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GOVERNMENT OF ASSAM
EDUCATION (ELEMENTARY) DEPARTMENT
DISPUR, GUWAHATI-6

ORDER BY THE GOVERNOR OF ASSAM
NOTIFICATION

Dated Dispur, the 3rd August' 2011

No. PMA. 627/2010/Pt./149 : In supersession of all the earlier Govt. Orders and Notifications and in exercise of powers conferred under section 21 of the Right of Children to Free and Compulsory Education Act, 2009, the Governor of Assam is pleased to notify the norms for constitution as well as the powers and functions of School Management Committee of Govt./Provincialised elementary schools (LP, UP, ME Madrassa) of Assam as per Part V of Rule 13 and 14 of The Assam Right of Children to Free and Compulsory Education Rules, 2011 in the following manner :

13. (1) Composition and functions of the School Management Committee for the purposes of section 21 :-

- (i) A School Management Committee shall be formed for each school. This would be a permanent Body of which, the President and Members shall have a term of three years. However, they shall continue to function beyond three years till the new President and Members take over. Efforts should be made to form the new Committee one month before the expiry of the term of the out going Committee.
- (ii) Nine members shall be from parents/or Guardians of the students of the School in the following manner :-
 - (a) Among parent/guardian members, three shall be from disadvantaged groups or weaker section and one of them shall be from parents/guardians of disabled child (if any) in the school ;
 - (b) President and Vice President shall be selected/elected from the parents/guardians member only and one of them must be a woman;
 - (c) No parent/guardian can be the President or Vice-President of more than one School Management Committee irrespective of the fact that his/her children study in more than one school.
- (iii) One member shall be from among concerned local authority of the area, where the school is situated.
- (iv) One member shall be from among teachers of the school concerned/local health workers/anganwadi workers.
- (v) One member shall be from among Gaonburah/village Headman/Community Nominee (where there is no Gaonburah/Village Headman) in the village where the school is situated.
- (vi) Head Teacher/Head Master shall be Member-Secretary.
- (vii) Minimum fifty percent of the above committee members shall be women.

(2) Function of the Managing Committee:-

- (i) Monitor the working of the schools.
- (ii) Prepare and make recommendations for School Development Plan on the basis of which, grants will be made by the Government or other sources.
- (iii) Monitor the utilization of the grants received from the Government, Autonomous Council or local authority or any other source.
- (iv) Perform such other function as may be notified by the Government.

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(3) Selection/election of the President and Member of SMC:-

- (i) The Head Master/Head Teacher of the concerned school shall convene a general meeting of parents, the adult members of the Village/Tea Garden area/Ward/NC area concerned, ward members/councillor, Gaonburah/Village Headman, Local Health Worker/Aganwadi Workers within fifteen (15) days from the date of receiving the intimation from the competent authority to constitute the SMC. He /She has to give 7 (seven) days advance intimation to the concerned invitee regarding the date, time, objectives and venue of the meeting and also fix it on the notice board of the school and at least 4-5 prominent places in the villages/ward concerned.
- (ii) The meeting shall be organized on a convenient date so that atleast seventy percent (70%) of parents of the students of schools, adult members of the respective villages/ward of the school and the ex-officio members to be inducted in the committee remain present and take part in the proceeding. Any of the senior persons present in the meeting may preside over the meeting.
- (iii) Selection of the President, Vice-President and members of SMC shall be made by the parents/guardians of the students of the school among themselves in a meeting specially convened for the purpose by the Head master of the concerned school as far as possible in a unanimous manner. In case of failure to select the President, Vice-President and the members unanimously the procedure of election by casting votes of parents / guardians may be adopted subject to the approval of the observer. The Deputy Inspector of Schools/District Elementary Education Officer/Sub Inspector of Schools shall be present in the meeting as observer and ensure holding of such election in a free and fair manner with participation of maximum member of parents/guardians.
- (iv) The meeting shall select/elect the required number of members in the manner as indicated under serial nos (ii) to (vii) of sub-rule (1) of rule 13. The resolution adopted in the meeting shall clearly indicate the names of the members of the SMC so selected/elected and also indicate the name of two persons selected/elected for the posts of President/Vice-President respectively. The resolution shall contain the signature of each and every parents/guardians present in the meeting and shall be submitted to the District Elementary Education Officer concerned within two days from the date of adoption of such resolution.
- (v) The District Elementary Education Officer, after examining the resolution, shall approve the name of one person as President and the other person as the Vice-President out of the names of two persons selected/elected by the parents/guardians for the purpose, considering the comparative educational qualification, aptitude and willingness to work for the betterment of the school of these two persons, alongwith the name of members as per resolution adopted in the meeting within three days from the date of receipt of the resolution and provide a copy of the approval order in Form No. IV to the concerned SMC.
- (vi) The concerned District Elementary Education Officer will ensure receiving of the proposals from SMC and get it approved within a month from the date of intimation given to the SMC concerned for its constitution.
- (vii) The community nominee should have sound knowledge and solid background of educational development activities.
- (viii) The SMC, by a resolution may co-opt two educationists/ senior citizens as advisor of the SMC. However, the advisors will neither be treated as members of the SMC nor will have any right of voting in decisions taking matter of the SMC concerned.
- (ix) The teacher of any school can be parent members of SMC other than the school in which they are teaching but in no case he/she may be the President/ Vice President of that SMC.
- (x) The Constitution of new SMC shall come into effect from the date of the issue of the approval order by the District Elementary Education Officer in Form No. IV.

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(4) Rules of Business:

- (i) The SMC must hold its first meeting within 15 (fifteen) days from the date of the approval of the committee. The member Secretary of the SMC should inform all the members of newly constituted as well as the out going SMC about the date, time and venues of its meeting with prior approval of the President of the newly constituted SMC.
- (ii) All the records and documents, financial and non financial, shall be handed over to the newly constituted SMC in this meeting and the minutes on this meeting should be signed by the Presidents and Members of both the outgoing and newly constituted SMC.
- (iii) The SMC should meet at least once every month thereafter. Fifty percent (50%) of total members of SMC shall form the quorum. Since the SMC has the responsibility of approving the absentee statement of the teaching and the non teaching staff of the school, the meeting must be held before the last working day of the month.
- (iv) The meeting shall be presided over by the President or in his absence, by the Vice President or in absence of the president and the Vice President, by any one of the senior members of SMC to be selected by the members present.
- (v) The President shall call a special meeting of the SMC if more than fifty (50) percent of Members of the SMC make a requisition for it.
- (vi) The District Elementary Education Officer or as authorized by him, the Deputy Inspector of Schools/ Block Elementary Education Officer concerned shall have the authority to issue direction for holding the meeting of SMC as and when required for.
- (vii) The officials of Education/ Other department (s) may attend the meeting of the SMC, but will not have the right to vote for any decisions making matter.
- (viii) The proceeding of each and every meeting of the SMC shall be recorded by the Member Secretary in the register specially kept for this purpose.

(5) Removal of President/Members of SMC and filling up of vacancies:

- (i) If any vacancy is caused due to resignation, removal or death of the President; Vice President or a member, the same shall be filled up in accordance with the procedure laid down in these rules for the selection/ election of President; Vice President and Members.
- (ii) A person shall not be qualified to be President, Vice President or Member of the SMC and can be removed by the SMC through a resolution signed by atleast two-third Members present in the meeting of the committee which should not be less than or equal to fifty percent (50%) of the total members of the committee or by the District Elementary Education Officer after satisfying himself/herself of the facts through an enquiry if –
 - (a) he/she is convicted by the court of law for offences involving moral turpitude or any offence under section 302/363/366/376/395/409/465/468/477(A)/493/494 of the I.P.C;
 - (b) he/she ceases to be a citizen of India;
 - (c) he/she ceases to be a resident of the village/ward in which the school falls or ceases to have his/her child in the school (for the parent members only);
 - (d) he/she declared insolvent or unsound mind
 - (e) he/she is found guilty of misconduct or negligence of duty.
 - (f) he/she fails to attend three consecutive meetings of the committee
- (iii) The removal of the President; Vice President or Members of the SMC shall come into effect from the date of the approval of resolution of SMC in this regard by the District Elementary Education Officer concerned.

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- (iv) If the Member Secretary of the SMC is found to be negligent in performing his/her duties, particularly with regard to calling of meeting of the committee as mandated in these rules, books and records keeping, communicating SMC's resolutions to the competent authorities, submitting report to the competent authority as sought for etc., the SMC may by a resolution signed by more than fifty percent (50%) of its members can recommend disciplinary action against the Member Secretary concerned and the Deputy Inspector of Schools/ Block Elementary Education Officer shall be duty bound to conduct an enquiry over this and to submit report to the District Elementary Education Officer for necessary action within fifteen (15) days from the date of the receipt of the resolution.

(6) Dissolution of SMC:

- (i) The SMC may be dissolved, if found negligent of its duties and responsibility as assigned in these rules, non-compliant to Government Orders or and non co-operative towards the implementation of the Government funded schemes for the improvement of the schools and the academic environment in the school, by an order of the District Elementary Education Officer on the basis of :-
- (a) a resolution adopted in a meeting of the parent at least hundred (100) numbers or seventy percent (70%) of total parents of students of the schools and the adult members of the respective village/ ward to the effect that the School Managing Committee has failed to discharge its duties and responsibility effectively or has been inactive or indifferent in the matter of implementation of Government funded schemes for the improvement of schools and the academic environment in the schools;
- (b) An enquiry into the complaints of negligence of duties and responsibility, noncompliance with Government Order and Instructions or and non co-operative attitude towards the implementation of the Government funded schemes for the improvement of the school and the academic enrolment of the schools.
- (ii) The District Elementary Education Officer on receiving a resolution recommending the dissolution of the SMC shall verify the facts that the meeting was held in fact and signatures put on the resolution are of genuine persons. Once the resolution is found to have been passed in a genuine manner, no further inquiry into the grounds shown for recommendation of dissolution shall be required and the order for dissolution of the SMC shall be passed thereof.
- (iii) While receiving complaint against a SMC from community/ organization/ Govt. officials regarding non-compliance of Govt. order/instruction, negligence of duties and responsibilities, non-cooperative to implement Govt. funded schemes for the improvement of school, the District Elementary Education Officer will institute an inquiry into the matter and subject to the authenticity of the complaint shall pass a reasoned order for dissolution of the SMC concerned.
- (iv) The SMC concerned shall stand dissolved with effect from the day of the order of dissolution.
- (v) The District Elementary Education Officer shall provide one copy of the SMC dissolution order to the Member Secretary of the SMC concerned, and one shall be retained at Deputy Inspector of Schools/Block Elementary Education Officer's office.
- (vi) The District Elementary Education Officer shall take steps for constitution of the new SMC within a month of dissolution of the SMC concerned.

(7) Accounts and audit:

- (i) The SMC shall have a Bank Account to be operated jointly by the President and Member Secretary for transaction of all sort of funds/grants received for the development of the school.

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- (ii) For specific reasons, or as per order of the competent authority, separate bank account(s) may be opened in the name of the School, which is to be operated jointly by the President/Vice-President and Member Secretary of the SMC concerned.
- (iii) The Member-Secretary shall be responsible for the maintenance of the fund/grant receipt register, cash book, stock/assets book and payment register and safe custody of these records.
- (iv) The Member-Secretary shall be duty bound to place details of financial transactions of each month in the monthly meeting of the SMC concerned.
- (v) The SMC shall be duty bound to submit the utilization certificate of funds/grants in time as per the prescribed proforma to the concerned authority from where the funds/grants have been received.
- (vi) Audit of the SMC accounts shall be done annually at the end of each financial year, or as and when required by the Government or the competent authority.
- (vii) The SMC may receive fund through subscription, donation or grant etc. from any department/ organization/ individual for the cause of development of the school. In such cases, the SMC is to maintain separate accounts and proper record of the fund received and spent, assets created and liabilities incurred.

(8) Powers and functions of the SMC:
Monitor the working of the school:

- (i) **For conducive school environment:** The SMC shall take all the necessary steps for the growth and development of the school leading to an educational environment conducive for attainment of academic excellence by the children.
- (ii) **Attendance monitoring of children:** The SMC shall take effective steps to ensure cent percent attendance, retention and completion of elementary level of each children in and around the vicinity of the school.
- (iii) **Academic development:** The SMC shall try to improve the learning achievement level of the children by (i) taking up micro-planning, school mapping and optimum utilization of locally available resources, (ii) ensuring that the school functions as per the approved academic calendar and (iii) paying special attention to the children of disadvantaged group and weaker section of the society.
- (iv) **Attendance monitoring of teaching and non teaching staff:**
 - (a) **Absentee Statement:** The SMC shall monitor the attendance of the teaching and the non teaching staff of the school and approve their monthly absentee statement. Since salary of the teachers and non-teaching staff of the school shall be disbursed on the strength of the absentee statement approved by the SMC, the SMC must meet one day before the last working day of the month to consider and approve the absentee statement of the teachers and the non teaching staff of the school. A resolution to this effect shall be adopted in the prescribed proforma indicating the dates on which the teacher/non teaching staff was absent, come late or left early.
 - (b) **Checking attendance register:** The SMC shall have the 'power to check the attendance register of the teachers, non-teaching staff as well as the students and put remarks in the registers concerned.
 - (c) **Application of Casual leave:** Application for casual leave of the teachers or non-teaching staff of the school should not be accepted by Deputy Inspector of Schools/Block Elementary Education Officer unless it has been endorsed by the President of the SMC concerned.

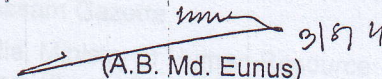
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- (d) **Reporting to the higher authority:** The SMC shall have the power to report to the competent authority by a resolution adopted by minimum of fifty percent (50%) members of the committee, if a teacher is found not to be following the child centric and activity based teaching learning processes and the Government instruction (s) regarding various academic activities. The Authority concerned shall be duty bound to take cognizance of the report and take necessary action against the teacher concerned with intimation to the SMC.

14. Preparation of School Development Plan for the purpose of section 22:-

- (1) The School Management Committee shall prepare a School Development Plan at least three months before the end of the financial year in which it is first constituted under the Act.
- (2) The School Development Plan shall be a three year plan comprising three annual sub-plans.
- (3) The School Development Plan, shall contain the following details :-
 - (a) Estimates of class-wise enrolment for each year;
 - (b) Requirement, over the three year period, of the number of additional teachers, including Head Teachers, Subject Teachers and Part time Teachers, separately for Classes I to V and classes VI to VIII, calculated, with reference to the norms specified in the Schedule;
 - (c) Physical requirement of additional infrastructure and equipments over the three year period, calculated, with reference to the norms and standards specified in the Schedule;
 - (d) Additional financial requirement over the three year period, year-wise, in respect of (b) and (c) above, including additional requirement for providing special training facility specified in section 4, entitlements of children such as free text books and uniforms, and any other additional financial requirement for fulfilling the responsibilities of the school under the Act.
- (4) The School Development Plan should be signed by the President/Vice-President and Member-Secretary of the School Management Committee and submitted to the local authority before the end of the financial year in which it is to be prepared.


(A.B. Md. Eunus)
Commissioner & Secretary to the Govt. of Assam
Education (Elementary) Department
Dated Dispur, the 3rd August' 2011

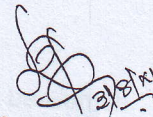
Memo No. PMA. 627/2010/Pt./149-A
Copy to :

1. The Principal Secretary to Hon'ble Chief Minister, Assam Dispur, Guwahati-6
2. The O.S.D. to Hon'ble Minister, (Education), Assam, Dispur, Guwahati-6
3. The P.S to all Hon'ble Minister, Assam, Dispur, Guwahati-6
4. The Hon'ble MLAs, Assam Legislative Assembly.
5. The Staff Officer to the Chief Secretary, Assam, Dispur, Guwahati-6
6. The PS to Additional Chief Secretary, Education Deptt, Govt. of Assam, Dispur, Ghy-6

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7. The Principal Secretary to the Govt. of Assam, P&RD Deptt, Dispur, Ghy-6
8. The Principal Secretary to the Govt. of Assam, Finance Department Dispur, Ghy-6
9. The Principal Secretary to the Govt. of Assam, P&D Deptt. Dispur, Ghy-6.
10. The Commissioner and Secretary, Social Welfare Deptt. Dispur, Ghy-6.
11. The Principal Secretary to the Govt. of Assam, Labour and Employment Deptt., Dispur, Guwahati - 6.
12. The Principal Secretary to the Govt. of Assam, BTC / Karbi-Anglong Autonomous Council / Dima-Hasao Autonomous Council.
13. The Commissioner & Secretary to the Govt. of Assam, Education (Sec) Deptt., Dispur, Ghy -6.
14. The Director, Information and Public Relations, Assam, Dispur for information and necessary action.
15. The Secretary, Education, BTC, Kokrajhar.
16. The Mission Director, SSA, Assam, Kahilipara, Ghy - 19 for information and necessary action.
17. The Chairman, AHSEC, Guwahati-21
18. The Chairman, SEBA, Guwahati- 21
19. The Director, Elementary Education, Assam, Kahilipara, Ghy-19. He is requested to circulate the notification all DEEOs / D.I. of Schools and BEEOs.
20. The Director Secondary Education Deptt, Govt. of Assam, Kahilipara, Ghy-19
21. The Director SCERT Assam, Kahilipara, Ghy-19.
22. The Director, Education, BTC, Kokrajhar.
23. The Deputy Commissioners - all districts of Assam
24. The Sub-Divisional Officers, (civil), Assam - all sub-division of Assam.
25. The District Elementary Education Officers - all districts of Assam
26. The Inspectors of Schools of Assam.
27. The Deputy Director of Government Press, Bamunimaidam, Guwahati-21. He is requested to publish the notification in the Assam Gazette.
28. The Director, (EE & SSA) to the Govt. of India, Ministry of Human Resource Development, Deptt. of Elementary Education, Shastri Bhawan, New Delhi.



(P. Lahon, ACS)
Deputy Secretary to the Govt. of Assam
Education (Elementary) Department