

Government of Himachal Pradesh
Education Department.

No. Cha (15) 3/86-Shiksha-Ka

Dated Shimla-2, the 25-8-94

Notification

The Governor Himachal Pradesh is pleased to frame following terms and conditions for taking over privately managed colleges in the Pradesh (affiliated) including teaching & non teaching staff:-

- (1) (a) That privately managed colleges are permanently affiliated to the Himachal Pradesh University and are recognised by the Department of Education for grant-in-aid. However, the state Govt. may take over temporarily/provisionally affiliated colleges by the H.P. Govt. also and state shall also take appropriate steps for its permanent affiliation from the University to make it eligible for various U.C.C. grants.
- (k) The managing Committee of the colleges shall transfer the Endowments Funds at present pledged to the concerned University, to the Government College Fund.
- (2) The Managing Committee concerned shall transfer to the Government all movable and immovable property (Buildings, grounds, fields, gardens and other landed property funds and all other assets attached with the college or standing in the name of the Management/officials of the management.
- (3) The Departmental Inspection Committee appointed by the Government will ensure that staff, movable and immovable property (including buildings and play grounds) are in accordance with the norms fixed by the Department.
- (4) The amalgamated fund and fees etc. and other College funds shall be transferred to the Education Deptt. Any advance drawn on loan basis from the colleges fund will have to be recouped by the Management before the college is taken over by the Government.
- (5) The management will ensure that the existing staff has been paid their salaries and other dues in full before the college is taken over by the Government. The Managing Committee will terminate the services of the entire staff both teaching and non-teaching on the roll of the college from the date of such take over. Arrears if any, due to the staff on the date of taking over will be the liability of the Management. Government will not share the liability.

The Government shall not accept any liability for the period to the taking over of the college by them. All such liabilities shall be cleared by the Managing Committee of the college concerned.

- (7) The services of only qualified teaching and non-teaching staff appointed one year earlier who fulfill, prescribed departmental recruitment and promotion rule conditions, prevalent at the time of taking over will be considered for taking over subject to the approval of the State Public Service Commission or Departmental Screening Committee from the date of taking over. The services of the Principal will be taken over only as Senior Lecturer of the college concerned subject to the above mentioned proviso. The Government scales in respect of the respective categories shall be permissible to them after the take over.

- (8) The services of the superannuated, unqualified, under qualified adhoc part time, contingent paid, daily waged, teaching and non-teaching employees will not be taken over.

- (9) All members (including principal) of the staff will be treated as fresh entrants and they will be placed at the bottom of the seniority list, maintained in respect of Government employees in their respective cadre from the date of taking over, provided, in the case of Ministerial staff,

(i) a person with 25 years experience may be absorbed as Superintendent Grade-II.

(ii) a person with 17 years of service as clerk may be absorbed as Senior Assistant.

(iii) a person with 10 years experience as clerk may be absorbed as junior assistant.

(iv) and having 5 years experience may be absorbed as senior clerk and less than 5 years, as clerk.

- (9) Provided that service-s of only those employees will be taken over who furnish a written acceptance on non-judicial paper duly attested by the competent authority to the effect that they are willing to be absorbed in Government service on the terms and conditions laid down in these rules.

- (10) The Government may impose any other condition they may deem fit for the taking over of the college in the notification to be issued on the subject.

- (11) For other Administrative and financial matters not specially mentioned here the said college shall be governed by such rules, regulations, instructions and Order

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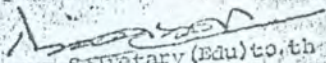
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applicable to other Government Colleges in the state as are issued by the Government from time to time.

(12) The managing Committee concerned shall execute a gift deed with the Director of Education, Himachal Pradesh Govt. for the transfer of all the assets (moveable and immoveable) of the said college to the Govt. immediately.

(13) The Management will have to satisfy the Department about proper utilisation of all grants given by the department, University Grants Commission/any other source upto the date of take over. The responsibility of settling all audit objections, disputes etc. relating to the period prior to the date of taking over will be that of management committee. The proper utilisation certificate duly audited and signed by the Chartered Accountant will be provided by the management.


(14) The management shall by a unanimous resolution appoint one person who must be an office bearer to negotiate with the department/Government regarding the take over and settling of disputes if any, arising out of the take over. This authorisation and his acceptance thereof will be on a proper judicial paper.

(15) Non change what-s-o-over will be effected in the assets and staff of the college after the issuance of notification and visit of the inspection committee.


Comm. Secy (Edu) to the Govt. of Himachal Pradesh.

Encl. No. Cha- (15)3/86-Shiksha Ka, dated Shimla-2, the Copy for information to:-

1. All Administrative Secretaries/Head of Departments.
2. All Principals Govt. Colleges/Private affiliated colleges of the Pradesh.
3. Director Education.
4. Controller Printing & Stationary, for publication
5. Guard file.


Addl. Secretary (Edu) to the Govt. of Himachal Pradesh.