

**THE TELANGANA SCHOOL EDUCATION MANAGEMENT  
(COMMUNITY PARTICIPATION) ACT, 1998.**

**(ACT NO. 13 OF 1998)**

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# THE TELANGANA SCHOOL EDUCATION MANAGEMENT (COMMUNITY PARTICIPATION) ACT, 1998.<sup>1</sup>

ACT No.13 OF 1998.

## PART - I PRELIMINARY

1. (1) This Act may be called the <sup>2</sup>Telangana <sup>3</sup>[School Education Management] (Community Participation) Act, 1998. **Short title, extent and commencement.**

(2) It extends to the whole of the State of <sup>2</sup>Telangana.

(3) It shall come into force on such date as the State Government may by notification appoint.

(4) It applies to all educational institutions in the State imparting education from <sup>4</sup>[primary] stage upto tenth class and includes Non-formal Education Center or Adult Education Center or Continuing Education Center functioning under the control of Government, Local Bodies.  
<sup>5</sup>[XXX]

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1. The Andhra Pradesh School Education (Community Participation) Act, 1998 received the assent of the Governor on the 20<sup>th</sup> April, 1998. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

2. Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

3. Substituted by Act No.4 of 2007.

4. Substituted by Act No.31 of 2000.

5. Omitted by Act No.4 of 2007.

**Definitions.**

2. In this Act, unless the context otherwise requires,-

(1) **“District Education Board”** means a District Education Board constituted under section 15;

(2) **\*[“District Education Management Committee”]** means a \*[District Education Management Committee] constituted under section 13;

(3) **\*[“Mandal Education Management Committee”]** means a \*[Mandal Education Management Committee] constituted under section 9;

(4) **\*[“Municipal Education Management Committee”]** means a \*[Municipal Education Management Committee] constituted under section 11;

(5) **“Notification”** means a notification published in <sup>6</sup>Telangana Gazette and the word “notified” shall be construed accordingly;

<sup>7</sup>[(6) [XXX]]

(7) **“Parent”** means father, mother or guardian of the student studying in the school;

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\*. Throughout the Act

<b><u>For</u></b>	<b><u>Substituted</u></b>
1. District Education Committee	- District Education Management Committee
2. Mandal Education Committee	- Mandal Education Management Committee
3. Municipal Education Committee	- Municipal Education Management Committee
4. School Committee	- School Management Committee

[vide. Act No.4 of 2007.]

6. Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

7. Omitted by Act No.4 of 2007.

(8) **“Parent Teacher Association”** means an Association constituted under section 4 and also includes the learners association in case of the Adult Literacy Centers or Continuing Education Centers;

(9) **“School”** means and includes <sup>8</sup>[primary school or] Upper Primary School or High School or Non-formal Education Centre or Adult Education Center or Continuing Education Center;

(10) <sup>\*</sup>**“School Management Committee”** means a <sup>\*</sup>[School Management Committee] constituted under section 5;

(11) **“School Education”** means <sup>9</sup>[XXX] Primary, Upper Primary, Non-formal, Adult and Secondary Education;

(12) All words and expressions used in this Act and not defined but defined in the <sup>10</sup>Telangana Education Act 1982 shall have the meanings respectively assigned to them in that Act.

Act 1 of 1982.

## PART – II

### ESTABLISHMENT OF COMMITTEES FOR PEOPLE’S PARTICIPATION, THEIR COMPOSITION, POWERS AND FUNCTIONS.

3. In order to ensure people’s participation at the School level, there shall be constituted for every School a Parent-Teacher Association and a <sup>\*</sup>[School Management Committee].

**People’s participation at School Level.**

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8. Substituted by Act No.31 of 2000.

9. Omitted by Act No.31 of 2000.

10. Adapted by G.O.Ms.No.15, Higher Education (TE) Department, dated 23.04.2015.

**Constitution,  
powers and  
functions of  
Parent-teacher  
Association.**

4. (1) Every Parent-Teacher Association shall consist of all teachers of the school and parents of all children enrolled in the school as members. Only one of the parents of the children in a family enrolled, in the school shall have the right to vote.

(2) The Association shall meet as often as necessary but not less than two times a year. The Headmaster or Instructor or as the case may be Prerak of the School or Institution shall be the Convenor. A parent member elected for the purpose shall preside over the meeting of Parent-Teacher Association.

(3) It shall, be the duty of the Association to review, from time to time, in the manner prescribed, the functioning of the school in regard to the following matters, namely,-

(a) ensuring universal access and enrollment;

(b) motivating regular attendance of children to the school, their retention and effectively arresting dropouts;

(c) creating interest in education by improving infrastructural facilities in the schools and the quality of teaching and ensuring the attainment of the primary objective of universal enrollment and zero dropout rate;

(d) mobilisation towards collection of the membership fee and Corpus fund for the school; and

(e) sanctioning of the budget and approving the accounts of the school education fund placed before it by the \*[School Management Committee].

5. <sup>11</sup>[(1) The School Management Committee in respect of a school located in rural area, shall consist of seven members of whom there shall be four parents of the children enrolled in the school to be nominated as prescribed in the rules. The concerned Ward Member of the area in which the school is located shall be the ex-officio member and the Headmaster or where there is no Headmaster, the senior most teacher of the school shall be the Member-Convenor of the Committee. Of the four parent members, there shall be at least two women and one person belonging to Scheduled Caste or Scheduled Tribe or Backward Class or Minority Community. The Sarpanch of the Gram Panchayat shall be the ex-officio Chairperson of the Committee.

**Constitution,  
powers and  
functions of the  
School  
Committee.**

(1A) In respect of a school located in a municipality or Municipal Corporation area, the School Management Committee shall consist of seven members of whom there shall be five parents of the children enrolled in the school to be nominated as prescribed in the rules and the Headmaster or where there is no Headmaster, the senior most teacher of the school shall be Member-Convenor of the Committee. Of the five parent members there shall be at least two women, one person belonging to Scheduled Caste or Scheduled Tribe or Backward Class or Minority Community. The concerned councillor of the area in which the school is located shall be the ex-officio Chairperson of the Committee.]

(2) All decisions shall be taken by a majority of the members of the Committee present and voting.

(3) The functions of the \*[School Management Committee] shall include the following,-

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11. For sub-section (1) substituted [sub-section (1) and (1A)] by Act No.4 of 2007.

(a) manage the School Education fund for School Development;

(b) assist the teachers in ensuring the attendance of the children;

(c) ensure enrolment and retention of all the children;

(d) hire the services of local persons as teachers or instructors or preraks, as the case may be, where there is a felt need on voluntary basis or on payment of fixed honorarium meeting the cost from the school education fund:

Provided that no regular post is filled on a permanent basis in this manner.

(e) hold meetings of parents who fail to send their children to the school;

(f) review and monitor the school health programmes;

(g) ensure excellence in the overall performance of the school and the children;

(h) shall conduct parent day celebrations periodically to involve all parents in the management of the school and to motivate them to send their children regularly to schools;

(i) to raise, maintain and manage school nurseries for the purpose of afforestation and ensure clean, healthy environment around the school;

(j) help, augment infrastructure facilities needed by the school;



(k) ensure effective use of educational equipment in the school;

(l) collect membership fee and Corpus Fund for the development of the Institution from all the Parent-Teacher Association members and donors;

(m) distribute incentives such as text books, mid-day meals etc. and wherever felt required to provide uniforms and scholarships; and

(n) co-ordinate with the Panchayat Education Committee for assistance as and when required.

<sup>12</sup>[(4) The term of the office of the members of the School Management Committee shall be three years:

Provided that the Government, may either extend the term of office of the members of the Committee for a period of not exceeding one year at a time or nominate a person as person in charge of the Committee for a period of one year or till constitution of the School Management Committee whichever is earlier.]

6. (1) There shall be a School Education Fund for every school consisting of the following,- **School Education Fund.**

(i) funds released by the Government or Local Bodies for management or improvement of infrastructure of the School which will not include salary grant released by Government;

(ii) funds for school contingencies released by Local Bodies or Government;

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12. Substituted by Act No.4 of 2007.

<sup>13</sup>[(iii) [XXX]]

(iv) membership fee from parents;

(v) corpus fund collected from members and donors including Grant-in-aid from Government for further development of the school; and

(vi) fee collected, if any, from parents.

(2) The fund shall be operated in such manner as may be prescribed by the \*[School Management Committee]:

<sup>14</sup>[Provided that where the \*[School Management Committee] is not in existence, the person in-charge of the Committee shall operate the fund in such manner as may be directed either by the Commissioner/Director of School Education or by an officer designated by him.]

<sup>13</sup>[7. [XXX]]

<sup>13</sup>[8. [XXX]]

**Constitution,  
powers and  
functions of  
\*[Mandal  
Education  
Management  
Committee].**

9. (1) There shall be constituted for each Mandal, a \*[Mandal Education Management Committee] consisting of the following members namely:-

(i) the President of the <sup>15</sup>[Mandal Praja Parishad], who shall be the Chairman;

(ii) the Mandal Parishad Development Officer who shall be the Vice-Chairman;

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13. Omitted by Act No.4 of 2007.

14. Added by Act No.12 of 2006.

15. Substituted by Act No.41 of 2006.

(iii) one Headmaster of the Schools under the control of the <sup>16</sup>[Mandal Praja Parishad] to be co-opted by \*[Mandal Education Management Committee] in the manner prescribed;

(iv) one philanthropist or educationist or representative of voluntary organisation to be co-opted by the \*[Mandal Education Management Committee];

<sup>17</sup>[(v) eight Chairpersons of School Management Committee under the control of Mandal Praja Parishad to be nominated in the prescribed manner of whom four shall be women and one each shall be from Scheduled Castes/Scheduled Tribes and Minorities;]

(vi) one representative from the Recognised Teacher Unions to be co-opted in the manner prescribed;

(vii) one Sarpanch to be co-opted by the \*[Mandal Education Management Committee] in the manner prescribed;

(viii) one Mandal Parishad Territorial Constituency member to be co-opted by \*[Mandal Education Management Committee] in the manner prescribed; and

(ix) the Mandal Education Officer who shall be the Member-Convenor.

(2) All decisions shall be taken by a majority of members of the Committee, present and voting.

(3) The term of office of the Committee constituted under this section shall be two years. A parent member shall

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16. Substituted by Act No.41 of 2006.

17. Substituted by Act No.4 of 2007.

however cease to be a member when he has not enrolled child in the <sup>18</sup>[Mandal Praja Parishad] School or when recalled by the Parent Teacher Association concerned in the manner prescribed:

<sup>19</sup>[Provided that the Government, may extend the term of office of the Committee for a period not exceeding one year at a time.]

(4) The \*[Mandal Education Management Committee] shall monitor the functioning of the schools under the control of the <sup>18</sup>[Mandal Praja Parishad], literacy programmes in the Mandal and shall take such corrective steps as may be necessary.

(5) The Committee shall have the following powers and functions, namely:-

(a) to undertake annual evaluation of the performance of the schools, facilitate and provide for academic supervision and inspection of schools under the control of <sup>18</sup>[Mandal Praja Parishad], and

(b) to promote sports and cultural activities among the students in <sup>18</sup>[Mandal Praja Parishad] Schools.

**Mandal Education Fund.**

10. (1) The \*[Mandal Education Management Committee] shall maintain a Mandal Education Fund which shall consist of the grant-in-aid received from the State Government and <sup>18</sup>[Zilla Praja Parishad] or from any other source, the funds allocated to education in the Mandal Budget and Public donations.

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18. Substituted by Act No.41 of 2006.

19. Inserted by Act No.31 of 2000.

(2) The Mandal Education Fund shall be utilised by the \*[Mandal Education Management Committee] for the purpose of its functions:

Provided that the salary grants shall be operated in the manner prescribed by the Government.

(3) The Fund shall be operated by the \*[Mandal Education Management Committee] in such manner as may be prescribed.

11. (1) There shall be constituted a \*[Municipal Education Management Committee] for each Municipality or Municipal Corporation.

**Constitution,  
powers and  
functions of  
\*[Municipal  
Education  
Management  
Committee].**

(2) Every \*[Municipal Education Management Committee] shall consist of the following members, namely:-

(i) the Chairperson of the Municipality or Mayor of the Municipal Corporation, as the case may be, shall be the Chairperson of the Committee;

(ii) the Municipal Commissioner, shall be the Member Convenor;

(iii) one Councillor to be co-opted by the committee in such manner as may be prescribed;

<sup>20</sup>[(iv) eight Chairpersons of School Management Committee under the control of Municipality/Municipal Corporation to be nominated in the prescribed manner of whom four shall be women and one each shall be from Scheduled Castes/Scheduled Tribes and Minorities:

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20. Substituted by Act No.4 of 2007.

Provided that out of the eight Chairpersons, four shall be from High School Management Committees and four shall be from Primary School Management Committees.]

(v) two teachers (the senior most headmaster of the primary schools and the senior most headmaster of high schools) in the Municipality or Municipal Corporation;

(vi) one distinguished educationist or philanthropist or nominee of a non-Governmental organisation to be nominated by the District Collector; and

(vii) one representative from the recognised teacher unions to be co-opted as may be prescribed.

(3) All decisions of the \*[Municipal Education Management Committee] shall be taken by a majority of the members of the Committee present and voting.

(4) The term of office of the \*[Municipal Education Management Committee] shall be two years. A parent-member shall, however, cease to be a member when he has no enrolled child in the Municipality/Municipal Corporation School or when recalled by the Parent Teacher Association concerned in the manner prescribed:

<sup>21</sup>[Provided that the Government may extend the term of office of the Committee for a period not exceeding one year at a time.]

(5) The \*[Municipal Education Management Committee] shall be responsible for the overall development of Primary and Secondary Education in the Municipality or Municipal Corporation as the case may be and for the

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21. Inserted by Act No.31 of 2000.

purpose, it shall provide the necessary infrastructure to the schools under its control and monitor their functioning.

(6) The committee shall have the following powers and functions, namely:-

(i) to undertake annual evaluation of the performance of the schools, facilitate and provide for academic supervision and inspection of schools to be undertaken by appropriate and competent authorities to be specified by the Education Department, organise sports, cultural and other related activities, prepare annual budget for the \*[Municipal Education Management Committee] and assist in the maintenance of proper accounts; and

(ii) to promote sports and cultural activities among the students in Municipality or Municipal Corporation Schools.

12. (1) There shall be constituted a Municipal Education Fund for every Municipality or Municipal Corporation which shall be utilised by the \*[Municipal Education Management Committee] for the performance of its functions.

**Municipal  
Education Fund.**

(2) The Fund shall consist of the funds allocated for education in the Municipality/Municipal Corporation budget, grants-in-aid from the State Government and public donations and tax revenue as may be available to the Municipal Council or Corporation as the case may be under sections 37, 38 and 39 of the <sup>22</sup>Telangana Education Act, 1982:

**Act 1 of 1982.**

Provided that the salary grant shall be operated in the manner as may be prescribed.

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22. Adapted by G.O.Ms.No.15, Higher Education (TE) Department, dated 23.04.2015.

(3) The Fund shall be operated in such manner as may be prescribed.

**Constitution,  
powers and  
functions of  
\*[District  
Education  
Management  
Committee].**

13. (1) There shall be constituted for each district a \*[District Education Management Committee] consisting of following members namely:-

(i) the Chairman of the <sup>23</sup>[Zilla Praja Parishad], who shall be Chairman of the Committee;

(ii) the Chief Executive Officer of the <sup>23</sup>[Zilla Praja Parishad] who shall be the Member - Convenor;

(iii) ten parents to be <sup>24</sup>[nominated] in the prescribed manner by and from among the parent members of the \*[School Management Committees] in the District of whom not less than five shall be women; and one shall be from Scheduled Caste or Scheduled Tribes and one from Minority Community;

(iv) two Headmasters of Zilla Parishad High Schools co-opted in the Committee in the manner prescribed;

(v) one educationist or social activist or nominee of a voluntary organisation to be nominated by the District Collector;

(vi) one chairperson of \*[Mandal Education Management Committee], to be co-opted in the manner prescribed;

<sup>25</sup>[(vii) [XXX]]

(viii) The District Educational Officer;

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23. Substituted by Act No.41 of 2006.

24. Substituted by Act No.4 of 2007.

25. Omitted by Act No.4 of 2007.



(ix) the Minorities Welfare Officer of the District or in the absence of that officer an officer belonging to the Minorities from any of the Departments / Offices nominated by the District Collector;

(x) Project Officer, Integrated Tribal Development Agency or the District Tribal Welfare Officer;

(xi) one representative from the recognised Teacher Unions to be co-opted in such manner as may be prescribed;

(xii) two Zilla Parishad Territory Council Members to be nominated as may be prescribed;

(xiii) Deputy Director of Social Welfare Department;  
and

(xiv) District Backward Classes Welfare Officer.

(2) All decisions of the Committee shall be taken by majority of the members of the Committee present and voting.

(3) The term of office of the Committee shall be two years. A parent-member shall, however, cease to be a member when he has no enrolled child in the Zilla Parishad School or when recalled by the concerned Parent Teacher Association in the manner prescribed:

<sup>26</sup>[Provided that the Government, may extend the term of office of the Committee for a period not exceeding one year at a time.]

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26. Inserted by Act No.31 of 2000.

(4) The Committee shall be responsible for the overall development of secondary education in the district and for that purpose, it shall provide the necessary infrastructure to the schools and monitor their functioning.

(5) The Committee shall have to undertake annual evaluation of the performance of the schools, facilitate and provide for academic supervisions and inspection of schools to be under taken by appropriate and competent authorities to be specified by the Education Department, organise sports, cultural and other related activities, prepare annual budget for the \*[District Education Management Committee] and assist in the maintenance of proper accounts:

**District Education Fund.**

14. (1) There shall be a District Education Fund consisting of:-

(i) all the Grants received from Government;

(ii) education cess collected; and

(iii) donations received for the purpose of educational development in the district.

(2) The fund shall be administered by the \*[District Education Management Committee]:

Provided that the salary grants shall be operated in such manner as may be prescribed.

(3) The fund shall be operated in such manner as may be prescribed.

### PART III

#### DISTRICT AND STATE LEVEL MONITORING BOARD

15. (1) There shall be established by the Government, by notification, for each district a District Education Board which shall consist of the following members:-

**Constitution,  
powers and  
functions of  
District Education  
Board.**

- (i) the District Collector, who shall be the Chairman;
- (ii) three Educational experts nominated by the District Collector;
- (iii) Deputy Director, Adult Education;
- (iv) one expert on Vocational Education;
- (v) Principal, District Institute of Education and Training;
- (vi) one representative of non-governmental organisation to be nominated by the District Collector;
- (vii) two outstanding teachers including retired headmasters who are recipients of National Awards to be nominated by the District Collector;
- (viii) one nominee of District Planning Committee;
- (ix) one representative from recognised teachers unions to be co-opted as prescribed;
- (x) Project Officer, Integrated Tribal Development Agency or the District Tribal Welfare Officer;
- (xi) Assistant Director, Non-formal Education, who shall be a permanent invitee;

(xii) one representative from each category of managements running schools including the minority management run schools in the district nominated by the District Collector;

(xiii) the District Education Officer, who shall be the Member Convenor; and

(xiv) the Minority Welfare Officer of the District or in the absence of that Officer, an Officer belonging to the minorities from any of the Departments / Offices nominated by the District Collector.

(2) The Board shall essentially be a technical body and shall look after the needs of the primary, secondary and adult education in the District. Its functions shall include training of Teachers reviewing of school calendar and performance of various schools, Mandal resource centers and teachers centers and overseeing the implementation of audio-visual education, vocational education, conduct of examinations and all academic matters within the district.

(3) The directions of the District Education Board on all academic matters shall be binding on the \*[District Education Management Committee], \*[Mandal Education Management Committee], Panchayat Education Committee, \*[Municipal Education Management Committee] and \*[School Management Committee].

(4) The term of office of the Board constituted under this section shall be two years.

<sup>27</sup>[Provided that the Government, may extend the term of office of the Board for a period not exceeding one year at a time.]

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27. Inserted by Act No.31 of 2000.

16. (1) There shall be established by the Government by notification, a State Advisory Board of School Education which shall consist of the following, namely:-

**Constitution,  
powers and  
functions of State  
advisory Board of  
School Education.**

(i) Minister for School Education, who shall be the Chairperson;

(ii) Minister for Municipal Administration;

(iii) Minister for Panchayat Raj;

(iv) Minister for Social Welfare;

(v) Minister for Tribal Welfare;

(vi) Minister for Women Welfare;

(vii) Minister for Backward Classes Welfare;

(viii) the Secretary to Government incharge of School Education;

(ix) Secretaries to Government incharge of Planning, Labour, Social Welfare, Tribal Welfare, Family Welfare, Women Development and Child Welfare, Minority Welfare, Panchayat Raj and Rural Development;

(x) two educational experts to be nominated by the Government;

(xi) three teachers to be nominated by the Government;

(xii) two representatives of non-government organizations to be nominated by the Government;

(xiii) one Vice-Chancellor of any University in the State to be nominated by the Government;

(xiv) one nominee of the Ministry of Education, Government of India;

(xv) the Chairman, State Council of Higher Education;

(xvi) three Chairpersons of the \*[District Education Management Committees] in the State to be nominated by the Government;

(xvii) one Chairperson of \*[School Management Committee] to be co-opted as prescribed;

(xviii) State Project Director, <sup>28</sup>[Sarva Siksha Abhiyan];

(xix) Commissioner and Director of School Education who will be Member-Convenor.

(2) The Director of Adult Education, Secretary, Board of Intermediate Education and the Director of State Council for Educational Research and Training shall be the permanent invitees to the meetings of the Board.

(3) The State Advisory Board shall,-

(a) advise the Government in matters related to the quality of instruction, curriculum, syllabus and other academic matters;

(b) review overall achievements in the minimum levels of learning;

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28. Substituted by Act No.4 of 2007.

(c) ensure coordination at various levels and among different departments dealing with the matters relevant to School Education; and

(d) ensure maintenance of uniform standards among institutions throughout the State.

(4) The term of office of the Board constituted under this section shall be three years:

<sup>29</sup>[Provided that the Government, may extend the term of office of the Board for a period not exceeding one year at a time.]

#### PART IV MISCELLANEOUS

17. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the <sup>30</sup>Telangana Education Act, 1982 or any other law for the time being in force in the State.

**Overriding effect.**

**Act 1 of 1982.**

**Explanation:-** For the removal of doubts it is hereby declared that in respect of matters not provided for in this Act, the provisions of the <sup>30</sup>Telangana Education Act, 1982 shall apply so far as School Education is concerned.

**Act 1 of 1982.**

18. (1) For the purpose of giving effect to the provisions for this Act, it shall be competent for the Government to issue such directions as they deem fit to the officers and authorities subordinate to them and also to any local authorities and it shall be the duty of such officer, authorities and local authorities to comply with such directions.

**Powers to give directions.**

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29. Added by Act No.31 of 2000.

30. Adapted by G.O.Ms.No.15, Higher Education (TE) Department, dated 23.04.2015.

(2) Government may, remove, any member of the above mentioned committees, at any time, on proven misconduct, non-performance or misuse of funds:

Provided that no removal of such member shall be made without affording an opportunity of making a representation against such removal.

**Power to make rules.**

19. (1) The Government may, by notification make rules to carry out any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules:-

(i) as to the authority competent to constitute the Parent Teacher Association, \*[School Management Committee], Panchayat Education Committee, \*[Mandal Education Management Committee], \*[Municipal Education Management Committee] and the \*[District Education Management Committee] and the manner of their constitution;

(ii) as to the convening of the meeting of the association and the committees referred to in sub-clause (i) and the conduct of business thereat;

(iii) to improve the quality of service in the school by prescribing citizens charter and its implementation thereof; and

(iv) to ensure proper utilisation of funds at all levels through transparent procedures and monitoring their implementation through Social Audit.

(3) Every rule made under this Act shall immediately after it is made, be laid before the Legislature of the State, if it is in session and if it is not in the session, in the session



immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall from the date on which the modification or annulment is notified have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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