



**Existing Provisions of Haryana School Rules 2003
before amendment**

1st amendment – Haryana School Education (amendment)
Rules, 2004

(vide notification No. S.O.22/H.A.12/1999/S.24/2004 dated : 20-02-2004)

2nd amendment – Haryana School Education (Second amendment)
Rules, 2004

(vide notification No. S.O.67/H.A.12/1999/S.24/2004 dated : 11-08-2004)

3rd amendment – Haryana School Education (amendment)
Rules, 2007

(vide notification No. S.O.3/H.A.12/1999/S.24/2007 dated : 19-01-2007)





Existing Provisions before amendments 1st, 2nd & 3rd

Haryana School Education (amendment) Rules, 2004

Existing Provisions of Haryana School Education Rules, 2003 substituted by Haryana School Education (amendment) Rules, 2004.

1. Rule 2 - Existing Sub-rule 3 to Rule 29

29.(3) The Department may, after considering the particulars specified in the application sub-rule (1) and after making such inquiries as deemed fit inform the person or persons by whom the application was given to him whether or not opening of the proposed new school would be, in the public interest, within 90 days from the receipt of this application. If no decision is taken within such period, it will be deemed to have been permitted. However, such permission does not enable school to get recognition automatically for which the applicant shall have to fulfill all the required conditions.

2. Rule 3 -Existing Sub clause (a)(ii) to sub-rule (I) to Rule-30

(ii) the prior approval from the Director for opening of new school has been obtained and copy of such approval is attached with the form of application as referred to rule 29;

3. Rule 4 - Existing Sub-rule (1) to Rule 31

31. (1) Every private school seeking recognition shall make an application, in Form II, to the appropriate authority along with Rs.1000/- for Primary

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school, Rs. 2500/- for Middle school, Rs. 5000/- for High school and Rs. 10000/- for Senior Secondary school as processing fee in the form of Demand Draft in favour of Director. Such application shall either be delivered to the appropriate authority through any individual or sent to that authority by a registered post acknowledgment due ten months before starting of academic session i.e before 30th June to 30 September of preceding year. The appropriate authority granting recognition shall inform the managing committee by 30th December of preceding year.

5. (i) Rule 5 - Existing Sub-rule (1) to Rule 34

34. (1) Class Appropriate authority

I-V District Primary Education Officer.

I-VIII District Education Officer
(I-VIII or VI to VIII)

(ii) Existing Sub-rule (2) to Rule 34

34.(2) For I –VIII class

- | | | |
|-----|---|---------------------|
| (a) | Additional Deputy Commissioner | Chairman |
| (b) | Sub Divisional Officer (Civil) | Member |
| (c) | District Education Officer/
District Primary Education Officer | Member
Secretary |
| (d) | Executive Engineer of the Public
Works Department
or his representative not below the
rank of Sub Divisional Engineer. | Member |

6. Rule 6 - Existing Sub-rule (1) to Rule 38

38. (1) All existing schools shall be required to submit application in Form II prescribed for recognition alongwith demand draft of Rs. 1000/- for Primary/

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Middle school and Rs. 2000/- for High/ Senior Secondary School in favour of Director within a period of three months from the date of publication of these rules in the official gazette. Each school shall submit its plan for improving its infrastructure where it does not conform to the provisions of these rules along with application spread over a period of one year where specific milestone shall be fixed for every six months.

7. Rule 7 - Existing Rule 39

The recognition granted to schools affiliated to any board shall be reviewed after every five years. If the managing committee fails to comply with any of the conditions and facilities specified in these rules, the appropriate authority can withdraw its recognition after giving a reasonable opportunity and one months time to show cause of the proposed action.

8. Rule 7 - Existing Sub-Rule (5) to Rule 91

(5) The benefit of leave encashment shall be at the discretion of the managing committee. No grant-in-aid on this account shall be reimbursed by the Department.

9. Rule 9-Existing "C-General" added after rule-185.

Existing Provisions before amendments 1st, 2nd & 3rd

**Haryana School Education (amendment)
Rules, 2007**

Existing Provisions of Haryana School Education Rules, 2003 and Haryana School Education (amendment) rules 2004 substituted by Haryana School Education (amendment) Rules, 2007

Rule 4 - Existing Rule 3

3. No school in the State can function, establish or start classes without the prior approval and permission of the Director. The Director shall be empowered to discontinue functioning of all such schools or similar unauthorized schools established contrary to the provisions of these rules.

Rule 6 - Existing Rule 5

5. Hindi shall be the preferred medium of instructions in all schools:

Provided that in the case of an existing school in which education is imparted through the medium of any language other than Hindi, education may continue to be imparted in that school through the medium of such other language.

Rule (7.1) - (i) Existing Sub-rule (1) to Rule 29

29. (1) Every individual, association of individuals, society or trust, desirous to establish a new school, shall apply to the appropriate authority in Form 1 along with demand draft of Rs.1000/- for Primary, Rs. 2500/- for Middle, Rs. 5000/- for High and Rs. 10000/- for Senior Secondary school as processing fee in favour of Director expressing their intention to establish such school.

- (ii) Existing clause (g) Sub-rule (2) to Rule 29

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(g) the proposed salary of the staff to be notified ;

4.(i) Rule 8-I.(A) Existing sub-clause (a) (i) Sub-rule (1) to Rule 30

(i) the school is run by an individual , firm, society or trust and is managed in accordance with a scheme of management made under these rules. The firm, society or trust should be registered under the Societies Registration Act, 1860 (21 of 1860).

(ii) Existing sub-clause (a) (x) Sub-rule (1) to Rule 30

(x) that the managing committee has submitted the owner’s deed of the land - school building as well as play ground in the name of individual / society / trust from the revenue department;

(iii) Existing sub-clause (a) (xix) Sub-rule (1) to Rule 30

(xix) that the sanitary arrangements at the school are adequate and are kept in good order;

Rule 8-I.(B)

Existing sub-clause (b) (i) Sub-rule (1) to Rule 30

(b) Minimum norms for land and buildings

(i) Land

	Rural	Urban/ Controlled areas
Primary School	0.5 acre	0.5 acre
Middle School	1.5 acre	1 acre
Secondary School	2.5 acre	2 acre
Senior Secondary School	2.5 acre	2 acre

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[“Note-I:- A private school can be run in a rented building on lease hold basis with minimum of twenty years irrevocable lease deed provided such building fulfills the norms of land and building as prescribed under these rules.”]*

Existing sub-clause (b) (ii) Sub-rule (1) to Rule 30

(ii) Building -

- (a) Classroom : Minimum size - 24' x 18' with verandah of 10' width. Height of classroom should be atleast 10.:
- (b) Number of classrooms will be equal to the number of sections in the school.
- (c) Maximum number of students in a section - 50.
- (d) the school shall provide the following:-
 - Toilet and urinals (staff, boys and separate for girls at far off distance)
 - Drinking water facility.
 - Open space for morning assembly.
 - Boundary wall.
- (e) in case of Middle, High and Senior Secondary School, the following rooms in addition to Class-rooms shall be provided:
 - Room for head of the school/ office
 - Library room.
 - Laboratory for practical subject.

Note :- the school building having more than one storey should provide one ramp and one staircase of atleast 6' width.

Rule 8-II

Existing Sub-rule (2) to Rule 30

- (2) Pledge money[/Bank guarantee]* atleast equal to six months basic pay of

*added vide notification
No. S.O.22/H.A.12/1999/
S.24/2004 dated : 20-02-2004

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the staff but in no case less than the amount as mentioned below, shall be deposited in the name of District Education Officer/ District Primary Education Officer concerned (by designation), as the case may be.:-

- (a) Primary stage I- V classes - Rs. 50,000/-
- (b) Middle stage VI-VIII classes - Rs. 1,00,000/-
- (c) Secondary stage IX to X classes - Rs. 1,50,000/-
- (d) Senior Secondary stage
XI to XII classes - Rs. 2,00,000/-

Rule 9.

- (i) Existing Sub-rule (1) to Rule 31
- (1) Every private school seeking recognition shall make an application, in Form II, to the appropriate authority along with Rs.1000/- for Primary school, Rs. 2500/- for Middle school, Rs. 5000/- for High school and Rs. 10000/- for Senior Secondary school as processing fee in the form of Demand Draft in favour of Director. Such application shall either be delivered to the appropriate authority through any individual or sent to that authority by a registered post acknowledgment due ten months before starting of academic session i.e before 30th June to 30 September of preceding year. The appropriate authority granting recognition shall inform the managing committee by 30th December of preceding year.
- (ii) Existing Sub-rule (2) to Rule 31
- (2) The concerned District Education Officer/ District Primary Education Officer shall forward the file relating to the recognition along with all documents to the appropriate authority.
- (iii) Existing Sub-rule (3) to Rule 31

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- (3) If recognition is refused, managing committee may file an appeal against it to appellate authority within 30 days from the date of communication to it of such refusal. The appellate authority shall decide the case and inform the managing committee within two months. The decision of the appellate authority shall be final.

Rule 12.

Existing Sub-rule (1) to Rule 34

Class Appropriate authority

[I-V District Education Officer.]*

I-VIII District Education Officer

(I-VIII or VI to VIII)

Rule 12.

Existing Sub-rule (2) to Rule 34

For I –VIII class

- | | |
|---|---------------------|
| (a) Additional Deputy Commissioner | Chairman |
| (b) Sub Divisional Officer (Civil) | Member |
| (c) District Education Officer/
District Primary Education Officer | Member
Secretary |
| (d) Executive Engineer of the Public
Works Department | Member |

or his representative not below the rank of Sub Divisional Engineer.

For I –XII

- | | |
|---|---------------------|
| [(a) Sub Divisional Officer (Civil) | Chairman]* |
| (b) Representative of Director | Member
Secretary |
| (c) District Education Officer | Member |
| (d) Executive Engineer of the
Public works Department. | Member |

*Substituted vide notification
No. S.O.22/H.A.12/1999/
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or his representative not below the rank of Sub Divisional Engineer

Rule 13.

Existing Rule 38

Existing schools to seek recognition afresh.

Sections 3 and 24 (2) (a) (b) and (d).

- (1) All existing schools shall be required to submit application in Form II prescribed for recognition alongwith demand draft of Rs. 1000/- for Primary/ Middle school and Rs. 2000/- for High/ Senior Secondary School in favour of Director within a period of three months from the date of publication of these rules in the official gazette. Each school shall submit its plan for improving its infrastructure where it does not conform to the provisions of these rules along with application spread over a period of one year where specific milestone shall be fixed for every six months.
- (2) Every existing recognized school or schools which are already affiliated with Boards or Council of Indian School Certificate Examination other than Board of School Education, Government after obtaining No Objection Certificate (NOC) from the Government shall be deemed to have been recognized under Section 4 of the Act and shall be subject to the provisions of the Act and these rules.

Provided that when any such school does not satisfy any of the conditions of recognition, the appropriate authority may require the school to satisfy such conditions within one year and if any such condition is not satisfied the recognition shall be withdrawn from such school.

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- (3) The Department shall constitute a committee for each District consisting of two members to be selected by the Director from local reputed recognized school of respective District and one nominee of the Department to process such applications.

Rule 14.

Existing Rule 42

Lapse of recognition in other cases.

sections 3 and 24 (2) (a) (b) and (d).

- (1) The recognition of school shall lapse if-
- (a) a recognized school cease to exist; or
 - (b) a school is transferred to a different building or locality not already approved by the appropriate authority; or
 - (c) school is transferred to a different managing body/ trust or individual or a group of individuals not already approved by the appropriate authority; or
 - (d) School changes its names without the approval of appropriate authority.
- (2) Where one or more of the conditions of recognition, specified in these rules, are not complied with by any recognised school, the appropriate authority shall, by a written notice, draw the attention of the school to such non-compliance and if within thirty days from the date of service of such notice, any such condition for the recognition is not

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complied with, the recognition granted to such school shall, on the expiry of the said period of thirty days, stand lapsed.

- (3) Branches opened by the managing committee of a school already recognised shall also be treated as new schools for the purpose of recognition i.e no managing committee is allowed to run two schools i.e affiliated by two different Boards/ Council in the same building/ premises.

Rule 17.

Existing Sub-Rule (2) to Rule 45

- (2) Every such appeal shall be made in writing and shall be accompanied by a copy of the reasons for the refusal to open a new school or to accord recognition or withdrawal of recognition, as the case may be :

Provided that every such appeal shall be made in writing within a period of thirty days from the date of the receipt of such communication.

Rule 17.

Existing Sub-Rule (4) to Rule 55

- (4) The grant shall be sanctioned and issued preferably in four instalments. The first and second installment shall be issued provisionally on the basis of the actual grant released in the previous year. It shall be issued by cheque in favour of manager of approved managing committee of the concerned school.

Rule 19.

Existing Rule 59

No grant shall be admissible to the managing committee for the teachers

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found surplus by the inspecting officer on the basis of student teacher ratio below the norms as fixed by the Department from time to time, after giving reasonable opportunity to the managing committee.

Rule 20.

Existing Sub-Rule (3) to Rule 62

- (3) After observing the condition as laid down in sub-rule 2 the managing committee shall move an application for de-aiding its school to the Director. The Director shall pass order of de-aiding the school after verifying the application as per rule.

Rule 21.

Existing Sub-Rule (3) to Rule 64

- (3) The school staff's account shall be operated jointly by the manager and head of the school or in his absence by a member of the staff authorized by managing committee to act as head of the school.

Rule 23.

Existing Rule 75

75 As and when a vacancy of the head of school or a teacher arises due to dismissal or any other reason thereof and managing committee advertises to fill that vacancy, an intimation to this effect shall also be given to the appropriate authority.

Rule 24.

Existing Rule 82

82 The minimum qualification for appointment of head of school and other categories of teachers and also non

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teaching staff in an aided school shall be as per Appendix A. These appointments shall be made by advertising atleast in two leading newspapers.

Rule 25.

Existing Sub-Rule (2) to Rule 83

- (2) The rate of dearness allowance payable to these employees shall be such as may be allowed by the Department from time to time.

Rule 26.

Existing Sub-Rule (1) to Rule 93

- (1) No teacher shall undertake private tuition or private employment or otherwise engage in any business.

Rule 27

Existing Sub-Rule (2) to Rule 103

- (2) Notwithstanding anything contained in sub-rule (1) where a teacher, head of the school has obtained National or State award for rendering meritorious service as a teacher, head of the school or where he has received both the National and State awards as aforesaid, the period of service of such teacher, may be extended by 2 years or such period as per state policy. In no case an employee shall go beyond sixty years. During the extension of 2 years, no employee shall be entitled to promotion during such extension period.

Rule 30

Existing in sub-clause (iii) for clause (d) to Rule 110

- (iii) on receipt of the representation, if any,

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made by the employee, determine what penalty, if any, should be imposed on him and communicate its final decision to him with a copy to the appropriate authority.

Rule 31

Existing Rule 111 (Marginal Heading)

Appeal against the proposed penalty. sections 24 (2),8 and 9.

Rule 33

Existing Rule 126

126 Where the managing committee of the aided school is taken-over in accordance with the provision of sections 10 of the Act, the grant-in-aid in respect of salary, gratuity, pension etc.(Government share only) shall be made through the Administrator. The Government's financial liability of grant-in-aid in such case shall be the same as was before taking-over the managing committee.

Rule 34

Existing sub-rule (1) to Rule 128

- (1) The managing committee of minority schools shall apply to Director for its intention to open a school under this category and Director shall decide whether it falls within minority category under clause (I) of article 30 of the Constitution of India.

Rule 41

Existing Rule 160

160 Every recognized school shall follow the regulation of the School

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Pupils Funds Rules, 1972 and the instructions issued by the Director from time to time in this regard. These funds shall be collected and specified share shall be deposited with the concerned District Education Officer/ District Primary Education Officer before 30th September every year.

Rule 42

Existing Rule 162 to 185

162. These rules shall be applicable for the employees working in un-aided schools and working in aided schools on un-aided post.

163. (1) All appointments of all categories of employees except Group D employees, shall be made by the managing committee either by direct recruitment or by promotion through a Selection Committee constituted by the school and in accordance with and upon such conditions as the managing committee may decide, which shall be consistent with the norms of the Act and these rules. Appointment of Group D employees will be made by the head of the school through constituted Selection Committee.

(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;

Application sections 24 (2).
Appointment, age, qualifications, pay and allowances and seniority. sections 24 (2).

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- (ii) an educationist, nominated by the managing committee; and
- (iii) a person having experience of administration of school, nominated by the managing committee;
- (b) in the case of recruitment of teachers and librarian -
 - (i) the Chairman of the managing committee;
 - (ii) the head of the school ;
 - (iii) an educationist, nominated by the managing committee; and
 - (iv) a subject expert;
- (c) in the case of recruitment of clerical staff/ Labotory Assistant -
 - (i) the chairman of the managing committee or any member of the managing committee nominated by the chairman;
 - (ii) the head of the school;
 - (iii) manager/correspondent of the school;
- (d) in case of recruitment of Group D staff -
 - (i) the head of the school;
 - (ii) a nominee of the school managing committee.
- (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 managing committee of the school.
- (4) (i) The appointment of every employee

Existing Provisions before amendments 1st, 2nd & 3rd

of a school shall be made by its managing committee.

- (ii) A copy of the appointment letter as per Appendix C of every employee shall be issued by the managing committee.
- (iii) Employees shall be appointed subject to the provisions of the agreement and they shall have to comply with all the requirements of the provisions contained herein.
- (5) 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.
- (6) The minimum qualification of the post shall be as per Appendix A.
- (7) The managing committee shall pay salary to its employees as notified by the school to the appropriate authority.
- (8) The minimum age limit for recruitment shall be 18 years.
- (9) (i) There shall be a seniority roster for each cadre and the names of the employees appointed to the posts in each cadre shall be arranged in the roster in accordance with this rule.
(ii) Seniority of employees shall be determined by the order of merit in which they were selected for appointment to the concerned post, those selected on an earlier occasion being ranked senior those selected later.

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		(iii) Inter-se-seniority between direct recruities and promotees shall be determined according to the rotation of vacancies between direct recruities and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively.
		(iv) Inter-se-seniority of employees of any cadre shall be determined by the managing committee.
Medical certificate and character certificate. section 24 (2).	164.	Every employee shall be required to produce the following certificates on appointment in the school : - (a) medical certificate of fitness from a hospital established or maintained by the Government or local authority; (b) two certificates from educationists or any other respectable members of Society, not related to the candidate, certifying the character and conduct to the satisfaction of the school authorities; (c) original degree/diploma, certificates along with certificate(s) of experience, if any; with attested photocopies thereof. Original certificates will be returned after verification.
Probation. sections 24 (2).	165.	(1) Except in the case of a purely temporary vacancy or leave vacancy or for a specific post of temporary nature, every employee shall on initial appointment be on probation for a period of one year from the date of his

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joining the duties. The period of probation may be extended by the managing committee for a further period not exceeding one year. Services of an employee during probation may be terminated by the managing committee with assigning reasons and by giving one month's notice in writing or one month's salary including all allowances.

- (2) If an employee desires to be relieved during the period of probation, it will be necessary for him to give one month's notice in writing or one month's salary including all allowances unless and otherwise the managing committee permits relaxation under special circumstances.

166.(1) If the work and conduct of an employee during the period of probation are found to be satisfactory, he shall become eligible for confirmation on the expiry of the period of probation or the extended period of probation, as the case may be, with effect from the date of expiry of the said period provided he fulfils all other requisite conditions.

- (2) The employee shall be informed of his confirmation within three months of the completion of probation period.

167.(1) If an employee at any time after confirmation intends to resign he shall give three months' notice in writing or three months' salary including all allowances to the managing committee.

- (2) The managing committee shall also be competent to terminate the services of

Confirmation.
sections 24 (2).

Resignation and
termination of
service due to
abolition of posts.
sections 24 (2).

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	<p>a confirmed employee only in case of abolition of a post due to closing down of school / a class or reduction in the number of sections of a class or discontinuance of a teaching subject by giving three months notice in writing or three months salary including all allowances.</p> <p>(3) The managing committee shall have the power to relax the period of notice or payment of salary in special circumstances.</p>
Retirement. sections 24 (2).	<p>168.(1) Every employee shall retire from service on attaining the age of superannuation as per corresponding categories of employees of aided schools of the State.</p> <p>(2) The managing committee may grant extension as per rules of State if the employee has no mental or physical disabilities and his services are beneficial to the institution.</p>
Maintenance of record by teachers. sections 24 (2).	<p>169. A teacher is expected to maintain the following documents and also any other record as may be specified from time to time : -</p> <p>(a) Attendance Register of the class for which he is the class teacher.</p> <p>(b) Personal Log Book and Class Log Book, Programme of Instructions and Lesson Plans.</p> <p>(c) Cumulative result of his class.</p> <p>(d) Attendance diary of optional subjects in case of teachers teaching such optional subjects.</p> <p>(e) Stock Register of properties held by him.</p>

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(f) CRB (Cumulative Record Book) of the class for which he is a class teacher.	
(g) Fee collection book of the class.	
170.(1) Every employee is expected to reach the school punctually and sign the attendance register on arrival before the working of the school begins and also mark the time of departure.	Attendance of employees. sections 24 (2).
(2) An employee who has not signed the attendance register as above is liable to be considered absent from duty for that date.	
171. Employees except those employed in temporary vacancies and on part-time service, will be required to become members of the contributory provident fund scheme as required under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (Act, 9 of 1952) Employees Pension Scheme, 1995.	Contributory provident fund scheme. sections 24 (2).
172.(1) Representation to the managing committee or Manager may be made only through head of the school in case of teachers/other employees.	Representation. sections 24 (2).
(2)The head of the school may submit his representation to the managing committee through manager/ correspondent of the school.	
173.(1) No teacher shall be permitted to apply for addition to qualifications before the completion of two years service.	Permission to add qualifications. sections 24 (2).
(2) Individual cases duly recommended by the head of the school may be considered when due by the managing committee as also under special circumstances before the completion of two years service.	

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Application for another post. sections 24 (2).

174. (1) No member of the staff shall apply for employment elsewhere without routing through the head of the school in writing.

(2) At the time of appointment each candidate shall be required to declare particulars about all other applications he might have put in for jobs.

Private and other tuitions. sections 24 (2).

175. (1) No staff member shall undertake private or any other tuition without prior permission in writing of the head of the institution.

(2) Group tuitions in the school shall not be allowed.

Leave. sections 24 (2).

176. Every employee shall be entitled to such leave as referred in these rules.

Grant of leave. sections 24 (2).

177. (1) Leave cannot be claimed as a matter of right.

(2) Grant of any leave shall depend on the exigencies of the institution and shall be at the discretion of the head of the institution/manager.

(3) Except in unavoidable circumstances, applications for leave in writing shall be made in advance, a letter or a phone message giving reasons should reach the head of the school on the day of absence. When a phone message is sent, it should be confirmed in writing by the subsequent day. Merely applying for leave will not mean sanction, until and unless the leave is sanctioned by the sanctioning authority.

Note :- An application for leave or extension of leave shall ordinarily be made in good time before the date from which the

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leave or its extension is sought. If any employee does not apply within seven days of the expiry of leave, for further leave, or has been absent from the school without leave for ten school days, the employee may be deemed to have deserted his post.

178. Every employee of an unaided recognised school shall be governed by the following code of conduct and on the violation of any provision of such code of conduct the employee shall be liable to such disciplinary action as specified in these rules.

(a) No employee shall, except with the previous sanction of the managing committee, engage directly or indirectly in any trade or business or undertake any other employment:

Provided that a teacher may with such permission undertake honorary work of a purely social or charitable nature or occasional work of a literacy, artistic nature or scientific nature subject to the condition that his official duties do not suffer thereby and the head of the school or the managing committee does not object thereto.

(b) An employee shall so manage his private affairs as to avoid habitual indebtness or insolvency. Any such employee against whom any legal proceedings are instituted for the recovery of any dues from him or for declaring him as insolvent, shall forthwith report the full facts of the legal proceedings or of declaring him as in insolvent to the head of the school or the managing committee.

Code of conduct
for employees.
sections 24 (2).

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- (c) No employee shall, except with the permission of the Head of the school or the managing committee, appear in any examination.
- (d) No employee shall take part in, subscribe to or assist in any way, any movement which tends to promote feelings of hatred or enmity between different classes of subjects of India or to disturb public peace.
- (e) No employee shall, except with the prior permission of the managing committee, wholly or in part conduct or participate in the editing or managing committee of any newspaper or other periodical publication.
- (f) No employee shall, except with the prior permission of the managing committee, stand for elections to Parliament, State Legislative or any local body.
- (g) No employee shall join or continue to be a member of an association unless such association satisfies the following conditions, namely:-
 - (i) its membership is confined to a district class of employees and is open to all employees of that class;
 - (ii) it is not in any way connected with any political party or any organisation or does not engaged in any political activity;
 - (iii) it has, within a period of six months from its formation, obtained the recognition of Government.

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- (h) 1. Every employee shall:-
- (i) serve efficiently, act in a disciplined manner and maintain absolute integrity and devotion to duty ; and
 - (ii) maintain cordial relations with the pupils and their parents, the need of the institution, other employees, the managing committee and the Government officer concerned;
 - (iii) accept invigilation and answer books evaluation duties assigned by the Board from time to time.
2. No employee shall:-
- (i) without sufficient ground, refuse to undergo a course of training whenever required to do so; and
 - (ii) take part in any activity, which in the opinion of the head of institution, is calculated to lead to indiscipline in the recognized school.
3. Unless otherwise expressly provided, an employee shall, at all times , be at the disposal of the recognised school and shall serve the school in such capacity and at such places as he may, from time to time be directed by the head of the school or the managing committee.
4. Save in exceptional circumstances, no employee shall absent himself from his duty without the prior permission of the head of the school or the managing committee.
5. No employee shall :-
- (i) accept or permit any member of his

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family or any other person acting on his behalf or accept, any gift from any student, parent or any person with whom he has come into contact by virtue of his position in the school;

Explanation 1 :The expression “gift” shall include free transport, hoarding, lodging or other service or any other pecuniary advantage when provided by the person other than a near relation or personal friend having no dealings with him in connection with the school.

Note: A casual meal, gift or other social hospitality of a casual nature shall not include gift.

Explanation 2: On occasion, such as weddings, anniversaries, funerals or religious functions when the making of a gift is in conformity with the prevailing religious or social practice.

- (ii) practice or invite any student to practice casteism, communalism or untouchability;
- (iii) cause or invite any other person to cause any damage to school property;
- (iv) Be guilty of or encourage, violence or any conduct which involves moral turpitude.

Service books and confidential reports. sections 24 (2).

179. (1) Service book containing factual record of the employee, salary scale, increments, promotions, leave record, any disciplinary action or reward etc., shall be maintained for each employee in the form specified by the Director

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from time to time. The signature of the employee shall be obtained for entries in the service book. Service book shall be duly attested by the head of the school in the case of employees and by the person authorised/ the manager in the case of head of the institution.

- (2) Annual confidential roll shall be maintained by the school for every employee including the head of the institution. The confidential roll will contain assessment of work of the employee during the academic year including the results. Confidential rolls for the employees shall be written by the head of the school and for the head of the school by the manager.
- (3) Confidential rolls shall be maintained in the form specified by the Director from time to time and shall be kept confidential. Any adverse entry in the confidential roll shall be communicated to the employee concerned. The employee concerned may represent against the adverse entry. The representation will be considered by the next higher authority and if the higher authority is satisfied that the adverse entry is not justified the same shall be expunged from the annual confidential report.
- (4) Personal files shall be maintained by the school for each employee. The original certificate/degrees shall be returned to the employees after verification and attested photostat copies kept in the personal files. School authorities shall not keep the original certificate with them.

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Disciplinary
procedure.
section 24 (2).

180.(1). The school managing committee may place an employee under suspension where -

(a) disciplinary proceedings against him are contemplated or pending ;

or

(b) a case against him in respect of any criminal offence is under investigation or trial ;

or

(c) he is charged with embezzlement ;

or

(d) he is charged with cruelty towards any student or any employee of the school ;

or

(e) he is charged with misbehaviour towards any parent, guardian, student, or any employee of the school;

or

(f) he is charged with a breach of any other code of conduct.

(2) No order for suspension shall remain in force for more than six months unless the managing committee, for reasons to be recorded in writing, directs the continuation of the suspension beyond the period of six months.

(3) Where the head of the institution/ manager intends to suspend any of the employee, such intention shall be communicated to the managing committee and no such suspension shall

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be made except with the prior approval of the of the managing committee:

Provided that the head of the institution/ manager may suspend an employee with immediate effect and without the prior approval of the managing committee if he is satisfied that such immediate suspension is necessary by reason of the gross misconduct, within the meaning of the code of conduct or moral turpitude:

Provided further that no such immediate suspension or the suspension made with the approval of the managing committee shall remain in force for more than a period of fifteen days from the date of suspension unless it has been communicated to the managing committee and approved by it before the expiry of the said period. Where the intention to suspend, or the immediate suspension of an employee is communicated to the managing committee, it may, if it is satisfied that there are adequate and reasonable grounds for such suspension, accord its approval to such suspension.

- (4) An employee shall be deemed to have been placed under suspension by an order of the school managing committee : -
 - (a) with effect from the date of the detention, if he is detained in police custody for a period exceeding forty-eight hours on a charge of an offence which in the opinion of the managing committee involves moral turpitude;
 - (b) with effect from the date of his conviction, if in the opinion of managing committee the event of a conviction involves moral turpitude, and he is sentenced to a

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term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent upon such conviction.

Explanation - The period of forty-eight hours referred to in this rule shall be computed from the commencement of detention or conviction, as the case may be, and for this purpose intermittent periods of detention shall be taken into account.

- (5) Where a penalty of dismissal or removal from service imposed upon an employee is set aside or rendered void, in consequence of, or, by a decision of a court of law, and the disciplinary authority on a consideration of the circumstances of the case decides to hold further inquiry against such employee on the same allegations on which the penalty of dismissal or removal was originally imposed, such an employee shall be deemed to have been placed under suspension by the managing committee from the date of original order of dismissal or removal and shall continue to remain under suspension until further orders:

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case,

- (6) An order of suspension made or deemed to have been made in these rules shall continue to remain in force until it is modified or revoked by the managing committee.

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- (7) Where an employee is suspended or is deemed to have been suspended and any other disciplinary proceeding is commenced against him during the continuance of that suspension. The managing committee may for reasons to be recorded in writing, direct that the employee shall continue to be under suspension until the termination of all or any such proceeding.
- (8) An order of suspension made or deemed to have been made under these rules may, at any time be modified or revoked by the managing committee.
- (9) An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely-
 - (a) a subsistence allowance of an amount equal to one half of the pay last drawn by him and in addition to such pay, dearness allowance at an appropriate rate to be paid in the same manner as the salary;
 - (b) any other compensatory allowance admissible, from time to time, on the basis of pay of which the employee was in receipt on the date of suspension:

Provided that the employee shall not be entitled to the compensatory allowance unless the managing committee is satisfied that the employee continued to meet the expenditure for which such compensatory allowance is admissible:

Provided further that where the period of suspension is extended beyond six months, the

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managing committee shall be competent to vary the amount of subsistence allowance for the period subsequent to the period of first six months as follows :-

- (i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible for the period of first three months, if, in the opinion of the managing committee, the period of suspension has been prolonged due to reasons not directly attributable to the employee.
- (ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding 50% of the subsistence admissible during the period of first six months, if in the opinion of the managing committee, the period of suspension has been prolonged, due to reasons to be recorded in writing, directly attributable to the suspended employee.
- (c) No payment of subsistence allowance shall be made unless the employee furnishes a certificate to the effect that he is not engaged in any other employment, business, profession or vocation :

Provided that in the case of an employee dismissed or removed from service, who is deemed to have been placed or continued to be under suspension and who fails to produce such a certificate for any period or periods during which he/she is deemed to be placed or continued to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal

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to the amount by which his earnings during such period or periods, as the case may be, fall short of the amount of subsistence allowance and other allowances that would have otherwise been admissible to him. Where the subsistence and other allowances admissible to him/her are equal to or less than the amount earned by him nothing in this proviso shall apply to him.

- (10) Where a suspended employee is exonerated after disciplinary proceeding or where any criminal prosecution against a suspended employee ends with an honourable acquittal, the salaries and allowances of such employee minus the subsistence allowance received by him shall be paid to him from the date on which he was suspended.

181. The following penalties may, for good and sufficient reasons, including the breach of one or more of the provisions of the code of conduct may be imposed upon an employee :

- (a) minor penalties;
 - (i) censure;
 - (ii) recovery from pay, the whole or any part of any pecuniary loss caused to the school by negligence or breach of orders;
 - (iii) withholding of increment of pay;
- (b) Major penalties :
 - (i) reduction in rank;
 - (ii) removal from service, which shall not be a disqualification for future employment in any school ;

Penalties.
section 24 (2)

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Procedure of imposing minor penalty. section 24 (2)
Procedure for imposing major penalty. section 24 (2).

Explanation : The following shall not amount to a penalty within the meaning of this rule, namely :-

- (a) retirement of the employee in accordance with the provisions relating to superannuation;
- (b) replacement of a teacher who was not qualified on the date of his appointment by a qualified one;
- (c) discharge of an employee appointed on a short-term officiating vacancy caused by the grant of leave, suspension or the like.

182. No order in case of a minor penalty shall be made except after informing the employee of the proposal to take action against him and the allegation on which such action is proposed to be taken and except after giving to the employee an opportunity to make any representation against the proposed action

183.(1) No order imposing on any employee any major penalty shall be made except after an inquiry to be held, in the manner specified below : -

- (a) The disciplinary authority shall frame definite charges on the basis of the allegation on which the inquiry is proposed and a copy of the charges together with the statement of the allegations on which they are based shall be furnished to employee and he shall be required to submit within such time as may be specified by the disciplinary authority but not later

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than two weeks, a written statement of his defence and also to state whether he desires to be heard in person

- (b) On receipt of the written statement of defence, or where no such statement is received within the specified time, the disciplinary authority may itself make inquiry into such of the charges as are not admitted or if it considers it necessary to do so, appoint an inquiry officer for the purpose,
- (c) At the conclusion of the inquiry, the inquiry officer shall prepare a report of the inquiry recording his findings on each of the charges together with the reasons thereof,
- (d) The disciplinary authority shall consider the report of the inquiry and record its findings on each charge and if the disciplinary authority is of opinion that any of the major penalties should be imposed, it shall :-
 - (i) furnish to the employee a copy of the report of the inquiry officer, where an inquiry has been made by such officer;
 - (ii) give him notice in writing stating the action proposed to be taken in regard to him and calling upon him to submit within the specified time, not exceeding two weeks, such representation as he may wish to make against the proposed action :
 - (iii) on receipt of the representation, if any, made by the employee, determine what penalty, if any, should be imposed on the employee and communicate its tentative

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Payment of pay and allowances on reinstatement. section 24 (2)

- decision to impose the penalty to the managing committee for its prior approval ;
- (iv) after considering the representation made by the employee against the penalty, record its findings as to the penalty, which it proposes to impose on the employee and send its findings and decision to the managing committee for its approval and while doing so the disciplinary authority shall furnish to the employee all relevant records of the case including the statement of allegations, charges framed against the employee, representation made by the employee, a copy of the inquiry report, where such inquiry was made and the proceedings of the disciplinary authority.
- (2) No order with regard to the imposition of a major penalty shall be made by the disciplinary authority except after the receipt of the approval of the managing committee.
184. (1) When an employee who has been dismissed or removed from service is reinstated as a result of appeal or would have been so reinstated but for his retirement on superannuation while under suspension preceding the dismissal or removal, as the case may be, the managing committee shall consider and make a specific order :-
- (a) with regard to the salary and allowances to be paid to the employee for the period of his

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absence from duty, including the period of suspension preceding his dismissal or removal, as the case may be; and

(b) whether or not the said period shall be treated as the period spent on duty.

(2) Where the managing committee is of opinion that the employee who had been dismissed or removed from service has been fully exonerated, the employee shall be paid the full salary and allowances to which he would have been entitled had he not been dismissed or removed from service or suspended prior to such dismissal or removal from service, as the case may be;

Provided that where the managing committee is of opinion that the termination of the proceedings instituted against the employee had been delayed due to reasons directly attributable to the employee, it may, after giving a reasonable opportunity to the employee to make representation, if any, made by the employee, direct, for reasons to be recorded in writing, that the employee shall be paid for the period of such delay only such proportion of the salary and allowance as it may determine.

(3) The payment of allowance shall be subject to all other conditions under which such allowances are admissible and the proportion of the full salary and allowances determined under the proviso to sub-rule (2) shall not be less than the subsistence allowance and other admissible allowances.

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Disciplinary
committee.
section 24 (2).

185. (1) In case the employee wishes to appeal against the order of the disciplinary authority, the appeal shall be referred to a disciplinary committee. The disciplinary committee shall consist of the following : -
- (a) the chairman of the school managing committee or in his absence any member of the managing committee nominated by him;
 - (b) the manager of the school, and where the disciplinary proceeding is against him, any other person of the managing committee nominated by the chairman;
 - (c) a nominee of the Board/appropriate authority. He shall act as an adviser;
 - (d) the head of the school, except where the disciplinary proceeding is against him, if the disciplinary proceedings are pending against him then the head of any other school nominated by the managing committee.
 - (e) one teacher who is a member of the school managing committee nominated by the chairman of the managing committee.
- (2) The disciplinary committee shall carefully examine the findings of the inquiry officer, reasons for imposing penalty recorded by the disciplinary authority and the representation by the employee, and pass appropriate orders as it may deem fit.
