

CHAPTER VII

TAKING OVER THE MANAGEMENT OF SCHOOL

20. Taking over the management of schools— (1) Whenever the Administrator is satisfied that the managing committee or manager of any school, whether recognised or not, has neglected to perform any of the duties imposed on it by or under this Act or any rule made thereunder and that it is expedient in the interests of school education to take over the management of such school, he may, after giving the managing committee or the manager of such school, a reasonable opportunity of showing cause against the proposed action, take over the management of such school for a limited period not exceeding three years :

Provided that where the management of a school has been taken over for a period of three years or less, the Administrator may, if he is of opinion that in order to secure proper management of the school it is expedient that such management should continue to be in force after the expiry of the said limited

period, he may, from time to time, issue directions for the continuance of such management for such period not exceeding one year at a time as he may think fit, so however, that the total period for which such management is taken over shall not, in any case, exceed five years.

(2) Whenever the management of any school is taken over under sub-section (1), every person in charge of the management of such school immediately before its management is taken over, shall deliver possession of the school property to the Administrator or any officer authorised by him in this behalf.

(3) After taking over the management of any school under this section, the Administrator may arrange to manage the school through the Director or any other person authorised by the Director in this behalf (hereinafter referred to as the "authorised officer").

(4) Where the management of any school has been taken over under sub-section (1), the managing committee or manager of such school may, within three months from the date of taking over, appeal to the Administrator, who may after considering the representation made by the managing committee or the manager, pass such orders, including an order for the restorations of the management or for the reduction of the period during which the management of such school shall remain vested in the Administrator, as he may deem fit.

(5) Where the management of a school has been taken over under this section, the Administrator shall be pay such rent as may be payable for the building of the school to the person entitled to receive it as was being paid by the managing committee or the manager immediately before the management of such school was taken over.

(6) During such period as any school remains under the management of the authorised officer—

- (a) the service conditions, as approved by the Administrator, of the employees of the school who were in employment immediately before the date on which the management was taken over, shall not be varied to their disadvantage;
- (b) all educational facilities which the school had been affording immediately before such management was taken over, shall continue to be afforded;
- (c) the School Fund, the Pupils' Fund and the Management Fund and any other existing fund shall continue to be available to the authorised officer for being spent for the purposes of the school; and
- (d) no resolution passed at any meeting of the managing committee of such school shall be given effect to unless approved by the Administrator.

21. Section 20 not to apply to minority schools— Nothing contained in section 20 shall apply to any minority school.