNMENT OF TRIPURA**  
**EDUCATION DEPARTMENT**

No. F. 10(22-5)-DSE/79(L)

Dated, Agartala,  
the 7th October, 1983.

**NOTIFICATION**

In supersession of the rules for recognition of Special Institutions (Tols, Muktabs and Madrassas) and payment of Grant-in-aid to such Institutions, published by the Education Department vide their notification No. F. 7(10)-E/61 dated the 26th February, 1962, to the extent the same relate to Muktabs and Madrassas only, the Governor is pleased to make the following rules to regulate the recognition of Muktabs and Madrassas and payment of Grant-in-aid to such Institutions, namely :—

- i. (1) These rules may be called the Tripura Special Institutions (Muktabs and Madrassas) Recognition and Grant-in-aid Rules, 1983.
  - (2) They shall come into force on and from the date of their publication in the Official Gazette.
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2. In these rules, unless the context otherwise requires,

- (a) 'Appointing authority', means the Managing Committee of an Institution ;
  - (b) 'Disciplinary authority', in relation to the employees of an Institution, means a Committee consisting of the Chairman of the Managing Committee of the Institution, the Secretary or Manager of the Managing Committee and a nominee of the Director ;
  - (c) 'Department' means the Education Department ;
  - (d) 'Director' means the Director of School Education ;
  - (e) 'Government' means the Government of Tripura ;
  - (f) 'Institution' means a Muktab or a Junior Madrassa or a Senior Madrassa recognised by the Government for Grant-in-aid ;
  - (g) 'Junior Madrassa' means an educational Institution imparting lessons in Class—I to V covering general subjects approved by the Department along with the religious subjects approved by the West Bengal or Assam Madrassa Board.
  - (h) 'Muktab' means an educational Institution imparting lessons in Class—I and II covering religious subjects approved by the West Bengal or Assam Madrassa Board.
  - (i) 'Senior Madrassa' means an educational Institution imparting lessons in Class—VI to VIII covering general subjects approved by the Department and Tripura Board of Secondary Education along with the higher religious subjects approved by the West Bengal or Assam Madrassa Board.
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3. (1) (a) A Muktab or a Senior Madrassa or a Junior Madrassa, managed privately, may apply to the Government for recognition and Grant-in-aid.
  - (b) The application shall be made in triplicate and in the prescribed form, addressed to the Director and submitted to the Inspector of Schools of the area concerned by the date as may be fixed by the Department for the purpose.
  - (c) A statement of school account of the preceding Financial Year duly audited by the Asstt. Inspector of Schools of the area concerned or any other officer authorised by the Director for the purpose, should be enclosed with the application.
  - (d) The Managing Committee applying for recognition of Grant-in-aid shall sign a bond of acceptance in the prescribed form and give a written undertaking that the terms and conditions of the grant and the rules here-in-after appearing shall be observed. The bond and the undertaking should also accompany the application.
  - (2) The Government, may, if satisfied on the recommendation of the Director that a Muktab or Senior Madrassa or Junior Madrassa, as the case may be, applying for recognition and Grant-in-aid, fulfills the conditions here-in-after appearing, accord recognition and sanction grant-in-aid to such Institutions.
  - (3) For the purpose of recognition and sanction of Grant-in-aid, a Muktab or Junior Madrassa or Senior Madrassa shall satisfy the following conditions, namely :—
    - (a) *Land & Building :—*  
A suitable site and a house with clear title.
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(b) *Accommodation :—*

Sufficient class rooms providing adequate space for the scholars, office rooms and common room for the teachers.

(c) *Sanitary and other conditions :—*

There should be adequate sanitary facilities, arrangement of supply of drinking water, playground in the institutions.

(d) *Minimum Roll strength :—*

The number of students on roll in a Muktab shall be not less than 40, and in Junior Madrassa not less than 80 and in Senior Madrassa not less than 100. In special cases, the question of minimum enrolment may be relaxed by the Department if there is sufficient justification.

(e) *Teaching staff :—*

(i) The teacher-pupil ratio in a recognised Muktab and Junior Madrassa shall not ordinarily be less than 40 :1 and in case of Senior Madrassa 20 :1. Existing teaching staff on the date of recognition, if rendered excess in accordance with the pupil-teacher ratio prescribed above, may however, at the discretion of the Managing Committee, be allowed to continue in service till such staff vacate their posts on resignation or termination or retirement or death as the case may be : "Provided that such excess staff shall" not be treated as approved staff for determining the quantum of admissible Grant-in-aid (recurring) for pay and allowances to approved teaching staff of those institutions.

(ii) Where the Managing Committee do not want to terminate the service of any excess teacher, the Grant-in-aid (recurring) may be distributed amongst the teachers in the ratio as may be determined by the Managing Committee.

(f) *Qualification of teaching and non-teaching staff.*

(i) A teacher appointed in a Muktab shall possess at least the pass certificate of "Koriana Examination" from a recognised Institution or Association.

(ii) A teacher of Junior Madrassa must possess at least pass certificate equivalent to the Matriculation examination, that is, Dakhil stage from a recognised Board.

(iii) A teacher of a Senior Madrassa must possess at least Final Madrassa pass certificate from a recognised Board.

(iv) The educational qualification prescribed above may, however, be relaxed by the Government in the case of existing teachers, where necessary.

(v) The age, educational and other qualifications of a non-teaching staff shall be the same, as may be prescribed by the Government for the non-teaching employees of the corresponding category in the Government schools.

(vi) A person who is not an Indian National shall not be appointed as a teacher or other employee except with the prior special approval from the Government.

(vii) Age of retirement of a teacher or other employee will be the same as applicable in the case of the teachers or other employees, as the case may be, of Government aided Primary schools in Tripura. The Government may, however, relax the said condition on merit of individual case.

(g) *Managing Committee.*

Every recognised institution shall have a Managing Committee approved by the competent

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authority and for the purpose "The Constitution and Functions of the Managing Committee (pre-secondary school) Rules, 1981" will apply mutatis-mutandis.

(h) *Records and Registers.*

A recognised Institution shall maintain Admission Register, Teacher's and Student's Attendance Registers, Stock Register, Cash Book and Inspection Book. Rules of Admission, transfer and promotion shall be strictly observed.

(i) *Accounts.*

All receipts and expenditures for whatever purpose shall be entered in the Cash Book and the accounts thereof shall be maintained and kept upto date.

(j) *Inspection.*

Inspecting Officers of the Education Department or such other persons as may be deputed by the Director for the purpose shall have the power of inspecting the recognised Institutions.

(k) A recognised Institution shall follow the list of holidays and all such rules and instructions as may be prescribed or enforced by the Government from time to time.

4. (i) No Institution in receipt of grant-in-aid from the Government shall refuse admission to any student, otherwise eligible, on grounds of religion, race, caste, language etc.

(ii) No pupil shall be compelled to attend religious instructions or take part in any religious exercises if the parent or guardian has formally communicated his wish that the pupil should not be so compelled.

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- (iii) A pupil absenting himself from religious instruction or religious exercises under the above clause shall suffer no disability on that account.
- (iv) No pupil shall be refused admission on account of his not attending any religious exercises or religious instructions.

*GRANT-IN-AID (RECURRING).*

4. (1) The scale of pay and allowances of teachers of a Muktab/Junior Madrassa/Senior Madrassa shall be the pay scale applicable to the Matri-  
 culate pry. teachers of the Government aided  
 pry. schools provided a teacher fulfills the condi-  
 tions prescribed in clause 3(3)(f) above.
- (2) The quantum or recurring grant-in-aid to be  
 paid to an Institution during a particular year  
 shall be computed in the following manner,  
 namely :—
- (a) Pay and allowances of the approved teachers of  
 the institutions on 100% basis.
- (b) Contribution of the Institution in full to the  
 contributory P.F. Accounts of such approved  
 teachers where such scheme has been extended.
- (c) Expenditure on other charges at the following  
 rates :—
  - i) For an initial enrolment upto 200 pupils  
 Rs. 250/- per annum.
  - ii) For every addl. 50 students Rs. 30/- per  
 annum.

Note :—"Other charges" includes charges on Printing  
 & Stationeries, Postage, Electric charges, T.A.  
 and local conveyance, Minor repair and main-  
 tenance of furniture and fencing etc. meeting,  
 conference, prizes, Audit fees, advertising cost  
 and other contingent item.

iii) The amount specified above shall be the maximum admissible amount of contingent expenditure and Grant-in-aid on this account shall be limited to the maximum admissible amount or actual expenditure on contingency, whichever is less.

(3) From the sum total of items under 4(2) above, the following collections of the institution shall be deducted :—

(a) Admission fees, (b) Fines, (c) T.C. fees, (d) Miscellaneous fees, (e) Interest, if any, earned by the school from the general fund including interest on grants received from the Government.

(4) The sum total of items 4(2) minus the sum total of items 4(3) shall be the admissible grant-in-aid for a particular year.

(5) Payment of grant-in-aid to a recognised institution shall be conditional upon the maintenance of satisfactory discipline and an acceptable standard of academic efficiency.

(6) (a) The Government may suspend or withdraw the grant at any time if the tone, discipline, organisation of an institution is found unsatisfactory or if any of the conditions of recognition and grant-in-aid laid down in these rules is not complied with.

(b) If it is found that the Managing Committee is persistently in default in regard to spending of Government grants or its proper utilisation causing thereby irregular practices as a result of which the institutions concerned are put to hardship and loss, the Department will have the power to take action against the defaulting Managing Committee.

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(7) *Direct disbursement of grant to the teachers.*

Where the management of an Institution defaults in the payment of salaries to the teachers of the institution for two consecutive months, the Director of School Education may, at his discretion, draw the grant due on salaries of teachers and disburse it direct to them. On such disbursement of the salaries by the Director of School Education, the liability of the institution for the payment of the salaries of the teachers concerned shall be deemed to have been discharged. The contingent and other grants due to the institutions may be drawn and disbursed by the Director of School Education or by an Officer of the Education Department, authorised by him ;

(8) *Mode of payment.*

- (a) The annual budget of an Institution prepared in conformity to the above rules shall be submitted within seventh March of the year through the Inspector of Schools concerned to the Director of School Education, on the basis of which Grant-in-aid will be sanctioned in accordance with the prescribed procedures and the rules.
  - (b) The amount of recurring grants on a quarterly basis may be sanctioned in advance. In absence of the budget estimates or pending sanction of the said budget by the Government, the quarterly grant may be calculated on the basis of one fourth of the actual grant paid during the preceding year and released in advance subject to adjustments as may be necessary.
  - (c) The amount of quarterly advance grants in any financial year may be increased or decreased on the basis of the audited
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accounts of the immediately preceding year and on the basis of sanctioned budget of the institution concerned.

- (d) Additional advance grants covering both past and future instalments of advance grants, may be paid to an institution in any financial year on the basis of unforeseen increase in expenditure resulting from any Government order, including orders which have retrospective effect and for appointment of addl. staff approved by the Department. The quantum of such additional advance grants shall be limited to the amount of actual additional requirements as per relevant Government order. This advance grants will, however, be adjusted against final grant to be calculated on the basis of audited accounts of the institution as usual.

*Capital grant (non-recurring).*

- (5) (1) Capital grants to an institution may be given for construction or repair or reconstruction or improvement of the house or building on the basis of application supported by plans and estimates approved by the Assistant Engineer or Executive Engineer of P.W.D. or Education Department. The Managing Committee shall be required to execute a bond to the effect that ownership of the land and building or houses for which the grants may be sanctioned shall vest in the State Government in the event such institution ceases to function.
  - (2) Special non-recurring grants for purchase of library books and furniture including repairing of furniture may be given to an
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institution on consideration of application in plain paper duly recommended by the Inspecting Officer of the Department.

6. The management of an institution which in the opinion of the Inspector of Schools has not attained a reasonable level of efficiency or has shown gross irregularities or indifference to educational interest of students or has not complied with any of the conditions specified above may be given directives to remove the defects, as may be specified by the Inspector of Schools, within three months of the receipt of the same or even earlier in case of urgency. In case of default the Inspector of Schools may recommend supersession of the Managing-Committee of the institution after giving it a chance to explain why it should not be superseded. In such case, the management will be informed in writing of the defects by the Inspector of Schools. On being satisfied on the basis of report of the Inspector of Schools that sufficient grounds exist, the Director of School Education may appoint an Ad-hoc Committee or an Administrator to run the institution till such time as he thinks fit or till a properly constituted Managing Committee takes over, and no legal action shall lie against any action taken by the Director of School Education in accordance with these rules.
7. If the Managing Committee of an institution ceases or fails to function properly for reasons like mismanagement, growing unrest amongst students, teachers and the public and disputes in the management or, if the management being unable to run the institution due to financial and other difficulties, resolves to hand over the institution under control of the Government and the Government appoints an Ad-hoc Committee or Administrator for running the Administration of the institution,

necessary grant-in-aid (recurring) may be given to the institution in advance to cover entire salaries and other emoluments of teachers and other staff, after deducting probable income and subject to final adjustment on the basis of audited statements of accounts, for a period till a properly constituted Managing Committee takes over or till the institution is taken over by the Department.

8. *Control and Appeal.*

The following penalties may, for good and sufficient reasons and as here-in-after provided, be imposed on a teacher and other staffs employed in an institution, namely :—

*Minor Penalties :*

- (i) Censure ;
- (ii) Withholding of increments of pay ;
- (iii) Withholding of promotion ;
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to the school by negligence, fraud or misappropriation of fees and funds of the institution ;

*Major Penalties :*

- (v) Reduction to a lower stage in the time scale.
- (vi) Compulsory retirement ;
- (vii) Termination of service.

Explanation :—The following shall not be considered as a penalty within the meaning of this rule :—

- (a) Stoppage at the efficiency bar on the ground of unfitness to cross the bar.
  - (b) Retirement of a teaching or non-teaching staff in accordance with the provisions relating to his superannuation or retirement.
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- (c) Replacement of an unqualified teacher(s) or other staff (not approved by the Director of School Education) by a qualified one.
- (d) Discharge of a teaching or non-teaching staff appointed in a short term officiating vacancy caused by grant of leave, suspension, etc.

Explanation :—The termination of the service of a teaching or non-teaching staff who has satisfactorily completed the period of probation will be treated as a punishment, unless the necessity for the post has ceased to exist in the meanwhile.

#### 9. *Suspension :*

The disciplinary authority of an institution may, with the prior approval of the District Inspector of Schools concerned, suspend a teacher or other employee where disciplinary proceedings against him are contemplated or are pending or where a case against him in respect of any criminal offences is under investigation or trial. An order under this rule may be revoked by the authority which made the order or by the Director of School Education.

#### *Disciplinary Authority :—*

- 10. (1) The Disciplinary Authority in respect of the employees of an institution shall consist of
  - (i) The Chairman of the Managing Committee of the school
  - (ii) The Secretary or Manager of the Managing Committee and
  - (iii) a nominee of the Director of School Education.
- (2) The Disciplinary Authority may impose any of the penalties specified in Rule-8.

- 11. *Procedure for imposing Minor penalties.*  
No order imposing any of the penalties specified
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in clauses (i) to (iv) of Rule-8 shall be passed except after :—

- (a) the employee is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity to make any representation he may wish to make.
- (b) such representation, if any, is taken into consideration by the Punishing Authority.

12. *Procedure for imposing major penalties :—*

No order imposing on a teaching or non-teaching staff any of the penalties specified in clauses (v) to (vii) of rule-8 shall be passed except after an enquiry, held as far as may be, in the manner indicated below :—

- (a) The Disciplinary Authority shall frame definite charges on the basis of the allegations on which the enquiry is proposed to be held. Such charges together with a statement of the allegations on which they are based shall be communicated in writing to the employee and he shall be required to submit within such time, as may be specified by the Disciplinary Authority, but not later than two weeks, a written statement of his defence and also to state whether he desires to be heard in person.
  - (b) On receipt of the written statement of defence or if no such statement is received within the time specified, the Disciplinary Authority may itself enquire into such of the charges as are not admitted or, if it considers it necessary to do, appoint an Inquiring Officer for the purpose.
  - (c) At the conclusion of the inquiry, the Enquiring Authority shall prepare a report of the enquiry, recording its findings on each of the charges together with reasons therefore.
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(d) The Disciplinary Authority shall consider the record of the enquiry and record its findings on each charge. If the Disciplinary Authority is of the opinion that any of the penalties specified in clauses (v) to (vii) of rule-8 should be imposed, it shall :—

(i) furnish to the employee a copy of the report of the Enquiring Authority and

(ii) give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within a specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action.

(iii) on receipt of the representation, if any, made by the employee as aforesaid, the Punishing Authority shall determine what penalty, if any, should be imposed on the employee and pass appropriate order on the case.

*Appellate Tribunal :—*

13. All appeals against orders of the Punishing Authority will be heard by an Appellate Tribunal, consisting of the Director of School Education as Chairman and two non-official members, namely, (i) a manager of any other aided institution and (ii) a member of a teaching staff, both to be nominated by the State Government. The member of a teaching or non-teaching staff of an Institution to which the dispute relates shall not function as member of the Appellate Tribunal when that case is heard.

*Appeals :—*

14. (1) No appeal shall lie against any order of punishment specified in clause (i) of Rule-8.  
 (2) An employee may make an appeal to the Appellate Tribunal in respect of penalties referred to in clauses (ii) to (vii) of Rule-8.
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- (3) No appeal shall lie against the decision of the Appellate Tribunal.

15. *Period of limitation for appeals :-*

No appeal shall be entertained unless it is submitted within a period of thirty days from the date on which the appellant receives a copy of the order appealed against :

Provided that the Appellate Tribunal 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.

16. *Consideration of appeals :-*

In the case of an appeal against an order imposing any of the penalties specified in clauses (ii) to (vii) of Rule-8, the Appellate Tribunal shall consider

- (a) whether the procedure prescribed in these rules has been complied with, and, if not whether such non-compliance has resulted in denial of justice ;
- (b) whether the findings are justified ; or
- (c) whether the penalties imposed are excessive, adequate or inadequate ; and

*Pass order :--*

(i) setting aside, reducing, confirming or enhancing the penalty ; or

(ii) remitting the case to the authority which imposed the penalty with such directions as it may deem fit in the circumstances of the case ;  
Provided that—

- (a) no order imposing an enhanced penalty shall be passed unless the Appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty.
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(b) The Appellate Tribunal shall not impose any enhanced penalty which the authority, which made the order appealed against, is not competent in the case to impose.

17. In case of an appeal against any order imposing penalty specified in clause (iii) of rule-8, the Appellate Tribunal shall consider all circumstances of the case and pass such orders as it deems just and equitable.

18. *Leave :—*

For the purpose of granting leave and other matters to the teachers and other staff the Leave Rules applicable to the teachers and other staff of Government aided Primary & Secondary Schools in Tripura shall apply.

19. *Power to relax :—*

Whether the Education Department of this Government is satisfied that the operation of any of these rules causes undue hardship of any particular case, the Department may relax the requirements of that rule to such an extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner.

20. *Interpretation :—*

Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government in the Education Department for decision.

By order of the Governor,

Sd/- Illegible

Secretary to the  
Government of Tripura.