

# ***SERVICE RULES FOR EMPLOYEES***

## **Appointments**

- (1) All appointments to all categories of employees except Group 'D' employees as per Government of India gradation shall be made by Managing Committee either by direct recruitment or by promotion through a Selection Committee constituted by the School Society/ Trust and in accordance with and upon such conditions as the Managing Committee may decide, which shall be consistent with the norms of the Board/Government if statutory provision exists. Appointment of Group 'D' employees will be made by the Principal through constituted Selection Committee.
- (2) The selection Committee shall include:
  - a) in the case of recruitment of the Head of the school:
    - i) the President of the Society;
    - ii) the Chairman of the Managing Committee
    - iii) an educationist, nominated by the managing committee; and
    - iv) a person having experience of administration of schools, 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/Lab. 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 class IV staff :
    - i) the Head of the institution;
    - ii) a nominee of 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 trust or society running the school.
- (4) The appointment of every employee of a school shall be made by its managing committee.
- (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 reason for such non acceptance and refer the matter to the trust or society running the school and the trust or society, as the case may be, shall decide the same.
- (6) Employees shall be appointed subject to the provisions of this agreement and they shall have to comply with all the requirements of the provisions contained herein.

## **Medical Certificate and Character Certificate etc.**

1. Every employees 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**

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/her joining the duties. The period of probation may be extended by the Managing Committee by a further period not exceeding one year. Services of an employee during probation may be terminated by the Managing Committee without assigning any reason 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.

### **Confirmation**

1. If the work and conduct of an employee during the period of probation are found to be satisfactory, he/she will 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/she fulfils the other requisite conditions.
2. The employee shall be informed of his confirmation within 3 months of the completion of probation period.

### **Termination of Service due to Abolition of Posts etc.**

1. If an employee at any time after confirmation intends to resign he/she shall give three month's 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 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.
3. The Managing Committee shall have the power to relax the period of notice or payment of salary in special circumstances.

## **Retirement**

1. Every employee including Head of institution shall retire from service on attaining the age of 60. However if the age of superannuation falls during the academic session, the concerned employee will retire at the end of the academic session.  
  
Provided further that if such employee is a recipient of National/State/CBSE Teachers Award. He may be considered for a further extension of service for two years after attaining the age of superannuation provided he is medically fit and is prepared to serve the school. The school managing committee after considering such case of extension of service, shall forward the details to the Board.
2. The Managing Committee may grant extension as per rule of State/UT if the employee has no mental or physical disabilities and his/her services are beneficial to the institution.
3. The Board will be informed of such extension by the SMC.

## **Working Days and Working Hours**

1. The working days and holidays will be as per State Government Schools or Kendriya Vidyalayas.
2. The working hours will be such as may be specified from time to time by the Principal. Normally the working hours will conform to the Kendriya Vidyalayas.
3. Working hours may be different for teaching and non-teaching staff as may be specified by the Principal.
4. As and when required an employee may be assigned any special duty even if it is to be done beyond the normal working hours in the interest of the school.
5. An employee is also required to conduct and organize co-curricular programmes and perform other duties even beyond the normal working hours.

## **Number of Teaching periods**

1. Normally a teacher should be engaged as a whole-time employee except in special cases because of the nature of a subject where the work load does not justify a whole time teacher.
2. Every teacher shall devote in a year not less than 1200 hours to the teaching of students, out of which not more than 200 hours may be required to be devoted for the coaching in the school premises, of weak or gifted students, whether before or after the school hours.
3. Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him at such rate as may be determined ,by the managing committee, for every hour in excess of 1200 hours devoted by him to the teaching of students.
4. In the case of an aided school, the extra remuneration referred to in sub-rule 32(3) shall be subject to the previous approval of the grant-in-aid authority to qualify for aid of 95 per cent of such extra remuneration, and in the case of an unaided recognized school, such extra remuneration may be recovered from the students at such proportionate rate as may be determined by the managing committee.

## **Maintenance of Record by the Teachers**

1. A teacher is expected to maintain the following documents and also any other record as may be specified from time to time.
  - a) Attendance Register of the class for which he/she is the Class Teacher.
  - b) Personal Log Book and Class Log Book, Programme of Instruction and Lesson Plans.
  - c) Cumulative result of his class.
  - d) Attendance Diary of optional subjects in case of teachers teaching such optional subjects.
  - e) Stock Register of properties held by him/her.
  - f) CRB (Cumulative Record Book) of the class for which he/she is a class teacher.
  - g) Fee collection book of the class.

## **Attendance of Employees**

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.
2. An employee who has not signed the attendance register as above is liable to be considered absent from duty for that date.

## **Contributory Provident Fund - Pension Scheme**

1. 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 or shall be eligible for pension and gratuity, if adopted by the school.
2. Those eligible for pension shall contribute to GPF as per Government Rules.

## **Representations**

1. Representation to the Managing Committee, Chairman of the Society or Manager may be made only through Principal in case of teachers/other employees.
2. The Principal may submit his representation to Managing Committee/Chairman of the Society through his next higher up- Manager/Correspondent of the School.

## **Permission to add Qualifications**

1. No teacher shall be permitted to apply for adding qualifications before completing two years service.
2. Individual cases duly recommended by the Principal may be considered when due by the Managing Committee as also under special circumstances before completion of 2 years.

## **Application for Another Post**

1. No member of the staff shall apply for employment elsewhere without notifying through the Principal in writing to the S.M.C. which may grant such permission.
2. At the time of appointment each candidate will be required to declare particulars about all other applications he/she might have put in for jobs.

## **Private and Other Tuitions**

1. No staff member shall undertake private or any other tuition without prior permission in writing of the Principal/Head of the Institution.
2. Group Tuitions in the school shall not be allowed.

## **Leave**

1. Every employee shall be entitled to such leave as are admissible to the employee of a corresponding status in Government schools.
2. Encashment/accumulation of leave shall also be allowed as per Govt. rules.

## **Grant of Leave**

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 Principal/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 Principal 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 should ordinarily be made in good time before the date from which the 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.

## **Code of Conduct for employees**

1. Every employee shall be governed by the Code of Conduct. The following acts shall constitute breach of code of conduct:
  - i) Habitual late coming and negligence of duty.
  - ii) use of abusive language, quarrelsome and riotous behavior.
  - iii) Insubordination and defiance of lawful order.
  - iv) Disrespectful behavior, rumor mongering and character assassination.
  - v) Making false accusations or assault either provoked or otherwise.
  - vi) Use of liquor or narcotics on the school premises.
  - vii) Embezzlement of funds or misappropriation of school property or theft or fraud. viii)

Mutilation/destruction of school records and property.

- ix) Conviction by a court of law for criminal offence.
  - x) Possession in school premises of weapons, explosives, and other objectionable materials.
  - xi) Indulging in or encouraging any form of malpractice connected with examination or other school activities.
  - xii) Divulging confidential matters relating to school.
  - xiii) Obstructing other members of the staff from lawful duties and indulging in any sort of agitation to coerce or embarrass the school authorities.
  - xiv) Carrying on personal monetary transactions among themselves, with the student and/or with the parents.
  - xv) Taking active part in politics.
  - xvi) Propagating through teaching lessons or otherwise communal or sectarian outlook or inciting or allowing any student to indulge in communal or sectarian activity.
  - xvii) Making sustained neglect in correcting class work or home work.
  - xviii) Taking private tuitions without permission of school authorities.
  - xix) Organizing or attending any meeting during school hours except when he is required or permitted by the Head of the school to do so.
  - xx) Absenting from work even though present in the school premises or absent without leave.
  - xxi) Preparing or publishing any book or books commonly known as keys or assist whether directly or indirectly in their publication or as a selling agent or canvasser for any publishing firm or trader.
  - xxii) Asking for or accept, except with the previous sanction of the society, any contribution or otherwise associate himself with the raising of funds of any kind or make any collection whether in cash or in kind, in pursuance of any object whatsoever, except subscription from the members of any association of teachers.
2. All the teachers are expected to be exemplary in their public and private life. Their loyalty, sense of dedication and integrity of character at all times should be an inspiration of the youth committee to their care. The teacher shall attend to his duties with care and commitment, be punctual in attendance and dutiful in respect of class room and also for any other work connected with the duties assigned to him by the Head of the school or the Board. He shall abide by the rules and regulations of the school and carry out the lawful orders and also show due respect to the constituted authorities.
3. The following shall not be deemed as a breach of the Code of Conduct.
- i) to appear at an examination to improve his qualifications with the Permission of the employer.
  - ii) to become, or to continue to be a member of any religious, literary, scientific or professional organization or cooperative society.
  - iii) to organize or attend any meeting outside the school hours subject to the condition that such meeting is held outside the school premises.
  - iv) to make any representation to the management for the reprisal of any bonafide grievance, subject to the condition that such representation is not made in rude or indecorous language.

## Service Books and Confidential Rolls

1. Service Book containing factual record of the employee, salary scale, increments, promotion, leave record, any disciplinary action or reward etc. shall be maintained for each employee on the form prescribed by the Education Directorate of the State/U.T. concerned. The signature of the employee shall be obtained for entries in the Service Book. Service Book should be duly attested by the Head of the school in the case of employees and by the person authorized / the Manager / Secretary / Correspondent 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 institution and for the Head of the Institution by the Manager / Secretary/ Correspondent.
3. Confidential rolls should be maintained in the form prescribed by the Education Department of the State/U.T. concerned and should be kept confidential. Any adverse entry in the confidential roll should 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 ACR.
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 Photostat copies kept in the personal files. School Authorities should not keep the original certificate with them.

## Disciplinary Procedure

### **Suspension**

1. The school Managing Committee may place an employee under suspension where:
  - a) The disciplinary proceedings against him are contempt or pending.  

Or
  - b) A case against him / her in respect of any criminal offence is under investigation or trial: Or
  - c) he/she is charged with embezzlement;  

Or
  - d) he/she is charged with cruelty towards any student or any employee of the school; Or
  - e) he/she is charged with misbehavior towards any parent, guardian student or employee of the school;  

Or
  - f) he/she 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 Committee, for reasons to be recorded by it in writing directs the continuation of the suspension beyond the period of six months.
3. Where the Principal/Manager intends to suspend any of the employee such intention shall be communicated to the Chairman of the School, Managing Committee and no such suspension shall be made except with prior approval of the Chairman of the Committee provided that the Principal/Manager may suspend an employee with immediate effect and without prior approval of the Chairman of the Committee if he/she satisfied that such immediate suspension is necessary by reason of the gross misconduct

within the meaning of the Code of Conduct or involves moral turpitude.

Provided further no such immediate suspension or the suspension made with the approval of the Chairman of the 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 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 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/she is detained in custody for a period exceeding forty eight hours on a charge of an offence which in the opinion of the committee involves moral turpitude;
  - b) with effect from the date of his/her conviction, if in the event of a conviction for an offence involving in the opinion of the Committee moral turpitude he/she is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired from service consequent on 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 add for this purpose intermittent periods of detention shall be taken into account.

5. Where penalty or dismissal, removal or compulsory retirement 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, removal, or compulsory retirement was originally imposed such an employee shall be deemed to have been placed under suspension by the committee from the date of original order of dismissal, removal or compulsory retirement 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 to 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 Committee.
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 Committee may for reasons to be recorded by it 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 deemed to have been made under these rules may, at any time be modified or revoked by the Committee.
9. **Subsistence allowance:** An employee under suspension shall, in relation to the period of suspension, be entitled to the following payments, namely :
  - a) A subsistence allowance at an amount equal to one half of the pay last drawn by him/ her and in addition to such pay, dearness allowance at an appropriate 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 Committee is satisfied that the employee continued to meet the expenditure for which such compensatory allowance is admissible.

Provided that where the period of suspension is extended beyond three months, the Committee shall be competent to vary the amount of subsistence allowance for the period subsequent to the period of first three months as follows:

- i) The amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty percent of the subsistence allowance admissible for the period of the first three months if in the opinion of the Committee to be recorded in writing, 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 three months, if in the opinion of the Appointing Authority, the period of suspension has been prolonged, due to reasons to be recorded in writing, directly attributable to the suspended employee.
- iii) No payment of subsistence allowance shall be made unless the employee furnishes a certificate to the effect that he/she is not engaged in any other employment, business, profession or vocation.

Provided that in the case of an employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension and who fails to produce such a certificate for any period or periods during which he/she is deemed be placed or continue to be under suspension, he/she shall be entitled to the subsistence allowance and other allowances equal to the amount by which his/her earnings during such period or periods as the case may be fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him/her. Where the subsistence and other allowances admissible to him/her are equal to or less than the amount earned by him /her nothing in this proviso shall apply to him/her.

10. Where suspended employee is exonerated after disciplinary proceedings or where any criminal prosecution against a suspended employee ends with an honorable acquittal, the salaries and allowances of such employees minus the subsistent allowance received by him/her shall be paid to him/her from the date on which he/she was suspended.

### **Penalties**

- 1) 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) Compulsory retirement
    - iii) Removal from service, which shall not be a disqualification for future employment in any school run by the Society.

**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, retirement;
- b) Replacement of a teacher who has not qualified on the date of his/her 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.

### **Procedure of Imposing Minor Penalty**

No order in case of a minor penalty shall be made except after informing the employee of the proposal to take action against him/her 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.

### **Procedure for Imposing Major Penalty**

1. No order imposing on any employee any major penalty shall be made except after an inquiry is held as far as may be, 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 to be held 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/she shall be required to submit within such time as may be specified by the - disciplinary authority but not later than two weeks, a written statement of his / her defense and also to state whether he/she desires to be heard in person;
  - b) On receipt of the written statement of defense, 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 enquiry officer, where an inquiry has been made by such officer;
    - ii) give him/her notice in writing stating the action proposed to be taken in regard to him/her and calling upon him/her to submit within the specified time, not exceeding two weeks, such representation as he/she may wish to make against the proposed action,
    - iii) on receipt of the representation if any, made by the employee, the disciplinary authority shall determine what penalty, if any should be imposed on the employee and communicate its

tentative decision to impose the penalty to the Committee for its prior approval;

- iv) after considering the representation, made by the employee against the penalty, the disciplinary authority shall record its findings as to the penalty, which it proposes to impose on the employee and send its findings and decision to the 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 Committee.

### **Payment of Pay and allowances on Reinstatement**

- 1) When an employee who has been dismissed, removed or compulsorily retired 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, removal or compulsory retirement as the case may be, the 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 absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement 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 Committee is of opinion that the employee who had been dismissed, removed or compulsorily retired 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, removed or compulsorily retired from service or suspended prior to such dismissal, removal or compulsory retirement from service, as the case may be :

Provided that where the 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 by it 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 48(2) shall not be less than the subsistence allowance and other admissible allowances.

## Disciplinary Committee

- 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 Committee, nominated by him.
  - b) The Manager of the school, and where the disciplinary proceedings is against him/her any *other* person of the Committee nominated by the Chairman.
  - c) A nominee of the Board appropriate authority. He/ she shall act as an adviser.
  - d) The Head of the school, except where the disciplinary proceeding is against him/her, the Head of any other school nominated by the CBSE or Director of Education in case the Act so provides.
  - e) One teacher who is a member of SMC of the school nominated by the Chairman of the 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 orders as it may deem fit.