

CHAPTER XI
UNAIDED MINORITY SCHOOLS

127. Recruitment— (1) Recruitment of employees in each recognised unaided minority school shall be made on the recommendation of a Selection Committee to be constituted by the managing committee of that school.

(2) The Selection Committee shall include :—

(a) in the case of recruitment of the head of the school,—

- (i) the Chairman of the managing committee;
- (ii) an educationist, nominated by the managing committee; and
- (iii) a person having experience of administration of schools, nominated by the managing committee;

(b) in the case of recruitment of any teacher other than the head of the school—

- (i) the Chairman of the managing committee;
- (ii) the head of the school; and
- (iii) an educationist, nominated by the managing committee;

(c) in the case of recruitment of any other employee :—

- (i) The Chairman of the managing committee or any member of the managing committee nominated by the Chairman;
- (ii) the head of the school.

(3) The Selection Committee shall regulate its own procedure, and, in the case of any difference of opinion amongst the members of the Selection committee on any matter, it shall be decided by the trust or society running the school.

(4) Where a candidate for recruitment to any post in an unaided minority school is related to any member of the Selection Committee, the member to whom he is related, shall not participate in the selection and a new member shall be nominated in his place by the managing committee of the school.

(5) The appointment of every employee of a school shall be made by its managing committee.

(6) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school the managing committee shall record its reasons for such non-acceptance and refer the matter to the trust or society running the school and the trust or society, as the case may be, shall decide the same.

128. Minimum qualifications— (1) The minimum qualifications for appointment as a teacher of an unaided minority school shall not be less than those as are specified by the Affiliating Board.

(2) In the case of any employee, other than a teacher, the minimum qualifications for appointment shall be the same as are specified by the Administrator for appointment to the corresponding post in the Government schools.

(3) Where no minimum qualifications have been specified by the Affiliating Board in respect of the post of any teacher, the minimum qualifications for recruitment to such post may be specified by the Administrator after considering such recommendations or suggestions as may be made by the unaided minority school in this behalf.

(4) Where a post (other than that of a teacher) in an unaided minority school does not correspond to any post in the Government schools, the minimum qualifications for recruitment to such post may be specified by the Director after considering such recommendations or suggestions as may be made by the unaided minority school in this behalf.

129. Power to Relax— The Affiliating Board, or where no qualifications have been specified by the Affiliating Board for the post of a teacher in a particular subject, the appropriate authority may, in the case of non-availability of trained or qualified teachers in that subject, relax the minimum qualifications for such period as it may think fit.

130. Contract of Service— (1) Every contract of service, referred to in sub-section (1) of section 15, shall be entered into in the form specified in the scheme of management before the employee is called upon to join his duties.

(2) A copy of the contract of service, referred to in sub-section (1) of section 15, shall be forwarded to the Administrator by the managing committee of the concerned unaided minority school either by registered post, acknowledgement due, or by a messenger within thirty days from the date on which the contract is entered into.

(3) On receipt of a copy of the contract of service, the Administrator shall cause the particulars of such contract to be entered in a register to be maintained for the purpose, to be known as the "Register of contracts".

(4) The Administrator shall also cause the copies of contracts received by him to be preserved in such manner as he may specify.

(5) If on a scrutiny of the copies of contract received by him, the Administrator is of opinion that the contract does not comply with the provisions of sub-section (3) of section 15, he may draw the attention of the school concerned to the deficiencies in the contract and require the school to modify the contract so as to bring it in conformity with the provisions of sub-section (3) of section 15, and thereupon the school shall take urgent steps for the rectification of the contract.

(6) When a contract has been rectified under sub-rule (5), a copy of the contract, as so rectified shall be forwarded to the Administrator for registration and on receipt of the copy of such contract the Administrator shall cause the contract to be registered in the manner specified in sub-rule (3).