

Annexure - I
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अण्डमान तथा निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
सचिवालय/(SECRETARIAT)

NOTIFICATION

Port Blair dated the 24TH October 2018

No.....F.NO: 1-232/2013/D-III.in exercise of the powers conferred under Rule 20 of the Delegation of Financial Power Rules, 1978, read with Rule 228 of General Financial Rules, 2017, the Lt. Governor (Administrator), Andaman and Nicobar Islands hereby frame the following Rules for regulating the procedure for releasing Grant-in-Aid to the Private Schools (Minority Institution) in A & N Islands, namely:-

1. Short Title & Commencement:-

- (i) These Rules may be called the Andaman & Nicobar Islands (Grant-in-aid to Private Schools (Minority Institutions) Rules, 2018.
- (ii) They shall come into force on the date of their publication in the Official Gazette.

2. The Andaman & Nicobar Islands (Grant-in-aid to Private Schools (Minority Institutions) Rules, 2018 (hereinafter called, "the Rules") arranged as under:

2. Definitions:-

In these rules, unless the context otherwise requires.

- (a) "Administration" means the Andaman and Nicobar Administration;
- (b) "Administrative approval" means the formal approval by the Chief Secretary, Andaman & Nicobar Administration;
- (c) 'Administrative Approval & Expenditure Sanction' means the order releasing grant duly signed and issued by the Head of Department as the case may be with the approval of the Chief Secretary, Andaman & Nicobar Administration or other Competent Authorities based on the proposal submitted by the Manager/Chairman/Secretary of the concerned schools.
- (d) "Administrator" means the Administrator of the Union Territory of the Andaman and Nicobar Islands appointed by the President under article 239 of the Constitution;
- (e) "Competent Authority" in relation to Administrative approval and Expenditure sanction are the Chief Secretary, A & N Admn.
- (f) "Director (Education)", means the officer who is appointed by the Administrator as Director in the Education Department in the Union Territory.

(g) "Private Schools (Minority Institutions)" means a Private School for which necessary approval has been granted by the Administrator for release of grant towards the 95% of the expenditure of salary and other expenditure in respect of teaching and non-teaching staff.

3. Purpose for which Grant-in-aid to be sanctioned:

(a) Grant-in-aid shall be sanctioned for :

(i) 95% of the salary and other expenditure in respect of teaching and non-teaching staff of the concerned private school. Grant-In-Aid is subject to the compliance of provision of RTE Act 2009 and Delhi School Education Act & Rules 1973 and other administrative instructions as and when issued by the administration in the interest of education need, children and general public.

4. (a) **Quantum of Grant-in-aid :-** The amount of Grant-in-aid to private school may be 95% of the salary and other expenditure such as Tuition fee, medical reimbursement, TA/DA, arrears of salary, LTC/AFSP claims in respect of teaching and non-teaching staff of the concerned school and other payments which may consider fit and proper.

Provided that the Administrator may, for financial or other specific reasons to be recorded in writing, reduce the percentage of Grant-in-aid or reject an application made under rule 5(a).

(b) The Director, Education after ascertaining the necessity of funds of concerned private school may reduce the allotment of fund or allot additional fund to that private school under various sectors with the approval of the Administrator.

5 (a) **Procedure for making applications for Grant-in-aid:-** Every application for Grant-in-aid shall be submitted by the private schools directly to the Director, Education alongwith detailed statement in respect of salary and other expenditure and Utilization Certificate .

(b) **Checks to be ensured before submitting the Grant-in-aid applications:-**

The following checks shall invariably be done by the Manager/President/Secretary of the Private school as the case may be before submitting the Grant-in-aid applications:-

- (i) Whether the application is made in the prescribed format, if any and in complete shape.
- (ii) Whether all the required information and the documents as specified in the format has been enclosed with the application.
- (iii) Whether the Utilization Certificate is attached with the application.
- (iv) Whether the particulars given in the opening balance in the Utilisation Certificate are correct.

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- (v) Whether the interest earned by the Private School is remitted into Govt. Account after finalization of accounts as mandated under Rule 230 (8) of GFR, 2017.

6. Procedure for sanctioning Grant-in-aid:-

- (a) On receipt of an application made under rule 5(a) for Grant-in-aid, the Director, Education shall cause such enquiry as he thinks fit to be made into the statements contained in the application and into the purpose for which **Grant-in-aid** is applied for and after being satisfied forward the application along with his/her recommendations to the Secretary, Education (He / She shall make such scrutiny or enquiry about the statements made therein as he / she may think fit and after satisfying himself / herself recommend the case to the Competent authority i.e. Chief Secretary, through Financial Division of Andaman & Nicobar Administration.)
- (b) If it appears to the Competent Authority that the expenditure proposed to be incurred with the **Grant-in-aid** can very well be met by the Private Schools, to be recorded in writing, he may reject the application.
- (c) If it appears to the Competent Authority that the financial assistance is needed for any one of the purposes indicated in rule 3, the Competent Authority may, after such inquiry as he deems necessary, accord sanction of **Grant-in-aid** with due regard to the principles enunciated in the General Financial Rules, 2017, as amended from time to time and also impose special condition if required.
- (d) The **Grant-in-aid** application so received under Rule 5 (a) and 5 (b) shall be processed by the Director, Education and orders of the Competent Authority thereof shall normally be communicated within 60 days.
- (e) The **Grant-in-aid** shall not be sanctioned to the Private Schools in case the utilisation certificate in Form '12 - A' as specified in Schedule-I is not furnished along with the **Grant-in-aid** application.
- (f) If any, unauthorised expenditure is noticed by the Administration, then an equal amount shall be reduced from the subsequent Grants.

7. Mode of payment of Grant-in-aid: The **Grant-in-aid** to Private Schools may be paid in one full installment or more at the discretion of the sanctioning authority, subject to the following conditions:-

- a) Due prudence and frugality shall be exercised by the grantee institution while incurring expenditure out of GIA and no wasteful expenditure, whatsoever, shall be incurred in any matter.

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- b) Expenditure will be incurred only for the purpose for which GIA has been sanctioned and for the targets, which have been assigned to the grantee institution by the Administrative Department.
 - c) The Govt. Aided schools should submit UC within stipulated period of 12 months as provided under GFRs 2017.
 - d) The Administrative Department shall carry out periodical appraisal of the performance of the grantee institution for ascertaining as to whether the targets/goals assigned to the grantee institution are being achieved or not and as to whether the GIA should be continued or not.
 - e) The Administrative Department will lay down adequate control mechanism/Checks for prevention and detection of errors and financial irregularities in the working/functioning of subordinate/grantee institution for avoiding wasteful expenditure and loss of money.
 - f) The Administrative Department will ensure that the mechanism/Checks contemplated in point 5 are effectively applied for ensuring that the funds are utilized for the prescribed purpose only.
 - g) The payment of grant-in-aid shall be made through e-payment in favour of the Aided School.
 - h) The Aided schools should maintain separate accounts in respect of this grant. The accounts will remain open for inspection by the officer representative from the office of the Comptroller and Auditor General of India/Government of India/UT Administration.
 - i) The Grants should be utilized in terms of provisions contained in the Delhi Education Code 1965 and the pay and allowance disbursed in respect of staff appointed with the approval of the Director of Education.
 - j) Utilization Certificate in the prescribed format GFR 12-A is to be submitted before release of subsequent installment.
 - k) Audited statement of accounts in respect of previous grants may be obtained, Scrutinized and submitted with the comments of Administrative Branch, if any before release of subsequent installment.
 - l) Audited statements of accounts in respect of previous grant are to be submitted after closing the financial year.
 - m) All Statutory clearance, if any, required may be obtained before incurring expenditure.

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8. Utilisation of Grant-in-aid.

- a) The **Grant-in-aid** shall be utilized only for the purpose for which it is granted.
- b) The **Grant-in-aid** in full or any portion of the amount which is ultimately not required for expenditure for the purpose for which it is sanctioned shall be duly surrendered to the Administration together with interest accrued thereon in lumpsum.
- c) The **Grant-in-aid** shall be utilised within a period of twelve months from the date of receipt of sanction of the same, and Utilisation certificate should be submitted as per Rule 238(1) of GFR 2017 except in cases where time limit exceeding one year has been fixed by the sanctioning authority.

Provided that the Administrator may, if considered necessary, extend the time limit for any period not exceeding one year at a time.

- d) The fund allotted to the Private Schools as **Grant-in-aid** shall not be diverted or loaned or temporarily transferred or in any other manner for any other purposes.
- e) In addition to the above conditions, the principles laid down in rules 232 to 245 of the General Financial Rules, 2017 and the instructions issued by the Ministry of Finance, Government of India/Administration from time to time in respect of financial matters as applicable to the Line Departments of the Administration shall be equally applicable to Private Schools for expenditure out of **Grant-in-aid** and other funds of Private Schools.

9. Audit and Accounting system

- a) The Administration shall audit the accounts of the Private Schools through the Local Fund Audit of the Administration. The Administration may also appoint independent agency, if necessary, for ascertaining and to ensure whether the **Grant-in-aid** given to the Private School are duly utilized for the purpose for which it is sanctioned and the unutilized balance and the interest earned thereon is spent in accordance with these rules as well as the General Financial Rules, 2017, as amended from time to time.
- b) The accounts of Private School shall be open to test check by the Comptroller and Auditor General of India at his discretion and by any other officer authorized by the Administrator in this behalf.

10. Management of Records and submission of Performance Report

- a. The Private Schools shall maintain register/records in respect of the expenditure towards salary and other expenditure in respect of teaching and

non-teaching staff attached with them. Monthly expenditure report shall be submitted to Director Education in an abstract form as prescribed by him/her from time to time on or before the 10th day of the following month.

- b. The Manager/President/Secretary of the concerned school shall submit quarterly expenditure reports in an abstract format to the Director Education. These reports shall be furnished as below:-

1 st quarter	-	by 15 th July
2 nd quarter	-	by 15 th October
3 rd quarter	-	by 15 th January
4 th quarter	-	by 15 th April

11. Evaluation and Monitoring Outcomes

- a. The Director Education or any other officer duly authorized by him, in this behalf, from the Education Department shall have the right of inspections at all reasonable times and calling for details/ records for which the Grant-in-aid is given.
- b. The Director Education shall constitute an internal inspection team to ensure proper accountability, Audit and Monitoring of records maintained by the Private Schools and shall carryout the field inspections in respect of the reports submitted.
- c. The Director Education shall constitute an internal inspection team and inspect cash books, registers, records, vouchers etc of the Private Schools regularly.

12. Penalties

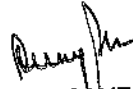
- a) The Administration reserves the right to order refund of the entire amount or a portion of Grant-in-aid sanctioned to the Private Schools if any breach of terms of these rules is noticed on the part of that particular Private School and in that case penal interest at the rate of 8% per annum or at the rate fixed by the Ministry of Finance, Govt. of India / Administration from time to time shall be charged. In such cases, the Administrator reserves the right to stop further grants, for such period as decided by him.
- b) Submission/ issuance of false Utilization certificate as prescribed in these Rules shall invite disciplinary proceedings against the Officials of the Private schools as per CCS (Conduct) Rules, 1964 and CCS (CCA) Rules, 1965.

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13. **Removal of doubts:-** If any doubt arises as to the interpretation of any of the provisions of these Rules, the matter shall be referred to the Administrator or such authority as may be specified by the Administrator by a general or special order, and the decision of the Administrator or such authority shall be final.

14. **Savings**

- a) The Administrator may alter, amend, include or exclude any provision(s) of these Rules and schedules there under as may be warranted to safeguard public money, at any time for reasons to be recorded in writing.
- b) The forms prescribed under these Rules are subject to change or modification from time to time and may be changed or modified by issue of executive orders whenever and wherever considered necessary.

Lieutenant Governor
Andaman & Nicobar Islands
By order and in the name of the Lieutenant Governor


23/11/8
(V. K. SAYED ALVI)
Assistant Secretary (Edn)
Andaman & Nicobar Administration