



GOVERNMENT OF MAHARASHTRA  
EDUCATION DEPARTMENT

**Maharashtra Employees of Private  
Schools' (Conditions of Service)  
Rules, 1981**

NIF PA DC



D00694



PRINTED IN INDIA BY THE MANAGER, GOVT. PHOTOZINCO PRESS PUNE AND  
PUBLISHED BY THE DIRECTOR, GOVERNMENT PRINTING AND STATIONERY  
MAHARASHTRA STATE, BOMBAY-4

[Price Rs. 2-00]

NIEPA DC



D00694

S. S. Narayana Murthy Unit,  
National Institute of Educational  
Planning and Administration  
17-B, SriAurobindo Marg, New Delhi-110016  
DOC. No. D. 694 .....  
Date..... 28/3/83 .....

**EDUCATION AND EMPLOYMENT DEPARTMENT**

Mantralaya Annexe, Bombay 400 032, dated the 16th July 1981

**MAHARASHTRA EMPLOYEES OF PRIVATE SCHOOLS (CONDITIONS OF SERVICE)  
REGULATION ACT, 1977.**

No. STR. 1081/2/SE-3 Cell.—In exercise of the powers conferred by sub-sections (1) and (2) of section 16 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (Mah. III of 1978), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (3) of the said section 16, namely:—

1. *Short title.*—These rules may be called the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981.

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) “ Act ” means the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (Mah. III of 1978) ;

(b) "aided school" means a school which receives grant-in-aid either from Government or a local authority; but does not include a Primary School recognised by the Municipal Corporation of Greater Bombay;

(c) "Chief Executive Officer" means the Secretary, Trustee, Correspondent or a person by whatever name called who is empowered to execute the decisions taken by the Management;

(d) "Directorate" means the Directorate of Education or, as the case may be, the Directorate of Technical Education, Maharashtra State;

(e) "Education Officer"—

(i) in relation to a private secondary or higher secondary school or Junior College of Education in Greater Bombay, means an Educational Inspector,

(ii) in relation to a private primary school in the areas of any Municipal Corporation or Municipal Council, means the Education Officer or the Administrative Officer of a Municipal Corporation or a Municipal School Board, as the case may be, and

(iii) in relation to any private school in areas elsewhere in the State of Maharashtra, means an Education Officer in a Zilla Parishad;

(f) "Government" means the Government of Maharashtra;

(g) "Girls School" means a school in which only girls are admitted;

(h) "Schedule" means a Schedule appended to these rules;

(i) "School Committee" means a Committee constituted in accordance with the provisions of Schedule "A";

(j) "trained graduate" means a person possessing the qualifications mentioned in sub-clauses (i) to (vi) of clause (1) of item 11 in Schedule "B";

(k) "trained teacher" means a teacher who has secured a professional certificate, a diploma or a degree recognised by the Department which qualifies him for a teaching post in a school;

(l) "night school" means a secondary or higher secondary school which admits pupils who have completed eleven years of age and above, and which teaches the secondary or higher secondary school course for half the daily working hours of a day school to pupils who are unable by their daily avocations to attend day schools.

(2) Words and expressions used but not defined in these rules shall have the meaning respectively assigned to them in the Act.

3. *Qualifications and appointment of Head*.—(1) A person to be appointed as the Head—

(a) (i) of a primary school having an enrolment of students above 200 or having Standards I to VII shall be the seniormost trained teacher who has put in not less than five years' service; and

(ii) of any other primary school shall be the seniormost teacher in the school;

(b) of a secondary school including night school or a Junior College of Education shall be a graduate possessing Bachelor's degree in teaching or education of a statutory University or any other qualification recognised by Government as equivalent thereto and possessing not less than five years' total full-time teaching experience after graduation in a secondary school or a Junior College of Education out of which at least two years' experience shall be after acquiring Bachelor's degree in teaching or education :

Provided that, in the case of a person to be appointed as the Head of a night secondary school —

(i) he shall not be the one who is holding the post of the Head or Assistant Head of a day school, and

(ii) the experience laid down in clause (b) of sub-rule (1) may be as a part-time teacher.

(2) In the case of appointment to the post of Head of a secondary school including night school or a Junior College of Education if there is no person with the teaching experience mentioned in clause (b) of sub-rule (1) available on the staff of the school or if the qualified persons, though available and eligible, relinquish their claims for the post of Head and if a Management desires to appoint a person, from the teaching staff of the school who does not possess the requisite teaching experience mentioned in clause (b) of sub-rule (1), it shall apply to the Deputy Director for relaxing the requirement. The Deputy Director may, after recording reasons in writing, grant or refuse such relaxation. In such cases, the appointment shall not be made without obtaining the previous approval of the Deputy Director.

*Note.*—In the case of a graduate teacher already in service in a secondary school or Junior College of Education for more than fifteen years on the 1st June 1963, the Deputy Director shall relax the requisite qualifications for appointment of such teacher as a Head.

(3) The Management of a school including a night school shall fill up the post of the Head by appointing the seniormost member of the teaching staff (in accordance with the guidelines laid down in Schedule "F" from amongst those employed in a school (if it is the only school run by the Management) or schools [if there are more than one school (excluding night school) conducted by it] who fulfils the conditions laid down in sub-rule (1) and who has a satisfactory record of service.

*Explanation.*—For the purpose of this rule, the claim of the senior-most qualified teacher having satisfactory record of service, for the post of the Head, may be disregarded only if he, of his own free will, gives a statement in writing to the Education Officer that he has voluntarily relinquished his claim to the post. This shall not debar him from being considered for subsequent vacancies as and when they occur. Such a teacher shall record his statement in his own handwriting before the Education Officer and the latter shall endorse it as having been recorded in his presence. Such statement once duly made before the Education Officer shall not be allowed to be withdrawn.

(4) In the case of a girls' secondary school or Junior College of Education for Women, the seniormost lady teacher fulfilling the conditions laid down in clause (b) of sub-rule (1) and having satisfactory record of service, shall be appointed as the Head of that school irrespective of her seniority *vis-a-vis* the male teachers.

(5) (a) If a suitable teacher possessing qualifications laid down in the foregoing provisions of this rule is not available to fill in the post of a Head of a school, the Management shall, with the prior permission of the Education Officer in case of primary schools, or of the Deputy Director in the case of other schools, advertise the post and select and appoint a person possessing the requisite qualifications and experience.

(b) The application for permission to advertise the post shall be made at least two months in advance. The period of two months may be relaxed by the Education Officer or the Deputy Director, as the case may be, in the case of new schools or in emergency cases wherein the vacancy could not have been anticipated. The advertisement shall be given after the permission of the Deputy Director or the Education Officer is received. Management shall ensure that the advertisement appears in at least one daily newspaper having wide circulation in the region wherein the primary school or secondary school or Junior College of Education is located.

(6) The Education Officer or the Deputy Director shall direct the Management to cancel the appointments made without following the procedure laid down in this rule.

*Explanation.*—For the purposes of this rule the record of service shall be deemed to be satisfactory if there is nothing adverse in the annual confidential reports of the teacher concerned during the previous five years. Adverse remarks not duly communicated in writing to the teacher concerned, shall be disregarded for this purpose.

4. *Responsibilities of a Head.*—Subject to the superintendence and control of the Management, the Head as an administrative and academic head of the school shall be responsible for—

(a) improvement of academic standard of the school ;

(b) performing assigned teaching work ;

(c) assisting in planning and conduct of academic programmes such as orientation courses, seminars, in-service and other training programmes organised by agencies such as National Council of Educational Research and Training, the State Institute of Education and other State level institutions ;

(d) admissions of students and maintenance of discipline in the School ;

(e) maintenance of accounts ;

(f) management of the school library, laboratories, hostel for students exclusively from the school of which he is the Head ;

- (g) correspondence relating to the administration of the school;
- (h) organisation and supervision of the curricular and co-curricular activities and maintenance of school record ;
- (i) observance of the provisions of rules, regulations, the secondary schools code and other orders issued by Government and instructions pertaining to the administration of the school issued by the Management from time to time ;
- (j) supervision and conduct of the examinations including the examinations conducted by the Government, the Maharashtra State Board of Secondary and Higher Secondary Education and the Directorate and the work of internal assessment and such other work pertaining to the examinations as assigned ;
- (k) assessing work of assistant teachers and other staff and maintenance of service books of the employees of the school;
- (l) Any other work relating to the organization and administration of the school as may be assigned to him by the Management or the Department from time to time.

5. *Qualifications and Appointment of Assistant Head and Supervisor:—*  
 (1) Management of secondary school with more than twenty classes shall appoint an Assistant Head to assist the Head in his organizational, administrative and supervisory duties.

(2) Subject to the provisions of sub-rule (5), the provisions of rule 3 relating to qualifications and appointment of Head shall *mutatis mutandis* apply to the post of an Assistant Head and Supervisor.

(3) Management of secondary school with more than ten classes shall appoint one or more Supervisors in accordance with the provisions of sub-rule (4).

(4) The number of posts of Supervisors in a school shall be regulated in the following manner, namely :—

(i) schools having 10 or less than 10 classes. No Supervisor.

(ii) schools having more than 10 classes but not exceeding 30 classes. One post of Supervisor.

(iii) schools having more than 30 classes but not exceeding 40 classes. Two posts of Supervisors.

(iv) schools having more than 40 classes. Three posts of Supervisors.

(5) The posts of supervisors shall be filled in only from amongst the permanent staff strictly on the basis of seniority-cum-merit. Seniority shall be determined on the basis of guidelines given in Schedule " F ". Merit shall be determined in accordance with the record of service within the meaning of that expression in the *explanation* below sub-rule (6) of rule 3.

6. *Qualifications of teachers.*—The minimum qualifications for the posts of teachers and the non-teaching staff in the primary schools, secondary schools, Junior Colleges and Junior Colleges of Education shall be as specified in Schedule “ B ” :

Provided that, the Education Officer may allow Managements to appoint untrained Science graduate teachers for teaching Mathematics and Science subjects or untrained Arts or Commerce graduates for teaching other subjects in secondary schools in exceptional circumstances, such as non-availability of trained graduates. Such appointments shall, however, be allowed on an year-to year basis, on the clear understanding that they shall have to obtain training qualification at their own cost and further subject to the condition that their services shall be liable for termination as soon as trained graduate teachers become available.

7. *Scales of Pay and Allowances.*—(i) The scales of pay for full-time as well as part-time Heads, Assistant Heads, Supervisors, Teachers and the non-teaching staff in the primary schools, secondary schools including night schools, Junior Colleges and Junior Colleges of Education, shall be as specified in Schedule “ C ”.

(ii) The allowances such as dearness allowance, compensatory local allowance and house rent allowance admissible from time to time at the place of duty to the full-time employee of a school shall be payable at the rates and according to such rules as are sanctioned by Government specifically to the employees of private schools.

(iii) The rates of dearness allowance applicable to part-time teaching and non-teaching staff in schools including night schools shall be such as may from time to time be determined by the Government by general or special order.

8. *Determining the pay-scale admissible to the Head and admissibility of posts of Assistant Head, Supervisors etc.*—(1) Admissibility of—

(a) the scale of pay to the post of Head in any school, and

(b) the post of Assistant Head, and the number of posts of Supervisors and other teaching and non-teaching staff,

shall be determined on the basis of the strength of students on the roll or the number of divisions of the school, as the case may be, as on the 1st August of a year.

(2) After the appointments to the teaching and non-teaching posts are made, the names and particulars of qualifications and experience of the persons so appointed shall be forwarded within a fortnight from the date of each such appointment to the Education Officer and in the case of Junior College of Education to the Deputy Director.



9. *Appointment of staff.*—(1) The teaching staff of the school shall be adequate having regard to the number of classes in the school and the curriculum including alternative courses provided and the optional subjects taught therein.

(2) Appointments of teaching staff (other than the Head and Assistant Head) and those of non-teaching staff in a school shall be made by the School Committee :

Provided that, appointments in leave vacancies of a short duration not exceeding three months, may be made by the Head, if so authorised by the School Committee.

(3) Unless otherwise provided in these rules for every appointment to be made in a school, for a teaching or a non-teaching post, the candidates eligible for appointment and desirous of applying for such post shall make an application in writing giving full details regarding name, address, date of birth, educational and professional qualifications, experience, etc. attaching true copies of the original certificates. It shall not be necessary for candidates other than those belonging to the various sections of backward communities for whom posts are reserved under sub-rule (7) to state their castes in their applications.

(4) The age-limit for appointment to any post in a school shall be as follows, namely :—

(a) for an appointment to be made to any post in a primary school, a candidate shall not be less than 18 years of age and more than 25 years of age, and in the case of candidate belonging to the Backward Classes he shall not be more than 30 years of age:

Provided that, upper age-limit may be relaxed in case of women, ex-servicemen and persons having previous experience with the previous permission of the Deputy Director.

(b) for an appointment to be made to any post in any school other than primary school, a candidate shall not be below the age of 18 years.

(5) A letter of appointment order in the Form in Schedule "D" shall be issued to a candidate appointed to the post. A receipt in token of having received the appointment order shall be obtained from the candidate appointed.

(6) Every employee shall within three months of his appointment, undergo medical examination by a registered medical practitioner named, if any, by the Management or otherwise by any registered medical practitioner. The expenses of medical examination shall be borne by the Management. The appointment shall be conditional pending certificate that he is free from any communicable disease and that he is physically fit to be so appointed.

(7) The Management shall reserve 34 per cent of the total number of posts of the teaching as well as non-teaching staff for the members of the Scheduled Castes, Scheduled Castes converts to Buddhism, Scheduled Tribes, Denotified Tribes, Nomadic Tribes and Other Backward Classes as follows, namely :—

- |  |             |
|--|-------------|
| (a) Scheduled Castes and Scheduled Castes converts to Buddhism.          | 13 per cent |
| (b) Scheduled Tribes including those living outside the specified areas. | 7 per cent  |
| (c) Denotified Tribes and Nomadic Tribes.                                | 4 per cent  |
| (d) Other Backward Classes.  | 10 per cent |

(8) For the purpose of filling up the vacancies reserved under sub-rule (7) the Management shall advertise the vacancies in at least one newspaper having wide circulation in the region and also notify the vacancies to the Employment Exchange of the District and to the District Social Welfare Officer requisitioning the names of qualified personnel, if any, registered with them. If it is not possible to fill in the reserved post from amongst candidates, if any, who have applied in response to the advertisement or whose names are recommended by the Employment Exchange or the District Social Welfare Officer or if no such names are recommended by the Employment Exchange or the District Social Welfare Officer within a period of one month the Management may proceed to fill up the reserved post in accordance with the provisions of sub-rule (9).

(9) (a) In case it is not possible to fill in the teaching post for which a vacancy is reserved for a person belonging to a particular category of Backward Classes, the post may be filled in by selecting a candidate from the other remaining categories in the order specified in sub-rule (7) and if no person from any of the categories is available, the post may be filled in temporarily on an year-to-year basis by a candidate not belonging to the Backward Classes.

(b) In the case of a non-teaching post, if a person from the particular category of Backward Classes is not available, the Management shall make efforts with regular intervals to fill up the post within the period of five years and the post shall not be filled up during that period by appointing any other person who does not belong to the respective category of Backward Class.

(10) (a) The Management shall reserve 24 per cent of the total number of posts (or vacancies) of Heads and Assistant Heads for the members of Scheduled Castes, Scheduled Castes converts to Buddhism, Scheduled Tribes, Denotified Tribes and Nomadic Tribes as follows, namely :—

- |   |             |
|---|-------------|
| (i) Scheduled Castes and Scheduled Castes converts to Buddhism.           | 13 per cent |
| (ii) Scheduled Tribes including those living outside the specified areas. | 7 per cent  |
| (iii) Denotified Tribes and Nomadic Tribes.                               | 4 per cent  |

(b) In case it is not possible to fill in the post of a Head or Assistant Head for which a vacancy is reserved for a person belonging to the Castes and Tribes specified in clause (a), the post may be filled in by promoting a candidate from the other remaining categories in the order specified in clause (a), so however that the percentage of filling up such vacancies does not exceed the limit laid down for each such category. If candidates belonging to any of these categories are not available, then the vacancy or vacancies—

(i) of the Head may be filled in by promoting any other teacher on the basis of seniority-cum-merit after obtaining previous approval of the Education Officer;

(ii) of the Assistant Head shall be kept unfilled for a period of three years unless such vacancy or vacancies could be filled in by promotion of any teachers belonging to such Castes or Tribes becoming available during that period.

(11) The provisions of sub-rules (7), (8) and (10) shall not apply to a School having 10 or less than 10 posts (inclusive of both teaching and non-teaching) on its establishment.

10. *Categories of Employees.*—(1) Employees shall be permanent or non-permanent. Non-permanent employees may be either temporary or on probation.

(2) A temporary employee is one who is appointed to a temporary vacancy for a fixed period.

11. *Service Book.*—(1) A service book and leave account in the Form in Schedule "E" shall be opened in duplicate for each employee in the school within three months from the date of his appointment and the service and leave record of the employee shall be maintained therein. The duplicate copy shall be supplied to the employee concerned and brought up-to-date from time to time.

(2) The entries in the service book especially those relating to the date of birth, medical examination, educational and professional qualifications, etc., shall be verified by the Head of the school personally from the original record such as Birth Registration Certificate, School Leaving Certificate, Secondary School Certificate, Medical Examination Certificate, Degree, Diploma, Certificates etc. A remark, that "the entries are made in accordance with the original certificates" shall be made in the respective columns and signed and dated by the Head after verification.

12. *Seniority List.*—(1) Every Management shall prepare and maintain seniority list of the teaching staff including Head Master and Assistant Head Master and non-teaching staff in the School in accordance with the guidelines laid down in Schedule "F". The seniority list so prepared shall be circulated amongst the members of the staff concerned and their signatures for having received a copy of the list shall be obtained. Any subsequent change made in the seniority list from time to time shall also be brought to the notice of the members of the staff concerned and their signatures for having noted the change shall be obtained.

(2) Objections, if any, to the seniority list or to the changes therein shall be duly taken into consideration by the Management.

(3) Disputes, if any, in the matter of *interse* seniority shall be referred to the Education Officer for his decision.

13. *Vacation and Vacation Pay.*—(1) Subject to the provisions of this rule, all the employees on the teaching staff including Head Masters, Laboratory Assistants and Laboratory Attendants in a school shall be entitled to vacations as follows, namely :—

(i) a short vacation which may either commence in the month of October or November every year generally to cover Diwali Festival ;

(ii) a Summer vacation which may ordinarily commence in the month of May every year.

The dates of commencement and the periods of vacations shall be notified by the Educational Inspector, or as the case may be, the Education Officer in Zilla Parishad.

(2) Non-permanent employee shall be entitled to the salary for the period of vacation if he had served for a major part of respective term and the temporary vacancy such as vacancy on account of leave, deputation or post created for a specific period, in which he was originally appointed continues to exist beyond the period of vacation and that the employee continues to be in service after the vacation.

(3) If the Management terminates the services of a non-permanent employee soon before the commencement of Summer vacation, such non-permanent employee shall also be entitled, in addition to vacation salary, to pay and allowances for the gap between the date of termination of his service and the date of commencement of the vacation if the Education Officer is satisfied that the termination of his service was on the ground other than the possibility of reduction in establishment.

(4) If a permanent employee after due notice, resigns his post in the school on the last working day of the term, he shall be entitled to the vacation salary.

(5) If a permanent employee after due notice, resigns his post in the school in the middle of the term and if the school is required to appoint a substitute who would otherwise be entitled to vacation salary under sub-rule (2), the permanent employee who has resigned shall not be entitled to the vacation salary for the same period.

(6) Untrained teachers appointed in the Secondary Schools or Junior Colleges of Education during the period from the 16th July 1969 to 6th February 1974 (both days inclusive) and allowed to get trained at their own cost (by sanctioning leave for the entire period of training) shall be entitled to the vacation salary during the vacation immediately falling after their resuming duties on completion of training.

14. *Assessment of employees work.*—(1) At the beginning of each term, the teacher shall prepare the plan of his academic programme and at the end of the academic year, prepare a report of the work done by him and submit it to the Head.

(2) Each employee on the teaching and non-teaching staff of a school shall submit the report of self-assessment in the respective Form in Schedule "G" within one month after the end of a year.

15. *Writing of confidential reports etc.*—(1) The confidential reports shall be written annually in the respective Form in Schedule "G". The reporting authorities in respect of the employees and the Head shall be the Head and the Chief Executive Officer, respectively. Confidential reports shall be written in respect of the employee or the Head who had worked for six months or more during an academic year commencing from June. If the Head or a teacher is the Secretary of the Management the confidential report in his respect shall be written by the President of the Management.

(2) The confidential reports so written in respect of the employees and the Head shall be reviewed by the Chief Executive Officer and the President of the Management, respectively. The confidential report of the Head or a teacher written by the President shall be reviewed by the Managing Committee.

(3) The respective reporting authority shall arrange to communicate confidentially in writing adverse remarks, if any, to the concerned employee or the Head, as the case may be, before the end of August, every year.

(4) Representation, if any, from an employee against the adverse remarks communicated to him in accordance with sub-rule (3) above shall be decided by the School Committee. Similar representation, if any, from the Head shall be decided by the Managing Committee.

(5) Failure to write and maintain confidential reports and to communicate adverse remarks to the employees within the period prescribed in sub-rule (3) shall have the effect that the work of the employee concerned was satisfactory during the period under report.

(6) Performance of an employee appointed on probation shall be objectively assessed by the Head during the period of his probation and a record of such assessment shall be maintained.

16. *Leave.*—(1) Leave shall not be claimed as a matter of right. Discretion to grant, refuse or cancel leave (other than casual leave) is reserved—(i) in the case of the teaching and non-teaching staff (other than the Head), with the School Committee and (ii) in the case of the Head, with the Management.

(2) An application for leave other than casual leave or extension of leave or to proceed on leave after vacation shall ordinarily be made in good time before the date from which the leave or its extension is sought. Even in exceptional cases where it is not possible to apply beforehand because of circumstances beyond the control of the employee, the application shall be made within

7 days from the date of absence. A non-permanent employee shall be deemed to have abandoned his service if he fails to apply for leave within seven days from the date of absence.

(3) In the case of a permanent employee who, without sufficient cause, fails to apply for leave within 7 days from the date of absence, it shall be treated as breach of discipline and he shall be liable for suitable disciplinary action after due inquiry. (A permanent employee who is absent from duty (with or without leave continuously for a period of three years or more, shall be deemed to have voluntarily abandoned his services)

(4) Casual leave may be granted to the teaching and non-teaching staff other than the Head, by the Head, and to the Head by the Chief Executive Officer or by the Management if the Head himself is the Chief Executive Officer for a period not exceeding 15 days in an academic year subject to the condition that ordinarily not more than seven days, casual leave can be enjoyed at a time which may be extended upto 10 days, only in exceptional circumstances.

(5) Not more than two holidays can be enjoyed in conjunction with any spell of casual leave whether by prefixing or by suffixing or by both and the total period of casual leave and holidays enjoyed continuously at one time shall not exceed 7 days save only in exceptional circumstances when it may be extended upto 10 days.

(6) The number of holidays in excess of two holidays prefixed or suffixed or both, to the casual leave shall be treated as casual leave. Sundays and holidays interposed between two periods of casual leave shall be treated as part of casual leave.

(7) Casual leave cannot ordinarily be prefixed or suffixed to vacation except with the previous permission of the Head.

(8) It is permissible to enjoy half day's casual leave if the period of absence is half or less than half of a working day.

(9) Absence on a Saturday, if it is half working day or on any other day which is observed by the school as a half working day, shall be treated as casual leave for a full day and not as a half day's casual leave.

(10) The following kinds of special casual leave which shall not be debited to the casual leave admissible to an employee shall be granted, namely :—

(a) *Special Casual Leave under the Family Planning Scheme* :—

Occasion

Special Casual Leave Admissible

(i) Vasectomy or as the case may be, tubectomy operation. Not exceeding six working days.

(ii) Female Employees undergoing non-Not exceeding 14 days. puerperal sterilisation.

*Note 1.*—The special casual leave on the above two occasions may be combined with ordinary casual leave or regular leave provided the application is supported by a medical certificate.

*Note 2.* The special casual leave in item (ii) shall also be granted to female employees who have three or more living children and who undergo sterilisation.

- (iii) Female employees undergoing I. U. For the day subject to production of a medical certificate.  
C. D. insertion.
- (iv) Employee whose wife undergoes a Gynaec. Sterilisation (non-puerperal tubectomy). Not exceeding seven days, subject to production of a medical certificate.

*Note 1.*—The special casual leave may be combined with ordinary casual leave or regular leave provided the application is supported by a medical certificate by the doctor who actually performs the operation to the effect that the presence of the employee is essential to look after his wife during the period of leave.

*Note 2.*—Special casual leave not exceeding four days shall be granted to the employee whose wife undergoes tubectomy operation immediately after the delivery subject to production of a medical certificate from the doctor who actually performs the operation.

(b) *Special Casual Leave on other occasions mentioned below:—*

- | Occasion  | Special Casual Leave admissible  |
|---|--|
| (i) Anti-rabic treatment.                               | Upto 3 weeks.  |
| (ii) Participation in national or international sports. | Upto 30 days, subject to the provisions of Notes 2 and 4.  |
| (iii) Mountaineering.                                   | Upto 30 days, subject to the provisions of Notes 3 and 4.  |
| (iv) Free Blood Donation.                               | One day (either on the same day or on the very next day of donation of blood but not on any other subsequent day). |

*Note 1.*—If a substitute is appointed in place of an employee granted leave under item (i), such substitute shall be entitled to salary and allowances admissible to him.

*Note 2.*—Grant of Special Casual Leave for participation in national or international sports shall be—

- (1) For participation in sporting events of national or international importance.
- (2) When the employee is selected for such participation—

(i) in respect of international sporting events by National Sports Federation or Association recognised by the All India Council or Board and approved by Ministry of Education of Government of India, or

(ii) in respect of national importance when the sporting event in which participation takes place is held on an Inter-State, Inter-Zonal or Inter-Circle basis and the employee takes part in the event in a team as a duly nominated representative on behalf of the State, Zone or Circle and when he participates in his personal capacity.

(3) When an employee is selected or sponsored for attending, coaching a Training Camp or All-India Coaching or Training Schemes or his services are utilised as Umpire for such sporting events.

*Note 3.*—Special casual leave for Mountaineering shall be admissible when the expedition is approved by the Indian Mountaineering Foundation.

*Note 4.*—If an employee participates in national or international sporting event and also in mountaineering the total special casual leave shall not exceed 30 days.

(11) Half pay leave to the extent of 20 days for private reasons or on medical certificate may be granted for each completed year of service. No leave may be granted under this rule unless the authority competent to sanction the leave certifies that the employee shall return to duty on its expiry.

(12) (a) Commuted leave not exceeding half the period of half pay leave due may be granted on medical certificate given by a registered medical practitioner, stating as clearly as possible, the nature and probable duration of the illness, on the following conditions, namely :—

(i) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.

(ii) No commuted leave shall be granted under this rule, unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.

(b) The authority competent to sanction leave may, at its discretion, secure a second medical opinion by requesting the Superintendent in Government Medical Hospitals in Bombay, or Civil Surgeon or District Medical Officer, or Medical Officer of Zilla Parishads, Municipal Councils or Municipal Corporations to have the applicant medically examined. If the authority decides to do so, it shall arrange for the the second medical examination to be made on the earliest possible date after the date on which the first medical opinion was given. It shall forward the original medical certificate produced by the applicant to the Medical Officer by whom he is to be re-examined.

(c) The re-examination, if necessary, shall be arranged by the Management at its own cost, if any, and any, expenditure on this account shall not be held admissible for grant.

(d) Half pay leave upto a maximum of 180 days shall be allowed to be commuted during the entire service where such leave is utilised for an approved course of study which is certified to be in the public interest by the authority sanctioning leave on the conditions mentioned in sub-clauses (i) and (ii) of clause (a).

(13) Extraordinary leave may be granted to an employee in special circumstances when no other leave is by rule admissible or when other leave is admissible but the employee applies in writing for the grant of extraordinary leave. Except in the case of a permanent employee, the duration of extraordinary leave shall not exceed three months on any one occasion. In the case of a permanent employee, the duration of the extraordinary leave shall not exceed three years on any one occasion. The authority competent to sanction leave may commute retrospectively the period of absence without leave, into extraordinary leave.

(14) Subject to the provisions of sub-rule (16) maternity leave shall be granted to a female employee who has put in more than one year's service. It may be granted for a period not exceeding ninety days from the date of its commencement.



(15) Maternity leave under sub-rule (14) shall be granted on half pay to an employee who has put in more than one year's but less than two years' service before the date of commencement of such leave. In the case of employee who has put in two years' service or more on the date of commencement of such leave, she shall be granted maternity leave with full pay. In case of a female employee with less than one year's service she shall be granted extraordinary leave for a similar period.

(16) Maternity leave shall not be debited to the leave account. Leave of any other kind may be granted in continuation of maternity leave, if the request for granting it is supported by a medical certificate.

(17) Maternity leave shall not be granted to a female employee having three or more living children.

*Note.*—Leave under this rule shall be admissible in cases of miscarriage or abortion or termination of pregnancy under the Medical Termination of Pregnancy Act, 1971 (34 of 1971) subject to the following conditions, namely:—

(1) The leave shall not exceed six weeks; and

(2) The application for the leave shall be supported by a medical certificate.

(18) The earned leave admissible to a permanent employee entitled to vacations in respect of any year in which he is prevented from availing himself of the full vacations, or a part thereof, shall be in such proportion of 30 days a year as the number of days of vacation not availed of bear to the full vacation, provided that the employee shall cease to earn such leave when the earned leave due is accumulated to 180 days.

*Illustration.*—An employee who is prevented from availing himself of the full vacation of 63 days in a year, shall be entitled to earned leave for 30 days. Similarly the employee who is prevented from availing himself of 21 days out of the total vacation shall be entitled to earned leave for 10 days, and so on.

(19) The Management or Head shall obtain previous permission of the Education Officer for preventing the Head or, as the case may be, the teacher from availing himself of the vacation or a part thereof.

(20) An employee who is not entitled to vacations shall earn leave at the rate of one eleventh of the period spent on duty. The employee shall cease to earn such leave when the earned leave is accumulated to 180 days.

(21) An employee including an employee to whom provisions of sub-rule (18) apply shall be entitled to the benefit of encashment of surrendered leave on the following conditions, namely:—

(i) Such surrendered leave shall not be availed of in conjunction with vacation.

(ii) The employee who takes earned leave for a period not less than thirty days, shall be allowed to surrender the balance of the earned leave (or any portion thereof) to his credit on the date of commencement of leave, at his option subject to the maximum of thirty days and he shall be granted leave

salary, Dearness allowance and Compensatory Local allowance as admissible under the rules for the period of the leave surrendered.

(iii) The authority competent to sanction earned leave shall be competent to accept surrender of earned leave. Application for surrender of earned leave shall be made along with the application for grant of leave.

(iv) The number of days of earned leave surrendered shall be reckoned as surrendered on the date of commencement of actual leave taken and deducted from the leave account of the employee on that date.

(v) The total of the earned leave actually availed of and the earned leave surrendered shall not exceed the maximum leave admissible to the employee at any one time.

(vi) The leave salary and allowances admissible for the leave surrendered shall be at the rate of leave salary and allowances admissible at the commencement of earned leave. For this purpose, a month shall be reckoned as 30 days, irrespective of the month in which the leave is availed of.

(vii) The amount of leave salary and allowances for the surrendered leave may be paid in advance but not earlier than six days before the commencement of leave. The authority competent to sanction leave shall insert a clause in the sanctioning order itself to the effect that in case the leave is required to be cancelled by the competent authority before the date from which the employee was to proceed on leave, the amount of leave salary and allowances for the surrendered leave shall be refunded forthwith by the employee in one instalment or adjusted in full in the first monthly pay or leave salary bill of the employee. No deductions on account of Provident Fund subscriptions, house rent, re-payment of any advances and repayment of any dues to Co-operative Societies, etc. shall be made from the leave salary for the period of surrendered leave.

(viii) An employee who is permitted to surrender his leave shall not ordinarily be permitted to rejoin duty before the expiry of the thirty days leave sanctioned to him.

(ix) In case of compulsory recall to duty, an employee shall be allowed to enjoy the balance of his earned leave before expiry of the period of six months from the date on which he proceeded on earned leave or before he again proceeds on earned leave with the benefit of surrender of earned leave, whichever is earlier. The authority competent to sanction leave shall grant leave to such employee during the aforesaid period if he applies for it. If the employee concerned by himself does not ask for being allowed to enjoy the same, the balance of the earned leave shall lapse and the said period shall be debited to his leave account as if he had enjoyed it.

(x) In order to guard against omission to post a debit in the leave account in respect of the leave surrendered, in case of such employees, the details of surrendered leave shall be noted in their service books and in their leave accounts when the leave salary is drawn. A certificate to the effect that the necessary entries have been made in the service book and in the leave account shall be furnished by the school in the bill in which the leave salary for the surrendered leave is drawn.

(vi) The maximum earned leave that can be surrendered shall be limited to 30 days in a financial year, on the date of commencement of earned leave for a period of not less than 30 days.

(xii) The benefit of surrender of earned leave shall not be allowed more than once in any financial year.

(xiii) On return from leave, the employee shall serve the school for a period not less than the period of earned leave surrendered.

(22) Any kind of leave except casual leave may be granted in combination with or in continuation of any other kind of leave.

(23) Non-permanent employee shall not be entitled to any leave with pay other than casual and maternity leave. A non-permanent employee when appointed substantively to a permanent post shall be entitled to leave which would have been admissible if his previous continuous duty was as a permanent employee. Half pay leave at the rate of 20 days for each completed year shall be granted to a non-permanent employee provided the authority competent to sanction leave has reason to believe that the employee concerned shall return to duty on its expiry.

(24) An employee on full pay leave shall be entitled to leave salary equal to the pay drawn immediately before proceeding on leave.

(25) An employee on half pay leave shall be entitled to leave salary at the rate equal to half the amount specified in sub-rule (24) above. In addition he shall draw proportionate amount of Dearness allowance based on the amount of leave salary plus Compensatory Local allowance and House Rent allowance at full rates, if admissible.

(26) An employee on commuted leave shall be entitled to leave salary equal to twice the amount of pay admissible under sub-rule (25).

(27) An employee suffering from T. B., Cancer or Leprosy shall be entitled to such special leave and allowances as are admissible to Government Servants for this purpose.

(28) An employee on extraordinary leave shall not be entitled to any leave salary.

(29) An employee retiring on superannuation shall be eligible to receive payment of cash equivalent to leave salary in respect of the period of earned leave at his credit at the time of retirement limited to a maximum of 180 days of earned leave. He shall also be entitled to pension and pension equivalent of Death-cum-Retirement Gratuity in addition to the cash payment of leave salary, subject to the following conditions namely :—

(a) The payment of cash equivalent of leave salary shall be limited to a maximum of 180 days earned leave.

(b) the cash equivalent of leave salary thus admissible shall become payable on retirement and shall be paid in one lump-sum as a one-time settlement.

(c) the cash payment shall be equal to leave salary as admissible for earned leave and Dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No Compensatory Local allowance and House Rent allowance shall be payable.

(d) the authority competent to grant leave shall *suo motu* issue orders granting cash equivalent of earned leave at the credit of the employee on the date of retirement.

(30) An employee may also avail of, as leave preparatory to retirement, a part of earned leave to his credit. In that case, he shall be allowed payment of cash equivalent of leave salary for the balance of the earned leave that remains to his credit on the date of retirement in accordance with these rules.

(31) An employee on leave, with full or half or without pay, shall not accept any full-time service, with or without pay, or remuneration during the period of leave. An employee may accept part-time employment after obtaining specific permission from the Head of the School, the School Committee or the Management, as the case may be.

(32) An employee on leave shall not be allowed to return to duty before expiry of the leave except with the permission of the sanctioning authorities.

(33) Under exceptional circumstances of administrative necessity, the authority competent to sanction leave may call back to duty an employee who is on leave, explaining the nature of the emergency, and it shall be incumbent on the employee to return to duty. If, however, the employee cannot return to duty as directed, he shall satisfy the said authority about the bonafide circumstances of his inability.

(34) The date of increment of an employee on extraordinary leave shall be postponed by the period of such leave. The teachers who are elected on the Legislative Assembly or elected or nominated on the Legislative Council shall, however, be entitled to count their extraordinary leave during their tenure as the members of Legislature for the purposes of increment.

17. *Superannuation and re-employment.*—(1) An employee, other than Class IV employee, shall retire from service on the date on which he attains the age of 58 years and under no circumstances he shall be granted an extension in service beyond that age. The age of superannuation of a lower grade employee shall be 60 years :

Provided that, a teacher or a Head of a recognised private secondary school in the Vidarbha Region of the State who was permanent in service on the 31st December 1965, irrespective whether he continues to serve in the same school

or has joined some other school in the Vidarbha Region, shall retire on the date on which he attains the age of 60 years.

*Note.*—If the date of superannuation of an employee happens to fall in the middle of the month, he shall be continued in service till the last day of the month in which the date of his superannuation falls.

(2) A teacher or Head who attains the age of superannuation in the middle of either of the two academic terms and if the Management desires to grant him re-employment beyond the age of 58 years, may be granted such re-employment till the end of the particular term only, subject to the condition that he is physically and mentally fit for continuance in service.

(3) On re-employment of a person in the manner specified in sub-rule (2) his pay shall not exceed the last pay (including special pay or additional pay, if any) drawn by him at the time of his retirement minus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension). Such pay plus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension) shall not, however, exceed the maximum of the time scale of the post in which he is re-employed. Once the pay is fixed as mentioned above, the incumbent shall be entitled to receive the benefits of annual increment even though the pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension) plus pay so fixed exceeds the last pay drawn by him at the time of retirement but the total amount of pay fixed on re-employment plus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension) shall not exceed the maximum of the time scale of the post in which he is re-employed.

(4) Pension shall be drawn as a separate entity and shall not be held in abeyance in any case.

(5) The pay on re-employment of an employee who is governed by the Contributory Provident Fund scheme shall not exceed the last pay (including special pay or additional pay, if any) drawn by him at the time of retirement minus pension equivalent of the Management's and Government's contribution to the Contributory Provident Fund including interest thereon. The pay so fixed shall not, however, exceed the maximum of the time scale in which he is re-employed. The incumbent shall get the benefit of increment so, however, that the pay plus pension equivalent of the Management's and Government's contribution including interest thereon shall not exceed the maximum of the time scale in which the person is re-employed.

(6) An employee who is neither eligible to the pensionary benefits nor to the Contributory Provident Fund benefits may be re-employed under sub-rule (2) on a starting salary of the scale of pay to which he is entitled or on a higher start but not exceeding the pay (including special pay or additional pay, if any) drawn at the time of retirement with the prior approval of the Education Officer or, in the case of Junior College of Education, the Deputy Director.

18. *Discharge Certificate.*—(1) The Head shall issue a Discharge Certificate in the form in Schedule "H" to an employee (other than the Head himself) who leaves service after due notice or to an employee whose services are terminated. In the case of the Head, such a discharge Certificate shall be issued by the Chief Executive Officer, and if the Head himself is the Chief Executive Officer, by the President. The Head, Chief Executive Officer or President shall issue a Discharge Certificate at least within a week from the date of relief of the employee or, as the case may be, the Head concerned. If the Discharge Certificate is refused, reasons for such refusal shall be communicated in writing to the employee or the Head within one week from the date of relief. In case of refusal to issue the Discharge Certificate by the Head, the Chief Executive Officer or the President, the employee or the Head, may appeal to the Education Officer or in the case of Junior College of Education to the Deputy Director of Education. The Education Officer or the Deputy Director of Education may, after considering the reasons recorded by the Head, the Chief Executive Officer or the President, direct the Head, the Chief Executive Officer or the President to issue the Discharge Certificate and on receipt of such direction the Head, the Chief Executive Officer or the President shall issue the Discharge Certificate.

(2) No employee with previous service in a school shall be employed in other school unless he produces a Discharge Certificate or gives in writing that he is unable to produce a Discharge Certificate despite a written request to the previous Management. Unless the second Management finds out from the previous Management the reasons for the same and unless it is convinced of the *bona-fide*s of the employee regarding satisfactory work and good conduct, the second Management shall not continue the employee in service. In case he is continued in service, the Management of the new school shall report to the Education Officer or in the case of the Junior College of Education, to the Deputy Director about the refusal by the previous Management to issue the Discharge Certificate and obtain from him a certificate regarding the last pay drawn by the employee for the purpose of drawing his pay :

Provided that, where an employee from a day school desires to join a Night School, such Discharge Certificate shall not be necessary. The Head of the Day school shall communicate his consent stating that there is no objection to the said employee taking up such part-time employment in addition.

19. *Pension.*—An employee of an aided secondary school and aided Junior College of Education working on full time basis and retiring on or after the 1st April 1966 and an employee of an aided primary school working on full time basis and retiring on or after the 1st April 1979 but who have opted for pension and the employee appointed on or after the above mentioned respective dates shall be eligible for pension at the rates and in accordance with the rules as are sanctioned by Government specifically to the employees of private schools.

**20. Provident Fund.**—(1) Every employee (not being an employee who has opted for pension) of an aided or unaided school working on a full time basis or every employee employed on part-time basis in more than one school run by the same Management and doing full-time load of work in these schools, shall subscribe to the Contributory Provident Fund under the Contributory Provident Fund Rules (Bombay) as in force from time to time.

(2) Every employee of an aided private secondary school working on a full time basis who was appointed before the 1st April 1966 and who had exercised in writing his option for a Contributory Provident Fund scheme shall subscribe to that Fund as per rules made by Government and are in force in this behalf.

**21. Work load.**—(1) A full-time teacher shall be present on the school premises during the working hours of the school upto 30 hours a week exclusive of daily recesses according to the requirement of the school,

(2) A full-time teacher in a Secondary School or Junior College or Junior College of Education who is teaching in classes with an average enrolment of 30 or less number of pupils shall do actual teaching work for 19 hours per week. A teacher who is teaching in classes with an average enrolment from 31 to 50 pupils shall do actual teaching work for 18 hours per week. A teacher who is teaching in classes with an average enrolment of more than 50 pupils shall do actual teaching work for 17 hours per week.

*Note 1.*—All work provided in the time table should be spread over within the respective hours of work specified in this sub-rule.

*Note 2.*—A teacher shall, as far as possible, be given full load of 17 to 19 hours of teaching work according to the enrolment of the classes in the time table of the Secondary School or Junior College or Junior College of Education, but in case full load cannot be given for genuine reasons, it shall not affect adversely the payment of salary to such teacher.

*Note 3.*—In the case of schools having shift system, full work-load as specified in sub-rule (2) above shall be allotted to an employee in one shift as far as possible.

*Note 4.*—In the case of Night School teachers, they shall have half the work-load specified for the full-time teachers.

(3) For Schools having more than 20 classes, the Head, the Assistant Head and the Supervisor shall do teaching work for at least 4, 8 and 10 hours per week, respectively. For schools having 20 or less classes the Head and the Supervisor shall do teaching work for at least 6 and 12 hours per week, respectively.

(4) The hours of working and attendance of non-teaching staff of the school shall be 38½ hours per week (inclusive of lunch recess) in the case of clerical staff, Librarians and Laboratory Assistants etc., and 50 hours per week (inclusive of lunch recess) in the case of lower grade staff such as peons, hamals etc.

*Note.*—The hours of working and attendance of non-teaching staff in each cadre of Night School shall be half of those specified for non-teaching staff in respective cadre of employees of day schools.

22. *Duties and Code of Conduct.*—(1) The duties of Head, Assistant Head, Supervisor, teachers and non-teaching staff (clerks) shall be as specified in Schedule "I".

(2) All teachers and employees shall observe the following Code of Conduct namely :—

(a) An employee shall treat all students without discrimination on political ground or for reasons of race, religion, caste, language or sex or any other reason of arbitrary or personal nature and shall refrain from instigating students against other students or other employees or school administration.

(b) A teacher shall not misuse the facilities of the school while exercising freedom of academic thought or expression.

(c) An employee shall not make use of the resources and facilities of the institution or Management for his personal use or for commercial, political or religious purposes.

(d) A teacher shall be impartial in assessment of students and shall not deliberately overmark or undermark or victimise students on any ground.

(e) A teacher shall not conduct or be employed in any private coaching classes or give private tuitions on commercial basis, except as otherwise provided in rule 23.

(f) An employee shall communicate change in address, if any, during vacation or leave period to the Head, Chief Executive Officer or President, as the case may be.

(g) Full-time teaching staff shall not accept part-time employment on payment or for any consideration in another educational, cultural or literary institution without obtaining prior written permission from the authorities of the school in which he is employed on full-time basis. Such work shall, however, be limited to two hours per day including private tuitions. In respect of a full-time non-teaching employee desirous of working in Night School, he shall be so allowed for the entire working period of the Night School.

(h) The behaviour of an employee with male and female students and employees shall be modest.

(i) An employee shall—

(i) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(ii) not consume any intoxicating drink or be under the influence of any intoxicating drink or drug, during the course of his duty; and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of any such drink or drug ;

(iii) refrain from consuming any intoxicating drink or drug in a public place ;

(iv) not appear in a public place in a state of intoxication ;

(v) not use any intoxicating drink or drug in excess, so that he is unable to control his behaviour.



*Explanation.*—For the purpose of this rule, “Public Place” means any place or premises (including conveyance) to which the public have or are permitted to have access, whether on payment or otherwise.

(3) Failure to conform to any of the rules of Code of Conduct mentioned in sub-rule (2) shall be treated as an act of negligence or mis-conduct or both.

23. *Private Tuition*—(1) *Full-time Teaching Staff*—

(a) A Head shall not undertake private tuitions or any part-time job with remuneration excepting the following items of work, namely :—

(i) Working as a guide for post-graduate research (with the approval of the University).

(ii) Working as a part-time Lecturer in a college or in post-graduate Department of Universities.

(iii) Any other educational work of a small nature which does not interfere with his regular work and which shall be undertaken only with prior written permission of the Management.

(b) A teacher shall not do private tuition for more than two hours a day or teach more than five pupils during the whole period of tuition in the day. The expression “five pupils” means the same five pupils and not batches of pupils. Day school teachers working in Night Schools may work for full duration of the Night Schools instead of two hours as mentioned in this rule provided they do not undertake private tuitions.

(c) A teacher shall not associate himself directly or indirectly with any coaching classes to prepare pupils for the internal or external examination of secondary schools or any other examining body. When the number of pupils taking private tuition from a teacher for internal or external examination exceeds five, it shall be deemed to be a coaching class.

(d) The time spent by a teacher for conducting classes in curricular or co-curricular activities with remuneration with prior permission of the Management shall be set off against the limit of two hours of private tuitions as permissible.

(2) *Part-time Teaching Staff*—(a) The total number of hours spent by a part-time teacher in teaching in one or more schools as also the number of hours spent by him in tuitions shall not exceed the total number of hours spent in teaching in a school by a full-time teacher *plus* the number of hours permitted for undertaking private tuition by a full-time teacher.

(b) A part-time teacher shall intimate the Head before undertaking any tuition.

24. *Submission of representations.*—(1) Representation from an employee in connection with his employment or his school to the Management or to the Department shall be addressed through the Head. He may, if he so desires, however address an advance copy of his representation to the authorities. The receipt of the representation shall be acknowledged by the Head.

(2) Representation by the Head of a School to the Department shall be routed through the Management.

(3) The Head or the Management, as the case may be, shall take final decision on the representation addressed by an employee to him or it within a fortnight from the receipt thereof. If the representation has been addressed to the Departmental authorities, the Head or Management, as the case may be, shall forward the same to the Departmental authorities to whom it is addressed, within 15 days from the date of receipt thereof with his or its remarks under intimation to the employee concerned, failing which the authority to whom the representation is addressed shall directly take action on the advance copy of the representation.

25. *Obtaining Higher or Additional Qualifications.*—(1) An employee other than the Head shall obtain previous permission of the Head and the Head shall obtain previous permission of the Management in case he intends to obtain higher or additional qualifications by joining courses for which regular attendance is necessary. In other cases shall intimate the Head or the Management. The Head or Management may grant such permission provided the normal work of the School does not suffer. The employee so permitted cannot claim as a matter of right any kind of leave for the preparation of examination for obtaining such qualification. He shall however, be eligible to get leave due and admissible to him for the purpose of appearing for the examination, including the period required for journey, if any, for that purpose.

(2) The provisions of sub-rule (1) shall not apply in the case of professional courses, such as B. Ed. or D. Ed. which are pre-requisites of a teacher appointed by granting relaxation of qualifications prescribed in Schedule "B", and also in cases of any similar courses organised by the Department, if the employee intimates immediately after applying, to the Head or the Management that he intends to join the course.

26. *Retrenchment on account of abolition of posts.*—(1) The services of a permanent employee may be terminated by the Management after giving him 3 months' notice or 3 months' pay (together with allowances) in lieu of notice, on the following grounds namely:—

(i) Reduction of establishment owing to reduction in the number of Classes or Divisions.

(ii) Fall in the number of pupils resulting in reduction of establishment.

(iii) Change in the curriculum affecting the number of certain category of teachers.

(iv) Closure of a course of studies or of the school itself.

(v) Any other *bonafide* reason of similar nature.

(2) Termination of services under sub-rule (1) above shall be subject to the following conditions, namely:—

(i) The principle of seniority shall ordinarily be observed.

(ii) Prior approval of the Education Officer, or in the case of the Junior College of Education the Deputy Director shall be obtained by the Management in each and every case of retrenchment including cases in which the principle of seniority is proposed to be departed from and a senior member of the staff is proposed to be retrenched when a junior member should have been retrenched.

(iii) The employees whose services are proposed to be terminated shall be absorbed by the Education Officer or as the case may be, the Deputy Director, in other Schools. Till the employees are so absorbed the Management shall not be permitted to close down the Classes or Divisions or to effect retrenchment on account of any other reason mentioned in sub-rule (1) above.

(3) If posts retrenched are revived or additional posts for the same subjects are created, the Management shall, by a letter registered post acknowledgment due addressed to the employee who is retrenched and absorbed in other School, give him the first opportunity of re-joining services in the school. For this purpose the employee shall communicate to the Management his address and availability for the job every year before April by a letter sent by registered post acknowledgment due.

(4) The retrenched person who may have been absorbed in other School shall have an option either to get repatriated to his original School or to continue in the School in which he has been absorbed.

(5) If the employee opts to continue in the School in which he has been absorbed or if no written reply is received from the employee within a fortnight from the date of receipt of the letter addressed to him by the Management regarding the offer for re-appointment or repatriation to the School or on refusal by him to receive the letter containing such an offer, the Management shall be free to fill the post or posts by appointing some other qualified person or persons.

(6) In the event of the employee opting to get repatriated to the original School he shall be restored to his original position in pay, seniority etc.

27. *Principles of Termination of Service in the event of retrenchment.*—While terminating the services of employees under the preceding rule, the following principles shall also be observed : namely:—

(a) In the case of reduction in the number of classes at the High School stage, i.e., Standards VIII to X, the services of the junior-most teacher in the category of trained graduates shall be terminated.

(b) In the case of reduction in the number of classes at the Middle School stage, i.e., Standards V to VII, the services of the junior-most teacher in the category of trained undergraduates shall be terminated.

(c) If there are some teachers who entered the service as (i) untrained Matric/S.S.C. or (ii) Matric/S.S.C., S.T.C. or its equivalent and changed their category on improving qualifications as (i) untrained graduate or

(ii) trained graduate, respectively and if the situation demands that their services are required to be terminated under rule 26, they shall be given option either to go back to the original category of (i) untrained Matric/S.S.C or (ii) trained Matric/S.S.C., etc. On their doing so, the services of the juniormost teacher in that category shall be terminated.

(d) In case the Management runs more than one school and in case the retrenchment is to be effected under rule 26 in any one of the schools run by it or in case any one of its schools is required to be closed either due to withdrawal of recognition or due to the decision of the Management to close it, while effecting retrenchment, the principle of common seniority of employees working in all the schools conducted by it shall be observed along with the above principles.

(e) When any retrenchment is to be effected, members of Backward Classes already in service shall not be retrenched though liable to retrenchment according to their seniority, if their strength in the school does not exceed the percentage of reservation prescribed in sub-rule (7) of rule 9. In their place, an equal number of other non-Backward Class members of the staff shall be retrenched subject, however, to the condition that, as between the permanent and temporary employees, the temporary employee shall be retrenched irrespective of the fact that he belongs to the Backward Class.

28. *Removal or Termination of Service.*—(1) The services of a temporary employee other than on probation may be terminated by the Management at any time without assigning any reason after giving one calendar month's notice or by paying one month's salary (pay and allowances, if any) in lieu of notice.

In the case of an employee entitled to vacation, the notice shall not be given during the vacation or so as to cover any part of the vacation or within one month after vacation.

(2) Subject to the provisions of sub-rule (3), the services of a permanent employee may be terminated by the Management on giving compensation equal to six months' emoluments (pay and allowances) in case he has put in less than 10 years' service, and 12 months' emoluments (pay and allowances) if he has put in service of 10 years or more, in the following circumstances, namely:—

Immodest or immoral behaviour with a female or male student or employee or such other action involving moral turpitude into which, if an open enquiry is held undesirable social consequences may follow.

(3) No order of termination of service shall be issued to an employee under sub-rule (2) unless a notice stating the grounds on which his services are proposed to be terminated is given to him by the Management allowing him to show cause, if any, within a reasonable time and the cause shown, if any, is considered. If, after considering the cause shown, if any, an order of termination of services of an employee is passed, the Management may not assign any reason in the order to be issued to the employee.

(4) If a permanent employee in a secondary school or Junior College of Education who is appointed prior to the 1st April 1966, or a permanent employee in a primary school who is appointed prior to the 1st April 1979, and who has opted to retain the Contributory Provident Fund scheme, is to be relieved from service in the school for being found medically unfit as certified by the Civil Surgeon, or the Superintendent of a Government Hospital, as the case may be, he shall be given gratuity at the rate of half a month's salary (pay and allowances) for every completed year of service but not less than 3 months' salary (pay and allowances), whichever is higher :

Provided that, an employee receiving gratuity under this sub-rule shall not be held eligible to receive in addition, compensation as provided under sub-rule (2) above.

(5) An employee shall be liable to be punished on one or more of the following grounds, namely :—

- (a) misconduct;
- (b) moral turpitude;
- (c) wilful and persistent negligence of duty;
- (d) incompetence.

For the purpose of this rule—

(a) "Misconduct" shall include the following acts, namely:—

(i) breach of the terms and conditions of service laid down by or under these rules; ~~and~~

(ii) violation of the code of conduct;

(b) "Moral turpitude" includes the acts mentioned in sub-rule (2);

(c) "Wilful negligence of duty" shall include the following acts, namely:—

(i) dereliction in, or failure to discharge, any of the duties prescribed by or under these rules;

(ii) persistent absence from duty without previous permission; and

(iii) any other act of similar nature ;

(d) "Incompetence" includes the following acts, namely:—

(i) failure to keep up academic progress and up to date knowledge in spite of repeated instructions in that behalf and provision of facilities;

(ii) failure to complete the teaching of the syllabus determined for the year within the fixed periods for reasons not beyond his control; and

(iii) any other act of similar nature.

29. *Penalties.*—Without prejudice to the provisions of these rules, any employee guilty of misconduct, moral turpitude, wilful and persistent neglect of duty and incompetence, as specified in rule 28, shall be liable for any of the following penalties, namely:—

- (1) warning, reprimand or censure.

(2) withholding of an increment for a period not exceeding one year.

(3) recovery from pay or from such other amount as may be due to him of the whole or part of any pecuniary loss caused to the Institution by negligence or breach of orders.

(4) reduction in rank.

(5) termination of service:

Provided that, an employee of a private school aggrieved with the decision of imposing a minor penalty as specified in clause (1) of rule 31 may prefer an appeal to the Deputy Director of the region concerned within 45 days from the date of receipt of the order of punishment.

30. *Imposition of penalty of withholding of increment.*—When an increment of an employee is withheld, the authority imposing the punishment shall specifically mention in its order—

(a) the period for which it is withheld, and

(b) whether the period for which the increment is withheld shall be exclusive of the leave (except casual leave) taken during the period.

31. *Classification of penalties.*—The penalties shall be classified into minor and major penalties as under:—

(1) *minor penalties*—

(i) reprimand.

(ii) warning.

(iii) censure.

(iv) withholding of an increment for a period not exceeding one year.

(v) recovery from pay or such other amount as may be due to him of the whole or part of any pecuniary loss caused to the Institution by negligence or breach of orders.

(2) *major penalties*—

(i) reduction in rank,

(ii) termination of service.

32. *Procedure for imposing minor penalties.*—The minor penalties may be imposed for lapses on the part of the employees such as delay in disposal of assignments, negligence of duty, insubordination, disobedience of orders of superiors and other misconduct or misbehaviour of similar nature. Before finally imposing any punishment as contemplated in this rule, the employee

concerned shall be given in writing an opportunity to explain within two weeks why he should not, for good and sufficient reasons, be punished for the lapses or omission on his part. The nature and quantum of punishment, if any to be imposed on him shall be decided after considering the explanation, if any, given by the employee.

33. *Procedure for inflicting major penalties.*—(1) If an employee is alleged to be guilty of misconduct or misbehaviour of a serious nature and if there is reason to believe that in the event of the guilt being proved against him, he is likely to be reduced in rank or removed from service, the Management shall first decide whether to hold an inquiry and also to place the employee under suspension and if it decides to suspend the employee, it shall authorise the Chief Executive Officer to do so after obtaining the permission of the Education Officer or, in the case of the Junior College of Education and Technical High Schools, of the Deputy Director. Suspension shall not be ordered unless there is a *prima facie* case for his removal or there is reason to believe that his continuance in active service is likely to cause embarrassment or to hamper the investigation of the case. If the Management decides to suspend the employee, such employee shall, subject to the provisions of sub-rule (5) stand suspended with effect from the date of such order.

(2) If the employee tenders resignation while under suspension and during the pendency of the inquiry such resignation shall not be accepted.

(3) An employee under suspension shall not accept any private employment.

(4) The employee under suspension shall not leave the headquarters during the period of suspension without the prior approval of the Chief Executive Officer. If such employee is the Head and also the Chief Executive Officer, he shall obtain the necessary prior approval of the President.

(5) An employee against whom proceedings have been taken on criminal charge or who is detained under any law for the time being in force providing for preventive detention shall be considered as under suspension for any period during which he is under such detention or he is detained in police or judicial custody for a period exceeding forty-eight hours or is undergoing imprisonment, and he shall not be allowed to draw any pay and allowances for such period until the termination of the proceedings taken against him or until he is relieved from detention and is in a position to rejoin duty after producing documentary proof of his release (otherwise than on bail) or acquittal, as the case may be. An adjustment of his pay and allowances for such periods shall be made according to the circumstances of the case, the full amount being given only in the event of the employee being acquitted of charge or detention being held by the Court to be unjustified.

(6) After the result of the criminal prosecution, a copy of the judgement shall be obtained by the Management and if the judgement is one of conviction for the charges and if an inquiry is also initiated by the Management against the employee on the basis of the same charges, it shall not be necessary to proceed with the inquiry on the same charges and the Management shall take action to terminate the services of the employee. The Management shall not, however, pass any order till the period upto which the employee is entitled to prefer an appeal or revision application to the higher Court against the conviction by the lower Court is over. If the appeal or revision application is preferred, the Management shall not take any action till the conviction is finally confirmed by the higher Court. When the judgement in the criminal case, appeal or revision application is one of acquittal, the Management shall consider in the light of the judgement whether it is necessary to institute or proceed with the inquiry. If the Management agrees that the acquittal is justified, it may drop the inquiry by certifying that it agrees with the findings of the Court. If the Management does not agree with the findings, it may proceed with the inquiry and inflict proper punishment.

34. *Payment of subsistence allowance.*—(1) (a) A subsistence allowance at an amount equal to the leave salary which the employee would have drawn if he had been on leave on half pay and in addition, Dearness allowance based on such leave salary shall be payable to the employee under suspension.

(b) Where the period of suspension exceeds 4 months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first 4 months as follows, namely :—

(i) The amount of subsistence allowance may be increased by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of first 4 months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the employee.

(ii) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence allowance admissible during the period of the first 4 months, if in the opinion of the said authority the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee.

(iii) The rate of Dearness allowance shall be based on the increased or on the Decreased amount of subsistence allowance, as the case may be, admissible under sub-clauses (i) and (ii).

(2) Other compensatory allowances, if any, of which the employee was in receipt on the date of suspension shall also be payable to the employee under suspension to such extent and subject to such conditions as the authority suspending the employee may direct :



Provided that the employee shall not be entitled to the compensatory allowances unless the said authority is satisfied that the employee continues to meet the expenditure for which such allowances are granted :

Provided further that, when an employee is convicted by a competent court and sentenced to imprisonment, the subsistence allowance shall be reduced to a nominal amount of rupee one per month with effect from the date of such conviction and he shall continue to draw the same till the date of his removal or reinstatement by the competent authority :

Provided also that, if an employee is acquitted by the appellate court and no further appeal or a revision application to a higher court is preferred and pending, he shall draw the subsistence allowance at the normal rate from the date of acquittal by the appellate court till the termination of the inquiry, if any, initiated under these rules :

Provided also that, in cases falling under sub-rules (1) and (2) above, where the management refuses to pay or fails to start and continue payment of subsistence allowance and other compensatory allowances, if any, to an employee under suspension, payment of the same shall be made by the Education Officer or Deputy Director, as the case may be, who shall deduct an equal amount from the non-salary grant that may be due and payable or may become due and payable to the school.

(3) In case an employee under suspension attains the age of superannuation while under suspension he shall be deemed to have been retired on attaining the age of superannuation and any departmental or Judicial proceedings pending against him shall be continued even after his retirement. A provisional pension not exceeding the maximum pension which would have been admissible on the basis of qualifying service upto the date of retirement of the employee or if he was under suspension on the date of retirement upto the date immediately preceding the date on which he was placed under suspension shall be paid to him. But no amount of Death-cum-Retirement Gratuity shall be paid till his case is finally decided. Where an employee is acquitted of the charges and he is not proceeded against by the Management under sub-rule (6) of rule 33 his case shall be regulated by sub-rule (5) if his suspension is held to have been wholly unjustified, and by sub-rule (6) if it is held to have been wholly justified.

(4) When an employee who has been suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order —

(a) regarding the pay and allowances to be paid to the employee for the period of his absence from duty, and

(b) regarding the said period being treated as a period spent on duty.

(5) Where the authority mentioned in sub-rule (4) is of the opinion that the employee has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the employee shall be given the full pay, allowances and pension to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be. The Management shall bear expenditure on pay and allowances of substitute, if any, appointed in place of the employee under suspension and such expenditure shall not hold admissible for Government grant.

(6) In other cases, the employee shall be given such proportion of pay and allowances and pension as the Management may decide :

Provided that, where the amount of provisional pension sanctioned to an employee during the period of suspension is more than the amount of pension finally held admissible, the difference of such amount shall not be recovered or adjusted from the amount of pension payable to him :

Provided further that, the payment of allowances under sub-rules (5) or (6) shall be subject to all other conditions under which such allowances are admissible :

Provided also that in a case falling under sub-rule (5), the period of absence from duty shall be treated as a period spent on duty, after the Management specifically directs that it shall be so treated (for specified purposes).

35. *Conditions of suspension.*—(1) In cases where the Management desires to suspend an employee, he shall be suspended only with the prior approval of the appropriate authority mentioned in rule 33.

(2) The period of suspension shall not exceed four months except with the prior permission of such appropriate authority.

(3) In cases where the employee is suspended with prior approval, he shall be paid subsistence allowance under the scheme of payment through Co-operative Banks for a period of four months only and thereafter, the payment shall be made by the Management concerned.

(4) In case where the employee is suspended by the Management without obtaining prior approval of the appropriate authority as aforesaid, the payment of subsistence allowance even during the first four months of suspension and for further period thereafter till the completion of inquiry shall be made by the Management itself.

(5) The subsistence allowance shall not be withheld except in cases of breach of provisions of sub-rules (3) or (4) of rule 33.

36. *Inquiry Committee.*—(1) If an employee is allegedly found to be guilty of misconduct or misbehaviour of a serious nature, and the Management decides to hold an inquiry, it shall do so through a properly constituted Inquiry Committee. Such a committee shall conduct an inquiry only in such cases where major penalties are to be inflicted. The Chief Executive Officer authorised by the Management in this behalf (and in the case of an inquiry against the Head who is also the Chief Executive Officer, the President of the Management) shall communicate to the employee or the Head concerned by registered post acknowledgement due the allegations and demand from him a written explanation within seven days from the date of receipt of the statement of allegations

(2) If the Chief Executive Officer or the President, as the case may be, finds that the explanation submitted by the employee or the Head is not satisfactory, he shall place it before the Management within fifteen days from the date of receipt of the explanation. The Management shall in turn decide within fifteen days whether an inquiry be conducted against the employee and if it decides to conduct the inquiry, the Management shall authorise the President of the Management and the Chairman of the School Committee to nominate two members on the Inquiry Committee one each from the Management and from the School Committee respectively and the President, and the Chairman shall communicate the names of persons so nominated to the Chief Executive Officer within fifteen days from the date of the decision of the Management. The third member of the Inquiry Committee shall be a person nominated by the employee concerned from amongst the members of the Management or from amongst the employees of any private school. Where an inquiry is proposed to be held against the Head referred to in sub-rule (1) the Inquiry Committee shall consist of three members of whom one member shall be the President of the Management and two other members shall be nominated each one by the School Committee and the Head.

(3) The Chief Executive Officer shall communicate the names of members nominated under sub-rule (2) by the Management and the School Committee by registered post acknowledgement due to the employee or the Head referred to in sub-rule (1), as the case may be, and direct him to nominate a person on his behalf on the proposed Inquiry Committee. In the case of an inquiry against the Head referred to in sub-rule (1), the President of the Management shall communicate the name of the member nominated by the School Committee and shall direct the Head to nominate a person on his behalf on the proposed Inquiry Committee. The employee or the Head, as the case may be, shall forward the name of the person to be nominated by him alongwith the written consent of the person so nominated to the Chief Executive Officer or to the President, as the case may be, within fifteen days of the receipt of the communication to that effect.

(4) If the employee or the Head, as the case may be, communicates the name of the person nominated by him the Inquiry Committee of three members shall be deemed to have been constituted on the date of receipt of such communication by the Chief Executive Officer or the President, as the case may be. If

the employee or such Head fails to communicate the name of his nominee within the stipulated period, the Inquiry Committee shall be deemed to have been constituted on expiry of the stipulated period consisting of only two members as provided in sub-rule (2).

(5) The Convener of the Inquiry Committee—

(i) In the case of an employee shall be the member nominated by the School Committee, and

(ii) In the case of the Head referred to in sub-rule (1) shall be the President of the Management,

and such Convener shall initiate action pertaining to the conduct of the Inquiry Committee and shall maintain all the relevant record of the inquiry.

(6) The meetings of the Inquiry Committee shall be held in the School premises during normal school hours or immediately thereafter, if the employee agrees and even during vacation.

37. *Procedure of inquiry.*—(1) The Management shall prepare a chargesheet containing specific charges and shall hand over the same together with the statement of allegations and the explanation of the employee or the Head, as the case may be, to the Convener of the Inquiry Committee and also forward copies thereof to the employee or the Head concerned by registered post acknowledgement due, within 7 days from the date on which the Inquiry Committee is deemed to have been constituted.

(2) (a) Within 10 days of the receipt of the copies of chargesheet and the statement of allegations by the employee or the Head, as the case may be,—

(i) If the employee or the Head, as the case may be, desires to tender any written explanation to the chargesheet, he shall submit the same to the Convener of the Inquiry Committee in person or send it to him by the registered post acknowledgement due.

(ii) If the Management and the employee or the Head, as the case may be, desire to examine any witnesses they shall communicate in writing to the Convener of the Inquiry Committee the names of witnesses whom they propose to so examine, and

(iii) If the Management desires to tender any documents by way of evidence before the Inquiry Committee, it shall supply true copies of all such documents to the employee or the Head, as the case may be. If the document relied upon by the Management is a register or record of the school it shall permit the employee or the Head, as the case may be, to take out relevant extracts from such register or record. The employee or the Head, as the case may be, shall supply to the Management true copies of all the documents to be produced by him in evidence.

(b) Within 3 days after the expiry of the period of 10 days specified in clause (a), the Inquiry Committee shall meet to proceed with the inquiry and give 10 days notice by registered post acknowledgement due to the Management and the employee or the Head, as the case may be, to appear for producing evidence, examining witnesses etc., if any.

(c) The Inquiry Committee shall see that every reasonable opportunity is extended to the employee for defending his case.

(d) (i) The Management shall have the right to lead evidence and the right to cross-examine the witnesses examined on behalf of the employee.

(ii) The employee shall have the right to be heard in person and lead evidence. He shall also have the right to cross-examine the witnesses examined on behalf of the Management.

(iii) Sufficient opportunities shall be given to examine all witnesses notified by both the parties.

(e) All the proceedings of the Inquiry Committee shall be recorded and the same together with the statement of witnesses shall be endorsed by both the parties in token of authenticity thereof. The refusal to endorse the same by either of the parties shall be recorded by the Convener.

(f) The inquiry shall ordinarily be completed within a period 120 days from the date of first meeting of the Inquiry Committee, or from the date of suspension of the employee, whichever is earlier, unless the Inquiry Committee has, in the special circumstances of the case under inquiry, extended the period of completion of the inquiry with the prior approval of the Deputy Director. In case the inquiry is not completed within the period of 120 days or within the extended period, if any, the employee shall cease to be under suspension and shall be deemed to have rejoined duties, without prejudice to continuance of the inquiry.

(3) The Management and the employee or the Head, as the case may be, shall be responsible to see that their nominees and the witnesses, if any, are present during the inquiry. However, if the Inquiry Committee is convinced about the absence of either of the parties to the disputes or any of the members of the Inquiry Committee on any valid ground, the Inquiry Committee shall adjourn that particular meeting of the Committee. The meeting so adjourned shall be conducted even in the absence of person concerned if he fails to remain present for the said adjourned meeting.

(4) The Convener of the Inquiry Committee shall forward to the employee or the Head, as the case may be, a summary of the proceedings and copies of statements of witnesses, if any, by registered post acknowledgement due within four days of completion of the above steps and allow him a time of seven days to offer his further explanation, if any.

(5) The employee or the Head, as the case may be, shall submit his further explanation to the Convener of the Inquiry Committee within a period of seven days from the date of receipt of the summary of proceedings etc., either personally or by registered post acknowledgement due.

(6) On receipt of such further explanation or if no explanation is offered within the aforesaid time, the Inquiry Committee shall complete the inquiry and communicate its findings on the charges against the employee and its decision on the basis of these findings to the Management for specific action to be taken against the employee or the Head, as the case may be, within ten days after the date fixed for receipt of further explanation. It shall also forward

a copy of the same by registered post acknowledgement due to the employee or the Head, as the case may be. A copy of the findings and decision shall also be endorsed to the Education Officer or the Deputy Director, as the case may be, by registered post acknowledgement due. Thereafter, the decision of the Inquiry Committee shall be implemented by the Management which shall issue necessary orders within seven days from the date of receipt of decision of the Inquiry Committee, by registered post acknowledgement due. The Management shall also endorse a copy of its order to the Education Officer or the Deputy Director, as the case may be.

38. *Power to terminate services, etc.*—The Management shall not delegate to any subordinate authority other than the Chief Executive Officer, power to execute the decision of the Inquiry Committee in respect of reduction in rank or termination of services.

39. *Procedure of filing Appeals.*—(1) Every memorandum of appeal under sub-section (1) of section 9 of the Act shall be duly signed by the appellant and shall be submitted to the Presiding Officer of the School Tribunal in triplicate personally or by registered post acknowledgement due.

(2) Every appellant shall submit his appeal separately and no joint appeal shall be entertained :

Provided that, the Tribunal may entertain a joint appeal by two or more employees if the appeal arises out of the same inquiry and the grounds raised in the appeal are the same.

(3) Every memorandum of appeal shall contain all material statements and arguments relied upon by the appellant and shall be accompanied by a copy of the order appealed against and copies of all the documents referred to in the appeal.

(4) Every memorandum of appeal shall be accompanied by a *crossed* Indian Postal Order or Demand Draft of rupees fifty, payable to the "Presiding Officer of the School Tribunal . . .". The fee may also be remitted in cash in the office of the Tribunal or by postal Money Order.

(5) Every memorandum of appeal may be submitted in Marathi or in English language.

40. *Resignation.*—(1) A permanent employee may leave service after giving three calendar months' notice and a non-permanent employee may leave service after giving one calendar month's notice. The Management may, however, allow an employee to leave service earlier on payment of pay (excluding allowances) for three months, or as the case may be, one month in lieu of notice by the employee. The amount in lieu of notice shall be restricted to the pay for the period by which the notice period falls short.

(2) If any Management allows an employee to leave service earlier either without due notice or without making payment of pay in lieu of notice as specified in sub-rule (1), a proportionate amount of pay in lieu of notice shall be deducted from the grant due to the school concerned.

(3) An employee entitled to vacation shall not give notice of resignation during the vacation or so as to cover any part of the vacation. The notice of resignation shall not be given within a month after the beginning of the first term of the year.

### SCHEDULE ' A '

[See rule 2 (I) (i)]

#### School Committee

1. (a) Every school shall have a School Committee which will be responsible to Government for the management of the School. There shall be different School Committees for (i) Primary School, (ii) Secondary School including Higher Secondary class, if any, (iii) Junior College section attached to Senior College and (iv) Junior College of Education.

(b) A Society or Trust conducting a large number of schools shall have a Co-ordination Committee for all the schools conducted by the Society or Trust or for a group of schools of Society or Trust in addition to the School Committee of each such school.

2. The School Committee shall consist of—

(a) Four representatives of the Management consisting of the President of the governing body or his nominee and three members nominated by the governing body. The President of the governing body or his nominee shall be the Chairman of the Committee;

(b) One member from amongst the permanent teachers from the same school only in order of seniority by annual rotation;

(c) The Head of the School, who shall be *ex-officio* Secretary of the School Committee, shall be responsible to keep a record of the proceedings of the Committee's meeting :

Provided that, in the case of a school run by a Trust which is registered as public trust the four representatives referred to in clause (a) shall consist of four founder members, if there are such members available. If there is one or more but less than four such founder members the three or other requisite number of members shall be nominated by the founder members so as to make the total number of members four on the School Committee for such school.

3. Functions of the School Committee shall be as follows, namely :—

(a) management and regulation of the finance of school, keeping of accounts and making investments of the funds of the school;

(b) preparation of budget estimates;

(c) appointment of employees (other than the Head of the school);

(d) institution of new teaching courses;

(e) confirmation, promotion of and minor punishment to the employees other than Head subject to the provisions of the Act and these rules;

(f) grant of leave other than casual leave, to the staff other than the Head of the school whose leave will be granted by the Management;

(g) reporting to the Management on matters relating to the school.

4. The Co-ordination Committee shall consist of—

(a) the President (or his representative from amongst members of the Management);

(b) the Head of each school conducted by the same Management or of each school in the group of schools in a locality for which the Co-ordination Committee is formed, and;

(c) a member of the School Committee of each school or group of schools, representing the Management.

5. The Co-ordination Committee will in general co-ordinate the activities of the School Committees of the schools under the same Management or a group of schools in the same locality.

6. The term of the School Committee or Co-ordination Committee shall be co-terminus with that of the Management.

7. No individual member of the School Committee or Co-ordination Committee excepting the Head of the school shall directly or indirectly interfere with the internal administration of the school, the discipline of the school and the duties of the teachers.

#### SCHEDULE ' B '

[See rules 2(1)(j) and 6]

##### I. *Qualifications for Primary Teachers*

Appointment to the posts of Primary school teachers (other than special teachers—Drawing teachers) shall be made by nomination from amongst candidates who have passed S.S.C. examination or Matriculation examination or Lokshala examination or any other examination recognised as such by Government and the Primary Teachers Certificate examination or Diploma in Education examination, or a Diploma in Education (pre-primary of two years' duration).

*Note.*—A person holding a Diploma in Education (pre-primary of two years' duration) shall be qualified to teach standards I to IV only notwithstanding anything contained in the foregoing provisions—

(a) Candidates who were recruited before the coming into force of these rules in accordance with the recruitment rules then in force and who were thereafter discharged for want of vacancies shall be eligible for reappointment.

(b) Other things being equal, preference may be given to

(i) candidates who have passed the S.S.C. or other equivalent examination with English, Mathematics and Science or any two of them: and

(ii) eligible women candidates obtaining [the qualifications mentioned at item (i) through condensed courses.



2. Appointment to the post of Special Teacher (Drawing Teacher) in Primary Schools shall be made by nomination from amongst candidates who have passed S.S.C. examination and possess Art Teachers Diploma or Drawing Teachers Certificate or Drawing Masters Certificate.

3. Primary School teachers whose date of first appointment as such teachers in the service of a Zilla Parishad or Municipal School Board or Municipal Corporation or Municipal Council or recognised private primary school is 15th October 1966 or any prior date are exempted from acquiring S.S.C. and training qualification.

4. Primary School teachers recruited prior to the 30th June 1972 and who are possessing academic and training qualifications according to the rules in force at the time of their appointment are exempted from the S.S.C. and D.Ed. qualifications. Those who were recruited after the 30th June 1972 and who do not possess the S.S.C. and training qualifications should acquire the same before June 1985. Failure to acquire these qualifications before June 1985 shall make them liable for termination of their services.

5. The Primary School teachers with S.S.C. plus S.T.C. or T.D. or D.T. (one year) or Diploma in Education (one year) qualification who have been appointed in service on or before the 30th September 1970 in primary schools shall be regarded as trained and held eligible for the scale of pay for trained S.S.C. teachers.

#### *If. Qualifications for trained Teachers in Secondary Schools and Junior Colleges of Education*

##### *(1) For Graduate Teachers:*

(i) A Bachelor's degree in Teaching or Education of any statutory University or a qualification Recognised by Government as equivalent thereto;

(ii) A Teaching Diploma of any statutory University if a person holding it is appointed for the first time before the 1st October 1970;

(iii) A Secondary Teachers Certificate of the Education Department of this State, if the person holding it is appointed for the first time before 1st October 1970;

(iv) A Diploma in Education of the Graduates Basic Training Centres;

(v) A Diploma in Physical Education or a qualification recognised by Government as equivalent thereto; or Biforcral Higher Diploma in Physical Education of the Government of Maharashtra (as Physical Education with one of the method subjects) or B. P. Ed. (Marathwada University) or B. P. Ed. (Shivaji University) or B.Ed. (Physical Education) (Poona University) or B.Ed. (Physical Education) (Bombay University) or Diploms in Physical Education, Culture and Recreation awarded by Hanuman Vyayam Prasarak Mandal, Amravati;  
or

(vi) Any other degree, diploma or certificate which Government or the Inter-University Board may sanction as equivalent to any of the above qualifications.

**(2) For Undergraduate Teachers:**

(i) A Diploma in Education of Nagpur and Bombay Universities which is awarded two years after Secondary School Certificate Examination;

(ii) A Secondary Teachers' Certificate of the Education Department or the Teachers' Diploma of any other statutory University if the person holding it is appointed for the first time before the 1st October 1970;

(iii) A Certificate in Physical Education recognised by Government if the person holding it is appointed for the first time before the 1st June 1971;

(iv) A Diploma in Education (Primary) awarded by Government; or

(v) Any other equivalent diploma or certificate approved by Government or Inter-University Board.

**(3) For Drawing Teachers:**

A Drawing Teacher's or a Drawing Master's Certificate or an Art Master's Certificate or Art Teacher's Diploma or Art Master's Diploma.

**(4) For Crafts Teachers:**

A Certificate of having completed the special course in Craft run by the Directorate of Technical Education or any other equivalent course approved by Government with a minimum duration of six months.

**(5) For Language Teachers (Arabic, Hindi, Persian, Sanskrit etc.):**

For Graduate Teachers any degree, diploma or certificate which Government or the Inter-University Board may sanction as equivalent to the professional qualification as referred to under Item (1).

*Note.*—Persons in service on the 1st June 1963 with qualifications which have been approved by Government for the posts held by them shall continue to be considered as persons having approved qualifications.

**III. Qualifications for Teachers in Junior Colleges****(1) Full-time Teachers :**

(a) Master's Degree of a statutory University in second class in the respective subjects *plus* B.Ed., or a Diploma or Certificate in Teaching, approved by the Department.

(b) Subject to the provisions of sub-clause (c) the qualifications of the teachers who are in service on the appointed date or appointed after the appointed date with the approval of the Deputy Director, shall be as follows, namely :—

(i) A master's degree of a statutory University at least in second class in Science with Physics, Chemistry or Mathematics, or a Master's degree of a statutory University at least in second class in Arts with Mathematics or a master's degree of a statutory University at least in second class in Commerce, or any higher qualification :

(ii) A bachelor's degree of a statutory University at least in second class in Commerce and who is also a Chartered Accountant (such teachers are already having the professional qualification of Chartered Accountant and hence they shall not be required to acquire the professional qualification of a bachelor's degree in Education or Diploma or Certificate in teaching approved by the Department) ;

(iii) A bachelor's degree of a statutory University at least in second class with a bachelor's degree in Technology ;

(iv) A master's degree of a statutory University in Arts in first class ;

(v) A master's degree of a statutory University at least in second class in any respective subject ;

(vi) A bachelor's degree of a statutory University at least in second or pass class with a bachelor's degree of a statutory University in Education and having experience of teaching standards VIII to X or XI for a period not less than seven years and appointed during the year 1975-76; or

(vii) Any other qualification recognised as equivalent by Government or the Inter-University Board.

(c) The teachers possessing the qualifications referred to in sub-clause (i), (iii), (iv) and (v) shall be required to acquire the professional qualification of a bachelor's degree of a statutory University in Education or Diploma or Certificate in teaching approved by the Department on or before the 13th day of March 1985 failing which they shall not be entitled to increments in the scale of Rs. 500—900 accruing after the date aforesaid.

(d) If persons possessing the qualifications referred to in clauses (a) and (b) are not available, the Director may relax the qualifications on the basis of the merits of each case and the person in whose favour such relaxation is allowed shall be appointed purely on temporary basis.

## (2) Part-time Teachers :

It may be necessary to engage part-time teachers in certain optional subjects such as Book-Keeping and Accountancy, Biology, Geology etc. The qualifications prescribed for full-time teachers for the Junior College classes will also be applicable to them. The Director may relax the qualifications in suitable cases as mentioned in clause (1).

## (3) Teachers for Technical subjects :

Teachers teaching technical subjects or teaching optional technical subjects shall have the following qualifications, namely :—

(i) Diploma in Engineering with three years' teaching experience or three years' professional experience ; or

(ii) teachers having Degree in Engineering or Technology.

**(4) Teachers teaching Art subjects :**

For teaching optional Art subjects, persons possessing the following qualifications shall be considered eligible :—

(a) (i) A Diploma in Drawing and Painting or Sculpture and Modelling or Applied Art in at least second class awarded by the Directorate of Art of Government or a Degree in Fine Art or Commercial Art of a statutory University in at least second class or an equivalent qualification recognised by the Directorate of Art of Government ; and

(ii) A.M. (Art Master, Certificate or A. M. Diploma or Diploma in Art Education in at least second class, awarded by the Director of Art ; or

(b) Candidates who possess Art Master with A. M. Certificate and who have worked as Art Teachers in secondary schools for a period of at least ten years.

*Notes.*—The candidates who have not undergone the revised Diploma course referred to in sub-clause (i) of clause (a) or who possess only the Art Master's Certificate shall be held eligible to teach Junior College classes provided they have undergone or undergo the Refresher Course in the Foundation Course or any orientation programme in Art Education conducted by the Directorate of Art.

**(5) Hindi teachers :**

A person who possesses academic and training qualification in Hindi which is recognised as equivalent to the qualifications mentioned in clause (1) shall be held eligible for appointment as Hindi teacher.

**(6) Teachers for Defence Studies :**

A person who possesses any of the following qualifications shall be held eligible for appointment as a teacher in Defence Studies, namely :—

(a) a graduate or post-graduate with Defence Studies as one of the subjects

(b) a graduate in any faculty and a Commissioned Officer' having experience of not less than three years in the N. C. C. Senior Division or having experience of not less than five years in N. C. C. Junior Division ; or

(c) a graduate in any faculty possessing the bachelor's degree in Education with 7 years' teaching experience in secondary school and at least 'C' Certificate of the N. C. C. Division.

**(7) Physical Education teachers :**

(a) A person who possesses a D. P. Ed. or B. Ed. (Physical Education) with seven years' Post-Training experience if he possesses bachelor's degree in Arts, Science or Commerce at least in second class or with ten years' experience if he possesses any of such degrees in pass class.

(b) A person who possesses certificate in Physical Education (C. P. Ed.) and whose appointment is approved by the Director by relaxing qualifications mentioned in sub-clause (a).

#### IV. *Qualifications for non-teaching posts in Schools*

- (1) Junior Clerk .. A person who has passed at least the Matriculation or the Secondary School Certificate Examination or any other qualification declared by Government as equivalent thereto.
- (2) Senior Clerk .. By promotion from amongst persons holding the posts of Junior Clerk on the basis of seniority-cum-merit.
- (3) Head Clerk .. By promotion from amongst persons holding the posts of Senior Clerk on the basis of seniority-cum-merit.
- (4) Superintendent .. By promotion from amongst persons holding the posts of Head Clerk on the basis of seniority-cum-merit.

(The above posts are shown in descending order and the higher posts are promotional posts available in Secondary Schools and Junior Colleges of Education on the basis of enrolment of the Schools concerned.)

*Note.*—For the purpose of filling in the promotional posts from among the staff strictly on the basis of the seniority-cum-merit, the seniority shall be determined on the basis of guidelines mentioned in Schedule "F" and merit shall be determined in accordance with the record of service within the meaning of that expression in the *Explanation* below sub-rule (6) rule 3.

- (5) Librarian .. A person who has passed at least the Matriculation or the Secondary School Certificate Examination and possesses a certificate in Library Training awarded by the Directorate of Libraries.
- (6) Laboratory Assistant .. A person who has passed the Matriculation or Secondary School Certificate Examination with Physics and Chemistry or General Science subjects.
- (7) Laboratory Attendant (for the scale of pay of Rs. 250-435) .. A person who has studied upto Pre-S.S.C. class with Physics and Chemistry or General Science subjects.
- (8) Laboratory Attendant and other lower grade employees such as Naik, Peon, Watchman, Chowkidar, Sweeper, Callwoman, Kamathi etc. .. A person who is literate.

## SCHEDULE ' C '

[See rule 7(1)]

## Pay-scales

## PART I

*Scales of Pay of Primary School Head Masters and Teachers*

Serial No. 1	Qualification 2	Pay-scale 3
Rs.		
1 Head Master in Primary Schools having an enrolment of students above 200 or having standards I to VII ;		335—15—500—20—580—Extn. —20—680.
2 (a) Untrained teachers who have passed the Primary School Certificate examination or other examination recognised as equivalent thereto by Government ;		
(b) Untrained teachers in Marathwada Region possessing qualifications lower than Munshi or Matriculation qualification ;		
(c) Teachers who have passed either the Primary School Certificate Examination or Secondary School Certificate Examination or any other Examination recognised as equivalent thereto by Government and who are treated as experienced teachers, in accordance with the orders issued by Government in that behalf.		250—7—285—10—385—Extn. —10—435.
3 (a) Untrained teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government ;		
(b) Untrained Teachers in Marathwada Region possessing Munshi or Matriculation qualifications ;		260—10—390—15—420—Extn. —15—495.
(c) Teachers who have passed the Primary School Certificate Examination or an examination recognised as equivalent thereto by Govern-		

Serial No. 1	Category 2	Pay-scale 3
		Rs.
	ment and also the Primary School Teachers Examination (two years course) ;	
	(d) Teachers who have passed the Primary School Certificate Examination or an examination recognised as equivalent thereto by Government and who have secured Training Certificate prior to 1958 according to the old or new course ;	
	(e) Teachers who have passed the Primary School Certificate Examination or other examination recognised as equivalent thereto by Government and who are treated as deemed trained teachers in accordance with the orders issued by Government in that behalf ;	260—10—390—15—420— Extn.—15—495.
	(f) Teachers who have passed the Primary School Certificate Examination or other examination recognised as equivalent thereto by Government and who are treated as trained teachers in accordance with the orders issued by Government in that behalf ;	
4	(a) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and also the Junior Primary Teachers Certificate Examination after 1958 ;	290—10—390—15—465— Extn.—15—540
	(b) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and the old one year's training course ;	

Serial No. 1	Category 2	Pay-scale 3
--------------------	---------------	----------------

Rs.

- (c) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and the two years' training course, if any ;
- (d) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and who are treated as trained teachers in accordance with the orders issued by Government in that behalf ;
- (e) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and who are treated as deemed trained teachers in accordance with the orders issued by Government in that behalf ;
- (f) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and who are treated as trained teachers by the former Governments of Madhya Pradesh and Hyderabad prior to the 1st November 1956 ;
- (g) Teachers who have passed the Secondary School Certificate Examination or other examination recognised as equivalent thereto by Government and who have passed the Senior Primary Teachers Certificate Examination or Diploma in Education (Primary) or Diploma in Education (Pre-Primary) Examination, which are courses each of two years' duration.

290—10—390—15—465—  
Extn.—15—540.



Serial No.	Category	Pay Scale
1	2	3

Rs.

- 5 (a) Untrained Hindi teachers who have passed the Primary School Certificate examination or have acquired qualifications in Hindi recognised by Government ; 250—7—285—10—385—  
Extn.—10—435.
- (b) Untrained Hindi teachers who have passed the Secondary School Certificate Examination or acquired the qualifications in Hindi recognised by Government ;
- (c) Trained Hindi teachers who have passed Primary School Certificate Examination or who have acquired the qualification in Hindi recognised by Government ; } 260—10—390—15—420—  
Extn.—15—495.
- (d) Trained Hindi teachers who have passed the Secondary School Certification Examination or other examination recognised as equivalent thereto by Government, or who have acquired qualifications in Hindi recognised by Government : 290—10—390—15—465—  
Extn.—15—540.
- (e) All other special teachers, i.e. teachers teaching Drawing, Music, Sewing etc. 250—7—285—10—385—  
Extn.—10—435.

The scales of pay of Head-Masters in Secondary Schools, teachers in Secondary Schools and academic teaching staff in Technical, Multipurpose and Vocational High Schools.

## PART II

*Head-Masters*

Sr. No.	Category	Pay-scales
1	2	3
		Rs.
1	Head of Secondary School ..	(Enrolment of students 500 and below) : 600—30—750—40—950. (Enrolment of students above 500) : 750—40—1150.
2	Assistant Head of Secondary School.	600—30—750—40—950.
3	Supervisor .. ..	No separate scale of pay has been prescribed. The incumbent will draw pay in the scale of pay as an Assistant Teacher <i>plus</i> an allowance of Rs. 40 per month.

## PART III

*Secondary School Teachers and academic teaching staff in Technical, Multipurpose and Vocational High Schools.*

Sr. No.	Category	Pay-scales
1	2	3
		Rs.
1	Untrained Matric/S.S.C. ..	260—10—390—15—420—Extn. —15—495.
2	Matric/S.S.C. and one year course thereafter such as S.T.C., T.D. (one year); D.Ed. (one year); Dip. T. (one year) etc.	290—10—390—15—465—Extn. —15—540, <i>plus</i> special pay of Rs. 8 per month to only those who teach standard VIII or any higher standards for at least 1/3rd of the prescribed number of periods of work-load.
3	Matric/S.S.C. and Diploma in Education of Government or H.S.C. or First Year of College and Diploma in Education (Nagpur University) or T.D. (Bombay University).	290—10—390—15—465—Extn. —15—540, <i>plus</i> special pay of Rs. 8 per month to only those who teach standard VIII or any higher standards for at least 1/3rd of the prescribed number of periods of work-load.

Serial No. 1	Category 2	Pay-scale 3
		Rs.
4	Untrained Graduates ..	335—15—500—20—580—Extn. —20—680.
5	Graduates with S.T.C./T.D. (one year)/Dip.T. (one year)	365—15—500—20—660—Extn. —20—760.
6	Graduates with Diploma in Education of Government or D.P.Ed. (Nagpur University) or T.D. (Bombay University) obtained after H.S.C. or first year of College	365—15—500—20—660—Extn. —20—760.
7	Graduates with Dip. T. (2 years) ..	365—15—500—20—660—Extn. —20—760.
8	Graduates with B.T./B.Ed. ..	365—15—500—20—660—Extn. —20—760.
9	Agricultural Graduates with B.T./B.Ed.	365—15—500—20—660—Extn. —20—760, with higher starting pay of Rs. 410 to those who teach the subject 'Agriculture' in Multipurpose Schools.
10	Teachers possessing post-graduate degree at least in Second Class with B. T./B.Ed.	365—15—500—20—660—Extn. 20—760, with a higher starting pay of Rs. 410 to those who possess postgraduate degree at least in Second Class in the subject taught in the school.

*Teachers in Marathwada*

11	Munshi passed/Matric/other equivalent qualifications passed, untrained teachers	} 260—10—390—15—420—Extn. 15—495.
12	Intermediate untrained ..	
13	Intermediate trained ..	290—10—390—15—465—Extn. 15—540.

*Note 1.*—The scales of pay mentioned at serial numbers 5 and 6 above shall be admissible to the graduate teachers who were holding the qualifications specified therein and who were appointed in service for the first time on or before the 1st October 1970 and are in service as trained graduate teachers.

*Note 2.*—The teachers with qualifications specified at serial numbers 5, 6 and 7 and who were appointed on or before the 1st October 1970 shall only be eligible for the scales of pay mentioned therein if they obtain a Bachelor's degree after that date and are appointed as trained graduate teachers for standards V to VII on or after the 17th April 1979 and not otherwise.

## PART IV

*Special Teachers in Secondary Schools and Junior Colleges of Education*

Serial No. 1	Category 2	Pay-scale 3
Rs.		
<i>(a) Drawing Teachers—</i>		
1	Drawing Teacher's Certificate or Drawing Master's Certificate or Art Teacher's Diploma.	290—10—390—15—465—Extn. 15—540.
2	G. D. Art or Bachelor of Fine Art or Art Master's Certificate.	365—15—500—20—660—Extn. 20—760.
3	G. D. Art or Bachelor of Fine Art, plus Art Master's Diploma.	365—15—500—20—660—Extn. 20—760—(with a higher starting pay of Rs. 395 for those possessing Art Master's Diploma).
<i>(b) Drawing Teachers in Marathwada only—</i>		
1	Junior Drawing Teacher ..	290—10—390—15—465—Extn. 15—540.
2	Senior Drawing Teacher ..	290—10—390—15—465—Extn. —15—540.
3	Special Drawing Teacher ..	365—15—500—20—660—Extn. 20—760.
<i>(c) Physical Training Instructors—</i>		
1	Non-Matric or non-S.S.C. P. T. Instructor.	260—10—390—15—420—Extn. 15—495.
2	Matric or S.S.C. with short-term course in Physical Education.	290—10—390—15—465—Extn. 15—540.
3	Matric or S.S.C. with one year's Certificate Course in Physical Education.	290—10—390—15—465—Extn. 15—540.
4	Physical Training Instructor (Graduate) or Kandivali Trained [B.A. or B.Sc. or B. Com. and D.P.Ed. or persons possessing a Bifocal Higher Diploma in Physical Education of the Government of Maharashtra (as Physical Education with one of the method subjects) or B.P.Ed.	365—15—500—20—660—Extn. 20—760.

Serial No. 1	Category 2	Pay-scale 3
		<b>Rs.</b>
	(Shivaji University) or B.P.Ed. (Marathwada University) or B.Ed. (Physical) (Pune University) or B.Ed. (Physical) (Bombay University) or Diploma in Physical Education, Culture and Recreation awarded by Hanuman Vyayam Prasarak Mandal, Amravati]	
	<i>(d) Sanskrit Teachers—</i>	
1	Shastri without S.T.C. ..	260—10—390—15—420—Extn. 15—495.
2	Shastri with S.T.C. ..	290—10—390—15—465—Extn. 15—540.
3	Shastri (Graduate) without S.T.C.	335—15—500—20—580—Extn. 20—680.
4	Shastri (Graduate) with S.T.C. ..	365—15—500—20—660—Extn. 20—760.
	<i>(e) Hindi Teachers—</i>	
1	Matric or S.S.C. with Kovid, Pravān, Visharad or any other examination recognised by Government as equivalent to intermediate.	260—10—390—15—420—Extn. 15—495.
2	Matric or S.S.C. or Inter with Hindi Shikshak Sanad including Junior or Senior Hindi Shikshak Sanad.	290—10—390—15—465—Extn. 15—540.
3	B.A. with Hindi without Hindi Shikshak Sanad.	335—5—500—20—580—Extn. 1—20—680.
4	Graduate with Junior or Senior Hindi Shikshak Sanad.	365—15—500—20—660—Extn. 20—760.
	<i>(f) Craft Teachers—</i>	
1	Those who have not passed Standard VIII or above with Certificate in Craft.	250—7—285—10—385—Extn. 10—435.
2	Primary School Certificate Examination or Primary School Certificate plus Certificate and/or Diploma in Tailoring and/or Embroidery Courses approved by the Director of Technical Education.	260—10—390—15—420—Extn. 15—495.

Serial No. 1	Category 2	Pay-scale 3
		Rs.
3	Matric or S.S.C. with Craft Certificate	290—10—390—15—465—Extn.— 15—540.
<i>(g) Music Teachers—</i>		
1	Sangit Visharad without Matric or S.S.C.	290—10—390—15—465—Extn.— 15—540.
2	Sangit Visharad with Matric or S.S.C.	335—15—500—20—580—Extn.— 20—680.
<i>(h) Shorthand and Typewriting Instructors—</i>		
1	Shorthand and Typewriting Instructor.	335—15—500—20—580—Extn.— 20—680.
2	Typewriting Instructor	290—10—390—15—465—Extn.— 15—540.
<i>(i) Field Assistant—</i>		
1	Matric or S.S.C. plus 6 months' course in Agriculture.	260—10—390—15—420—Extn.— 15—495.
<i>(j) Tabaljis—</i>		
1	Sangit Madhyama (Tabla) or a certificate from a Government recognised Sangit School or possessing 10 years' experience of playing Tabla or Certificate of proficiency from first class music expert from the All India Radio	260—10—390—15—420—Extn. 15—495.
2	Sangit Visharad of Gandharva Mahavidyalaya, Pune or any other diploma from the Government recognised Sangit Schools recognised as equivalent thereto by Government.	

*Note.*—The pay-scales of Graduate Teachers shown in Part III shall be admissible to teachers appointed for standards V to VII on the condition that the number of graduate and under-graduate teachers (other than teachers in music, drawing, craft and physical education) admissible shall be in the ratio of 25:75.

## PART V

*The Scales of pay of Principals and Teachers in Junior Colleges of Education*

Serial No. 1	Category 2	Pay-scale 3
		Rs.
1	Trained Graduate Teachers ..	395—15—500—20—700—Extn. —20—800.
2	Graduate and Montessory trained teachers.	365—15—500—20—660—Extn. 8 —20—760.
3	Principals .. .. .	(1) For Colleges having four Divisions or less—600—30—750—40—950. (2) For Colleges having more than four Divisions—750—40—1150.

## PART VI

*Scales of pay of Teachers in Junior College (Higher Secondary) Units attached to Secondary Schools or Colleges*

Serial No. 1	Category 2	Pay-scale 3
		Rs.
1	Teachers with post-graduate degree in II Class plus B.Ed. or a diploma or certificate in Teaching approved by Government.	500—20—700—25—900.
2	Teachers in the Secondary Schools having the qualifications of Bachelor's degree in the second or pass class with B.Ed. and with 7 or 10 years' experience of teaching standards VIII-X/XI appointed to teach the Junior College Classes attached to the Secondary Schools during 1975-76 and who have opted for the scale applicable to the Junior College Teachers.	500—20—700—25—900.
3	Teachers with post-graduate degree at least in second class appointed to teach the Junior College Classes in	500—20—700—25—900.

Serial No. 1	Category 2	Pay-scale 3
		Rs.
	the scale of pay applicable to the Junior College Teachers subject to the condition that they should acquire the professional qualification of B.Ed. or a Diploma or Certificate in teaching approved by Government, on or before the 13th day of March 1985, failing which they shall not be entitled to future increments in the scale applicable to Junior College Teachers.	
4	Teachers with B.Com. at least in second class and who are also Chartered Accountants.	500-20-700-25-900.
5	Teachers with B.Sc. at least in second class and B.Tech. appointed to teach the Junior College Classes subject to the condition that they should acquire professional qualification of B.Ed. or Diploma or Certificate in teaching approved by Government, on or before the 13th day of March 1985, failing which they shall not be entitled to future increments in the scale applicable to Junior College Teachers.	500-20-700-25-900.
6	Teachers in whose favour the Director has relaxed qualifications including teachers teaching work experience subject.	The pay-scale admissible to a secondary school teacher according to the qualifications mentioned in Parts III and IV plus a special pay of Rs. 50 per month.
7	Teachers teaching physical education referred to in sub-clause (a) of clause (7) of item III of Schedule 'B'.	500-20-700-25-900.

*Note.*—College teachers who have not completed two years of service on the 7th February 1975 and who are determined as surplus to the requirements of the colleges and who are absorbed in the Junior Colleges for teaching Junior College Classes to be attached to the colleges shall be held eligible for the above scale of Rs. 500-20-700-25-900 or their old collegiate scale of Rs. 300-600 or Rs. 400-800 as the case may be, as per the option exercised by the teachers concerned. Such teachers shall be required to obtain a degree of Bachelor of Education or Diploma or Certificate in teaching approved by Government, on or before the 13th day of March 1985, failing which they shall not be entitled to future increments in the respective pay-scale.



## PART VII

*Scales of pay of Head-Masters in Night Secondary Schools, part-time Teachers and part-time non-teaching staff in Secondary Schools including Night Schools and part-time teaching staff in Junior Colleges*

(1) *Head Masters in Night Schools—*

Serial No.	Category	Pay-scale
1	2	3
		Rs.
1	Head Masters of Night Schools having an enrolment of students 500 and below	300-15-375-20-475
2	Head Masters of Night Schools having an enrolment of students above 500.	375-20-575

(2) *Part-time teaching staff.*—No separate scales of pay have been laid down. Their pay is regulated as follows, namely :—

Serial No.	Category	Pay
		3
		Rs.
1	Trained graduate teacher working for less than 3 clock hours, per week.	25 per month.
2	Untrained graduate teacher working for less than 3 clock hours, per week.	20 per month.
3	Trained undergraduate teacher working for less than 3 clock hours, per week	18 per month.
4	Untrained undergraduate teacher working for less than 3 clock hours, per week	15 per month.
5	All other teachers—	
	(a) working for more than 3 clock hours, per week, in addition to working as full-time teachers elsewhere	Pay in proportion to the number of teaching hours prescribed for a full-time teacher and the pay actually drawn as a full-time teacher.

Serial No. 1	Category 2	Pay-scale 3
(b) Working for more than 3 clock hours, per week, purely as part-time teachers.		Pay in proportion to the number of teaching hours prescribed for a full-time teacher and the pay they would have drawn on the basis of their qualifications had they been working as full-time teachers.

(3) *Part-time non-teaching staff.*—No separate scales of pay have been laid down. Their pay is regulated as follows, namely :—

(a) If the employee is working as part-time employee in addition to working as a full-time employee in the same school or elsewhere. Pay in proportion to the number of working hours prescribed for a full-time employee and the pay actually drawn as a full-time employee.

(b) If the employee is working purely as a part-time employee. Pay in proportion to the working hours prescribed for the full-time employee and the pay that he would have drawn had he been working as full-time employee.

(4) *Part-time teaching staff in Junior Colleges.*—No separate scales of pay have been laid down. Their pay is regulated as follows, namely :—

Part-time teachers with the same qualifications as prescribed for full-time teachers. Rs. 10 per clock hour of actual teaching work including tutorials.

*Note 1.*—Qualified part-time teachers may be appointed when either full-time teachers are not available or when there may not be adequate work-load to justify appointment of full-time teacher for teaching a particular subject.

*Note 2.*—Remuneration payable to part-time teachers during vacation shall be equal to their average weekly earnings provided they actually do the work of assessment of exercise books, answer books of periodical, terminal or annual examinations in addition to their teaching work.

*Note 3.*—Qualified part-time teachers from nearby places may be appointed with the prior approval of the Deputy Director and such teachers shall be held eligible for lump sum monthly payment to cover expenditure on travelling as may be determined by the Deputy Director.

*Note 4.*—No part-time teacher shall be employed or no extra payment shall be admissible to a teacher if he is entrusted an additional class in casual absence of a regular teacher.

*Note 5.*—Whereafter assigning the full-time work-load in a particular subject to a teacher there remains an extra work-load in that subject and no part-time teacher is available and such extra work-load is assigned to another teacher in the same shift, the teacher to whom such extra work is assigned shall be paid additional remuneration at the rate of Rs. 10 per clock hour so, however that such remuneration shall not exceed 20 per cent. of such teacher's basic pay during the month.

### PART VIII

#### *Scales of pay for non-teaching staff in Schools*

Serial No.	Category	Pay-scales
1	2	3
1	<b>Clerks—</b>	Rs.
	(i) Junior Clerk .. ..	260—10—390—15—420— Extn.—15—495.
	(ii) Senior Clerk .. ..	335—15—500—20—580— Extn.—20—680.
	(iii) Head Clerk .. ..	395—15—500—20—700— Extn.—20—800.
	(iv) Superintendent .. ..	500—20—700—25—900.
2	Laboratory Assistant—those who have passed Matric or S.S.C. with Physics and Chemistry or General Science subjects.	260—10—390—15—420— Extn.—15—495.
3	<b>Librarian—</b>	
	(i) Matric or S.S.C. with Certificate in Library Training awarded by the Directorate of Libraries.	290—10—390—15—465— Extn.—15—540.
	(ii) Graduate with the Diploma or Degree in Library Science appointed before 27-12-1979 (including persons who are graduate with the Certificate in Library Training and are appointed on or before 21-8-1978).	365—15—500—20—660— Extn.—20—760.

Serial No.	Category	Pay-scale
4	<b>Lower Grade Staff—</b>	Rs.
	(i) <b>Laboratory Attendants—</b>	
	(a) Those who have studied upto Pre-S.S.C. Class with Physics-Chemistry or General Science subjects.	250—7—285—10—385—Extn. —10—435.
	(b) Others .. .. .	200—3—230—5—255—Extn. —5—280.
	(ii) Naik .. .. .	} 205—5—250—7—285—10— 305—Extn.—10—355.
	(iii) Mali .. .. .	
	(iv) Oilman/Machine Attendant	
	(v) Peon/Watchman or Night Watchman or Chowkidar/Sweeper/Call-Woman/Kamathi/Attendant/Laboratory Hamal or Hamal or any other members of lower grade staff.	200—3—230—5—255—Extn. —5—280.

### SCHEDULE 'D'

[See rule 9 (5)]

### Order Of Appointment

From \_\_\_\_\_ No. \_\_\_\_\_ date \_\_\_\_\_

To  
Shri/Smt. \_\_\_\_\_

With reference to your application dated \_\_\_\_\_, I have the pleasure to inform you that you are hereby appointed as \_\_\_\_\_ on Rs. \_\_\_\_\_ per month in the scale of Rs. \_\_\_\_\_ with effect from \_\_\_\_\_ or the date you report for duty. You will be entitled to allowances such as compensatory local allowance, house rent allowance and dearness allowance as specifically sanctioned by Government from time to time.

2. \*Your appointment is purely temporary for a period of \_\_\_\_\_\*months/years from \_\_\_\_\_ to \_\_\_\_\_ in the \*leave/deputation vacancy. After expiry of the above period, your services shall stand terminated without any notice.

OR

\*Your appointment is on probation for a period of two years.

3. The terms of your employment and conditions of service shall be as laid down in the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 and the Rules made thereunder.

4. You shall have to undergo a medical examination by Dr..... † within three months from the date of joining the post. Your appointment shall be conditional pending the receipt of physical fitness certificate from the doctor whose name is mentioned above.

5. You are requested to acknowledge receipt of this order of appointment and communicate the acceptance of the appointment within days from the date of receipt of the same.

6. If no reply accepting the appointment is received within the period mentioned in paragraph 5 the order shall be treated as cancelled.

Yours faithfully,



\*Head Master and Secretary of the School Committee (in the case of appointment order of teaching and non-teaching staff of the school excluding the Head Master/ Assistant Head Master).

\*Chief Executive officer (in the case of order of appointment of Head Master/Assistant Head Master).

\* Strike off which is not applicable.

† To be named by the Management.

---

### SCHEDULE ' E '

[See rule 11]

#### Form of Service Book

- (1) Name ..
- (2) Caste with sub-caste (only in case of persons belonging to Backward Classes)
- (3) Residence ..

- (4) Father's name and residence .....
- (5) Date of Birth by the Christian Era as nearly as can be ascertained. (Correctness to be verified from Birth Registration Certificate/or School Leaving Certificate) .....
- (6) Date of medical examination after appointment and result of such examination .....
- (7) Exact height by measurement .....
- (8) Personal marks for identification ..
- (9) Educational Qualifications (To be verified from original certificates) .....
- (10) Signature of employee (to be dated) .....
- (11) Signature and designation of the Head Master or Chief Executive Officer or President of the Management (to be dated).

*Note.*—The entries in the page except entries (10) and (11) shall be renewed or re-attested at least every five years.

**NOTE**

To avoid trouble about Pension, take great care in the following circumstances, that the Service Book clearly answers the following question :—

Circumstance	Question
When service commences as—	
(1) ' officiating '	.. What is the nature of vacancy ? Is there full-time vacancy or does any other employee count the same for pension in the same appointment.
(2) ' on probation '	.. Is it in a probationer's appointment specially allotted, or is it only ' officiating ' as referred to in item (1) ?
(3) ' officiating ' in a temporary appointment	.. Is the temporary appointment eventually made permanent ?

(4) Upon reinstatement after suspension; if applicable. Is the period ordered to count for leave and pension ?

Each Head Master or the Chief Executive Officer should scrutinize entries taken in Service Books in his custody and certify accordingly.

*Certificate by the Head Master or the Chief Executive Officer.*

Certified that all the entries on the first page of the Service Book have been duly reattested by me and found to be correct \* except that .....

Dated 19

Signature of the Head Master  
or the Chief Executive Officer.

\*These words should be scored out when there is no exception.

G.P. Fund Account No.

Name of appointment	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment and (ii) nature of the original vacancy in which he officiates	Pay in substantive appointment	Additional pay for officiating
1	2	3	4	5
			Rs. P.	Rs. P.

Other emoluments falling under the term ' Pay '	Date of appointment	Signature of employee	Signature and designation of the Head Master or Chief Executive Officer or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment
6	7	8	9	10
Rs. P.				

Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the Head or Chief Executive Officer or other Attesting Officer	Nature and duration of leave taken	Signature of the Head or Chief Executive Officer or other Attesting Officer	Reference to any recorded punishment or censure or reward or praise of the employee
11	12	13	14	15

## FORM OF LEAVE ACCOUNT

Name of employee:

Date of commencement of continuous service:

Date of Birth:

Date of compulsory retirement:

Earned Leave			
Duty			Leave Earned (in days)
From	To	Period in days	
1	2	3	4

Earned Leave				
Leave at credit (in days) Cols. 9 & 4 subject to appropriate limit	Leave taken			Balance on return from leave (Cols. 5-8)
	From	To	No. of days	
5	6	7	8	9

Half pay leave (on private affairs and on Medical Certificate)					Leave taken against the earning on half pay		
Length of Service			Credit of leave		From	To	No. of days
From	To	No. of completed years	Leave Earned (in days)	Leave at credit (Cols. 23+13)			
10	11	12	13	14	15	16	17



(including commuted leave,)

Commuted leave on Medical certificate on full pay			Commuted leave converted into half pay leave (twice of Col. 20)
From	To	No. of days	
18	19	20	21

Total half pay leave taken (Cols. 17+21)	Balance on return from leave (Cols. 14-22)	Remarks
22	23	24

*Note 1.*—Period of extraordinary leave taken should be noted in red ink in column 24 for remarks.

*Note 2.*—The entries in columns 10 and 11 should indicate only the beginning and end of completed years of Service at the time the half pay leave commences. In cases where an employee completes an year of service while on half pay leave the extra credit should be shown in columns 10 and 14 by making suitable additional entries and this should be taken into account when completing column 23.

*Note 3.*—Whenever the rate of earning leave changes, the fraction in the earned leave accumulated at an earlier rate should be rounded off to the nearest day i.e. fraction below half should be ignored and that of half or more should be reckoned as a day.

**RECORD OF VERIFICATION OF SERVICE**—Service verified from pay bills, acquittance rolls (and similar records specified below) :—

From	To	Other record, if any, from which the service is verified	Signature and designation of the Head or Chief Executive Officer
------	----	--	--

**SCHEDULE 'F'**

[See rule 12]

**1. Guidelines for fixation of seniority of teachers in the primary schools :—**

The seniority of primary school teachers in Primary Schools shall be based on the date of joining service and continuous officiation.

**2. Guidelines for fixation of seniority of teachers in the secondary schools, Junior Colleges of Education and Junior College classes attached to secondary schools and Senior Colleges :—**

For the purpose of fixation of seniority of teachers in the secondary schools, Junior Colleges of Education and Junior College classes attached to Secondary Schools the teachers should be categorised as follows:—

**Category A:** Heads of secondary schools having an enrolment of students above 500 and Principals of Junior Colleges of Education having more than four Divisions on the basis of the dates of their appointments to the respective posts.

**Category B:** Heads of secondary schools having an enrolment of students of 500 and below, Principals of Junior Colleges of Education having four or less Divisions and Assistant Heads of Secondary schools having more than 20 classes on the basis of the dates of their appointments to the respective posts.

**Category C: Holders of—**

M.A./M.Sc./M.Com., B.T./B.Ed., or its equivalent; or  
 B.A./B.Sc./B.Com., B.T./B.Ed., or its equivalent; or  
 B.A./B.Sc./B.Com., Dip. T. (old two years course); or  
 B.A./B.Sc./B.Com., S.T.C./Dip. Ed./Dip. T. (one year course) with 10 years post-S.T.C. etc. service.

**Category D: Holders of—**

B.A./B.Sc./B.Com., S.T.C./Dip. Ed. (one year course) or its equivalent.

**Category E: Holders of—**

S.S.C., S.T.C./Dip. Ed./Dip. T. (one year course) or its equivalent.

**Category F: Untrained Graduates or holders of equivalent qualification.****Category G: Untrained Matriculates or holders of equivalent qualification.****Category H: All teachers other than those mentioned in categories A to G.**

**Note 1.**—For the purpose of categories C, D and E teachers with S.T.C., T.D., Jr. P. T.C., Dip. T., Dip. Ed. (post-S.S.C. one year course) qualifications appointed on or after 1st October 1970 shall be considered as untrained and their seniority shall be fixed in the 'F' or 'G' category of untrained teachers, as the case may be.

**Note 2.**—The following training qualifications which can be secured two years after S.S.C. Examination shall be considered as training qualification for the purpose of seniority even after 1st October 1970:—

- (1) D.Ed. (2 years),
- (2) T.D. (Bombay University),
- (3) Dip. Ed. (Nagpur University).

**Note 3.**—In the case of teachers whose date of continuous appointment in one and the same category is common, the teacher who is senior by agee will be treated as senior.

**Note 4.**—The categories mentioned above represent the ladder of seniority and have been mentioned in descending order.

**Note 5.**—Where a Management runs more than one school and where Junior College classes are or are not attached to any one or more of such schools, the seniority list for a particular cadre shall be a combined seniority list of all persons in that cadre working in all the schools (excluding night school, if any), or Junior College classes attached to schools of the Management. The total continuous service rendered by the persons in a particular cadre in any school or Junior College class shall be taken into consideration for the purpose of seniority and for the purpose of promotion.

**Note 6.**—The seniority of the teaching staff in night school shall be maintained separately.

**Note 7.**—Where one of the schools is a Girls' school and where the Management desires to maintain a separate seniority list of teachers in that school, the Management shall resolve accordingly and forward a copy of the resolution to the Education Officer or, as the case may be, the Deputy Director of Education. Such a decision shall not, however, be revocable at any time in future. Further, where the Management decides to do so the candidates to be appointed to the teaching posts shall be given a clear understanding to the effect that they shall not have any claim on the promotional posts in other schools run by the same Management. The services of the members of the teaching staff in such a school shall not be permanently transferable to any other school and *vice versa*. The temporary transfer of services of the members of the teaching staff in such a school shall also be with the prior permission of the Education Officer or, as the case may be, the Deputy Director of Education.

*Note 8.*—Where a Management runs one or more secondary schools and a Junior College of Education, then notwithstanding the fact that trained graduate teachers in Junior College of Education are in a higher scale of pay, a combined seniority list of all teachers in both the types of Institutions shall be maintained in such schools and Junior College of Education in accordance with the guidelines laid down in paragraph 2 of this schedule. This seniority list shall form the basis for purpose of promotion to the posts of Head Masters and Assistant Head Masters in secondary school(s) and Principal(s) of Junior College of Education.

*Note 9.*—In the case of permanent teachers having a break or breaks in service (physical or otherwise i.e. owing to part-time service interposed between two spans of full-time service under the same management) after being made permanent but prior to the 1st July 1970 and who may not have changed the cadre after the period of break, the Management shall condone the break(s) for period(s) not exceeding three years for the purpose of seniority by commencing retrospectively the period of absence. If the period exceeds three years and if the teachers had worked on part-time basis, the Management shall also give credit for period(s) of part-time service to the extent of half the total period, for the purpose of seniority only. Each type of such breaks shall not exceed three in number during the career of a teacher and seniority so gained shall not entitle the teacher for retrospective promotion.

*Note 10.*—The seniority of secondary school teachers in Vidarbha Region who were permanent on the 31st December 1965 and whose seniority was determined as per the provisions contained in the Madhya Pradesh Secondary Education Act, 1951 and the rules made thereunder shall not be disturbed. If any teacher among such teachers, improves his qualifications and thereby switches over to higher category, these guidelines of seniority shall apply so far as the determination of his seniority in the higher category is concerned.

### 3. *Guidelines for fixation of seniority of non-teaching staff :—*

*Clerks.*—The clerical and supervisory posts in the channel of promotion comprise Junior Clerk, Senior Clerk, Head Clerk and Superintendent. Seniority of Junior Clerks in a School or Schools shall be determined on the basis of the date of appointment of the persons concerned. The post of Senior Clerk shall be filled in by promotion of seniormost Junior Clerk. The posts of Head Clerk and Superintendent shall be filled in respectively by promotion of seniormost Senior Clerk and seniormost Head Clerk, respectively.

*Librarian.*—In the case where the Management runs only one School a seniority list of Librarian need not be maintained as the post is an isolated one. In case where the Management runs more than one School a seniority list of Librarians shall be maintained on the basis of the date of appointment. The Librarians shall not be held eligible for promotion to any other post.

*Laboratory Assistants.*—A seniority list of Laboratory Assistants shall be maintained on the basis of the date of appointment. The incumbents of the posts shall not be held eligible for promotion to any other post.

*Lower Grade Staff.*—A common seniority list of Laboratory Attendant, Naik, Oilman, Machine Attendant, Peon, Watchman, Chowkidar, Sweeper, Call-Woman, Kamathi, Attendant, Laboratory Hamal, Liftman and such other lower grade staff, if any, shall be maintained on the basis of the dates of their appointment. If any of the lower grade staff improves his qualifications as prescribed either for the post of Laboratory Assistant or Clerk, such employee should be given preference while filling in the said post according to his place in seniority.

*Note 1.*—Where a Management runs more than one School the seniority list for a particular cadre shall be a combined seniority list of all persons in that cadre working in all the

Schools of the Management. The total service rendered by the persons in a particular cadre in any of these Schools shall be taken into consideration for the purpose of seniority. The various promotions shall be effected on the basis of such common seniority list.

*Note 2.*—If the date of appointment of two or more persons in the same cadre happens to be the same the person who is senior by age shall be considered as senior.

*Note 3.*—For the purpose of promotion the vacancies occurring in all the Schools run by the same Management shall be pooled together.

## SCHEDULE 'G'

[See rule 14 (2) and rule 15 (1)]

### Form of Confidential Report for teaching staff

#### PART I

#### *Self-Assessment Form*

1. Name .. .. .
2. Post held .. .. .
3. Length of Service in the present or similar post.
4. Give a brief description of your duties indicating the objectives given to you during the year.
5. How would you assess your own performance during the past year against the targets set for you.
6. Can you mention any specific item(s) of good work done by you.

Signature, name and designation of the person.

#### *Remarks of the Reporting Officer*

1. Please state whether you agree with the assessment and if not, the reasons therefor.
2. What according to you are the faults and responsibilities of the teacher for the shortfall, if any.
3. Please give your general assessment regarding the teacher's integrity and relations with the public.

Signature, name and designation of the Reporting Authority.

## PART II

*Form of confidential report for Head or teacher of a school*

For the period from .....

Name of the teacher in full .....

Qualifications .....

Designation .....

Status (Permanent or temporary)

Length of service in the institution on 1st June .....

Scale of pay ..... Pay on 1st June .....

Next increment on .....

Special pay or allowances .....

Subjects taught .....

I have formed the following opinion about the teacher's ability, work etc

For the period from ..... to .....

(1) *Class work*.—N. B. assessment in respect of class work shall be made by using the rating scale given below (excellent, very good, good, satisfactory or poor).

(a) Knowledge and preparation of subject.

(b) Knowledge of—

(i) Medium of instruction.

(ii) Hindi.

(iii) English.

(c) Power of exposition, illustration, questioning etc.

(d) Ability and desire to create interest among pupils.

(e) Class control and discipline.

(f) Influence over pupils, parents and colleagues.

(g) General remarks on the class work.

(2) *Extra Class activities*.—

(a) Interest taken in sports, physical education, scouting etc.

(b) Sincerity, loyalty etc.

(c) Inclination to co-operate with the colleagues.

(d) Fidelity in carrying out the instructions issued by the Head of the school.

(e) Integrity and Character.

(f) Special aptitude.

- (g) Obedience.
- (h) Punctuality.
- (i) Penalties or Awards, if any.
- (j) Fitness to continue in the present post.
- (k) Fitness for promotion.

(3) General remarks, if any,

Place:

Date:

Signature of Headmaster.  
Chief Executive Officer.  
President.

### PART III

#### *Remarks of the Reviewing Authority*

1. Length of Service under Reviewing Authority.
2. Do you agree with the Reporting Authority or do you wish to modify or add to his assessment?

Place:

Date:

Signature, Name and Designation of  
the Reviewing Authority.

#### *Form of confidential report for non-teaching employees*

### PART I

#### *Self-Assessment form*

1. Name .. .. .
2. Post .. .. .
3. Length of service in the present or similar post.
4. Give a brief description of your duties indicating the objectives given to you during the year.

5. How would you assess your own performance during the past year against the target set for you.
6. Can you mention any specific item(s) of good work done by you.

Signature, Name and Designation  
of the person.

*Remarks of the Reporting Officer*

1. Please state whether you agree with the assessment and if not, the reasons therefor.
2. What according to you are the faults and responsibilities of the employee for the short-fall, if any.
3. Please give your general assessment regarding the employee's integrity and relations with the public.

Place :  
Date :

Signature, Name and Designation  
of the Reporting Authority.

**PART II**

*Estimates of General Ability and Character*

- |   |    |    |  |
|---|----|----|--|
| Name  | .. | .. |  |
| Period of Report  | .. | .. |  |
| Post or posts held  | .. | .. |  |
| 1. Performance Factors  | .. | .. |  |
| (1) Industry and application  | .. | .. |  |
| (2) Capacity to get work done by subordinates.                      |    |    |  |
| (3) Relations with colleagues and the public.                       |    |    |  |
| 2. Intellectual Factors.  |    |    |  |
| (1) General intelligence  | .. | .. |  |
| (2) Technical ability (where relevant).                             |    |    |  |
| (3) Special aptitude  | .. | .. |  |
| 3. Administrative ability including judgment, initiative and drive. |    |    |  |
| 4. Integrity and character.   |    |    |  |
| 5. Fitness to continue in the present post.                         |    |    |  |



6. Fitness for promotion.
7. General assessment.

Place :

Date :

Signature, Name and Designation  
of the Reporting Authority.

### PART III

#### *Remarks of the Reviewing Authority*

1. Length of Service under Reviewing Authority.
2. Do you agree with the Reporting Authority or do you wish to modify or add to his assessment ?

Place :

Date :

Signature, Name and Designation  
of the Reviewing Authority.

#### *Form of Confidential Report for employee of the lower grade staff Estimates of General Ability and Character*

Name	..	..
Period of Report	..	..
Post or posts held	..	..
1. Physical fitness	..	..
2. General intelligence	..	..
3. Technical ability (where relevant)	..	..
4. Integrity and character	..	..
5. Special aptitude	..	..
6. Obedience	..	..
7. Punctuality	..	..
8. Penalties/Awards, if any	..	..
9. Fitness for promotion	..	..
10. General assessment	..	..

Place :

Date :

Signature, Name and Designation  
of the Reporting Authority.

#### *Remarks of the Reviewing Authority*

1. Length of service under Reviewing Authority.
2. Do you agree with the Reporting Authority or do you wish to modify or add to his assessment ?

Place :

Date :

Signature, Name and Designation  
of the Reviewing Authority.

## SCHEDULE 'H'

[See rule 18(1)]

### Form of Discharge Certificate

1. Name and address of the school issuing the certificate.
2. Full name of the employee ..
3. Qualifications—
  - Degree/Diploma .. ..
  - Class obtained in degree/diploma ..
  - Year .. ..
  - University .. ..
4. Whether temporary/permanent ..
5. Service rendered .. (inclusive) from .. to ..
6. Pay last drawn .. .. in the scale of Rs.
  - Allowances, if any .. (a)
  - .. (b)
- Date of next increment .. ..
7. Whether due notice by either party was given or not. In the case of termination it should be stated whether regular enquiry was held into the charges framed against him.
8. (a) Whether subscribing to the Contributory/General Provident Fund, if so, account number, amount of monthly subscription, amount of loan and its instalments outstanding, if any.
- (b) Postal Saving Bank Account No.
9. Whether he has returned all school money and books, etc.
10. Remarks ..

Place:

Date:

Signature and Seal of the Head  
of the School.

Signature and Seal of the Chief Executive  
Officer in the case of Head Master.

## SCHEDULE ' I '

[See rule 22 (1) ]

**Duties of employees**

**1. Duties of the Head—(1) Duties in relation to Educational matters.**—In addition to his duties as a teacher in respect of the class or classes taught by him personally, a Head of a school, subject to such instructions as may from time to time be issued by the Government shall—

(a) be generally responsible for the efficient and effective education including physical education of all pupils in his school.

(b) attend the school punctually, be present in the school during the appointed school hours, devote his whole attention to the school work and shall not do any private work during the school hours.

(c) be responsible to regulate and control the quantum of teachers' work and be responsible to ensure quality of education in his school.

(d) be responsible to provide broad guidelines for planning and evaluation.

(e) be responsible for the arrangements of pupils in his class or classes and for their promotions to higher standards according to their progress during the year and the result of the periodical and term end examinations.

(f) prescribe text books, hand books, work books etc. in consultation with the school Committee.

(g) undergo and successfully complete orientation Courses,

(h) be accountable for persistent low academic performance in the S.S.C. and H.S.C. examination.

**(2) Duties with regard to general administrative matters.**—The Head shall—

(a) be responsible to the Management for the smooth and efficient functioning of the School,

(b) make all possible efforts to improve attendance in his school by—

(i) inducing the parents to require their children to attend the school regularly;

(ii) establishing contact with the help of his assistants with parents of non-attending children, enquiring into the causes of their absence or irregular attendance and inducing them to cause their children to attend the school regularly,

(c) grant leaving certificates or extracts from the general register to the pupil or his parent on application and on the payment of prescribed fees, if any,

(d) determine the number of working days and holidays within the framework of a schedule prescribed by the Education Officer and prepare the time table of the school every year.

(e) be responsible for the proper maintenance of all school registers and records,

(f) be responsible for the general organisation of the school including games and sports, for holding periodical examinations and for arranging co-curricular activities,

(g) inculcate among pupils of his school, habits of cleanliness and neatness and be responsible for their conduct and discipline,

(h) supervise, control and co-ordinate the work of his assistants, be responsible for their efficiency and discipline and report forthwith to the Chief Executive officer of the Management, cases, if any, which may come to his notice of misconduct or breach of discipline among his assistants,

(i) maintain the log-book of the work of his assistants,

(j) observe at least two lessons per week of the Supervisor or teachers or of both and to maintain a record thereof and periodically inspect the log-books maintained by the Assistant Head or Supervisor or by both,

(k) promote communal harmony and good will among pupils in his school and ensure that no discrimination of any kind is imposed on any pupil on the ground of his caste or community.

(l) work as the Conductor or Deputy Conductor or Supervisor at any examination conducted by Government and the Secondary School Certificate or Higher Secondary School Certificate examinations on being appointed by the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education ; and be responsible for the efficiency and discipline as per rules prescribed by the Government and Boards for respective examinations,

(m) work as Examiner or Assistant Examiner or Moderator or Chief Moderator or Paper Setter or Expert at any examination conducted by Government and the Secondary School Certificate and Higher Secondary School Certificate examinations and also do such other work as may be entrusted by Government and the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education ; and be responsible for the efficiency and discipline as per rules prescribed in that respect by Government and the Boards,

(n) grant casual leave to the employee of his school,

(o) be responsible for the legitimate use of his school premises as per the directive of the Department and render all assistance for the smooth conduct of various examinations as per need of the Management in general and of the Department in particular,

(p) arrange to convene meetings of the School Committee and the Academic Council,

(q) supply punctually all information as may be called from time to time by the Department and the State or Divisional Board,

(r) be responsible for ensuring that the school property of every description is properly cared for and for keeping the school premises clean and tidy. Any damage done to such property shall be reported by him to the appropriate authority,

(s) be responsible for the maintenance of service books, and periodical attestation in the service books of the employees in his school.

(t) assist the Management in the preparation and maintenance of the seniority list of the employees in his school,

(u) be responsible for the maintenance of the confidential reports of the employees and for communicating adverse remarks to the employees,

(v) pay personal attention and be responsible for the timely preparation and submission of pension papers of the employees to the concerned authorities,

(w) bring to the notice of the School Committee the adequacy or otherwise of the school staff as required under the rules and make efforts to remove deficiency, if any, as early as possible,

(x) perform such other duties and conform to such instructions relating to the education as may be required of or issued to him by the State Government, Director, Deputy Director or Education Officer, as the case may be,

(y) undergo and successfully complete orientation courses.

(3) *Duties with regard to the financial matters.*—The Head shall be responsible for—

(a) subject to the instructions issued by the management, granting free studentships to the poor and deserving pupils,

(b) preparing monthly or quarterly bills as the case may be in respect of pupils who have been awarded middle school and high school scholarships and submit them to the Education Officer,

(c) disbursing promptly the middle school and high school scholarship amount to the concerned pupils,

(d) collecting the fees from the fee paying students every month and crediting the same to the Bank account of the co-operative Bank before such date as may be prescribed by the Department,

(e) accepting the examination fees and scrutinising application forms for the Secondary School Certificate and Higher Secondary School Certificate examination, submitting the fees and the application forms on or before the dates as may be laid down by the Secretary of the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education and maintain the accounts of the examination fees and the accounts of the examination centre and sending report of the final account to the Board within the time limit specified,

(f) drawing annual increments of the employees on due dates, if otherwise not withheld for valid reasons,

(g) preparing the monthly pay bills of the school and submitting them duly verified and signed, to the Education Officer before such date as may be specified by the Education officer in this behalf,

(h) prepare supplementary claims of employees in his school and submitting them duly verified and signed, to the Education Officer before such date as may be specified by the Education Officer in this behalf,

(i) prompt disbursement of recoveries from the salaries of the employees on receipt of invoice or pay bill or supplementary bill from the Education Officer,

(j) maintaining the cash book of the school, bringing it upto date daily and attesting the same.

(k) maintain the accounts of the term fee, and other non-Government account and bringing them upto date regularly,

(l) giving prompt replies to the Audit notes of the Department as well as of the Audit Department,

(m) undergoing and successfully completing Orientation Courses.

2. *Duties of the Assistant Head.*—In addition to his duties as a teacher in respect of the class or classes taught by him personally and subject to such instructions as may, from time to time, be issued by the Head, the Assistant Head shall—

(1) assist the Head in the performance of the Head Master's duties so far as he is in charge of the class or classes,

(2) maintain the Log Book in respect of teachers in his charge, observe at least one lesson of a Supervisor or Teacher per week and maintain a record thereof and also periodically inspect the log book maintained by the Supervisors.

(3) subject to such instructions of the Head, supervise the work done by the teachers placed in his charge and be responsible for their conduct, discipline and efficient work,

(4) work as a Conductor or Deputy Conductor or Supervisor at any examination conducted by Government and the Secondary School Certificate or Higher Secondary School Certificate Examination on being appointed by the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education; and be responsible for the efficiency and discipline as per rules prescribed by Government and the Boards for the respective examinations,

(5) work as Examiner or Assistant Examiner or Moderator or Chief Moderator or Paper Setter or Expert at any examination conducted by Government and the Secondary School Certificate or Higher Secondary School Certificate Examination and also do such other work as may be entrusted by Government and the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education, and be responsible for the efficiency and discipline as per rules prescribed in this respect by Government and the Boards,

(6) perform such other duties and conform to such instructions relating to the education as may be required of or issued to him by the Head,

(7) be responsible for one of the shifts as per the directions of the Head,

(8) undergo and successfully complete Orientation Courses,

(9) perform such other duties and conform to such instructions relating to the education and administration of the school as may be required of or issued to him by the Head from time to time.

3. *Duties of the Supervisor.*—In addition to his duties as a teacher in respect of the class or classes taught by him personally, and subject to such instructions

as may from time to time be issued by the Head or Assistant Head, the Supervisor shall—

(1) assist the Head or Assistant Head in the performance of his duties so far as he is in charge of the class or classes,

(2) maintain the log book in respect of teachers in his charge,

(3) observe at least one lesson of a teacher per week and maintain a record thereof;

(4) subject to such instructions of the Head or Assistant Head supervise the work done by the teachers placed in his charge and be responsible for their conduct, discipline and efficient work,

(5) perform such other duties and conform to such instructions relating to the education as may be required of or issued to him by the Head or Assistant Head,

(6) undergo and successfully complete Orientation Courses.

4. *Duties of a teacher.*—Subject to such instructions as may be issued by the Head or Assistant Head or Supervisor, a teacher shall—

(1) be primarily responsible for the efficient and effective education of the pupils in his charge,

(2) attend the school punctually and be present in the school during the prescribed school hours and devote his whole attention to teaching or class work and on the last day of the month not more than three hours may be devoted to completing the registers for the month ended and writing out the registers for the ensuing month and preparing other monthly registers and reports as may be required by the Heads,

(3) take roll call and maintain the record of the attendance of the pupils,

(4) make all possible efforts to maintain and improve the attendance in his school,

(5) collect fees, if any, from the pupils in his charge and hand over the amount of such fee collections to the Head as directed by him,

(6) be responsible for keeping accurately and neatly the necessary registers and other records as required by the Head,

(7) assist the Head as required by him in the general organisation of the school activities holding periodical and terminal examinations, in arranging co-curricular activities,

(8) be responsible for inculcating in pupils the habits of cleanliness and neatness and respect for orderly behaviour and participate in activities organised for the purpose,

(9) promote communal harmony and good will among his pupils and see that no discrimination of any kind is imposed on any pupils on the ground of his religion, caste or community,

(10) prepare the annual unit plan, subject-wise and class-wise in the very beginning of the academic year preferably within a week of commencing the academic year,

(11) prepare his teaching work and maintain a very brief record thereof as indicated below :—

(a) (i) date, (ii) class, (iii) subject,

(b) unit to be taught (portion to be covered) during the teaching period,

(c) salient points to be emphasised such as words, phrases, idioms, concepts, principles, formula, events depending upon the nature of the subject for study,

(d) teaching aids or demonstration, if any,

(e) nature of home assignment such as written work, recitation, salient reading,

(12) make use of the teaching/learning material available in the School while presenting the unit especially in subjects like Geography, History, Science, Mathematics, Art, etc. The Science teacher shall demonstrate all experiments and get the practical work done by the pupils strictly in accordance with the syllabus,

(13) keep pace with the actual plan of work drawn and shall record the reasons for the short falls, if any, in the monthly register of the respective classes at the end of every month and undertake the measures to make up the short falls and deficiencies, if any, in consultation with the Head or Assistant Head or Supervisor concerned,

(14) set a weekly assignment to the pupils, so that each pupil may be able to complete thirty weekly assignments per subject in an entire year but where a teacher is assigned a part of the subject, such as, only History, or Geography from Social Studies or Physics or Chemistry in Physical Science etc. the number of assignments in that particular part may stand reduced proportionately,

(15) ordinarily assess every alternate weekly written home assignment of the pupils critically. If the class contains more than 50 pupils the teacher may assess 12 assignments, instead of 15 during the entire year,

(16) set and hold objective type tests one in each term and return the answer sheets duly assessed to the pupils within a fortnight,

(17) set question papers for term and other examinations in the subject assigned to him as per plan that is prepared by the Head and assess answer papers judiciously,

(18) work as the Conductor or Deputy Conductor or Supervisor at any examination conducted by Government and the Secondary School Certificate or Higher Secondary Certificate Examinations on being appointed by Government and the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education; and be responsible for the efficiency and discipline as per rules prescribed by Government and the Boards for the respective examinations,

(19) work as Examiner or Assistant Examiner or Moderator or Chief Moderator or Paper-Setter or Expert at any examination conducted by Government and the Secondary School Certificate or Higher Secondary School Certificate Examination and also do such other work as may be entrusted by Government and the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education; and be responsible for the efficiency and discipline as per rules prescribed in this respect by Government and the Boards,



(20) undergo and successfully complete Orientation Courses,

(21) perform such other duties and conform to such other instructions relating to education as may be required of or be issued to him by the Head or Assistant Head or Supervisor, within the prescribed hours of work and attendance.

5. *Duties of clerical staff.*—(1) Duties pertaining to financial matters.—

(a) to maintain accounts of school transactions,

(b) to maintain accounts of collection of term fees,

(c) to maintain accounts of Development Fund,

(d) to maintain separate accounts of collection and transactions of Higher Education Wing,

(e) to collect fees, to take entries in register, to issue receipts and to maintain its accounts,

(f) to deposit amounts in Bank, to withdraw amounts from Bank and to make necessary payment of bills,

(g) to prepare Budget estimates and to execute them,

(h) to maintain dead-stock register,

(i) to maintain inventory of materials of science laboratory,

(j) to prepare pay bills, supplementary bills and to submit them to the authority concerned,

(k) to attend to work in connection with Income-tax, C.D.S., C.T.D. transaction etc.,

(l) to credit amounts collected in connection with Professional Tax,

(m) to get accounts audited,

(n) to submit statements of accounts to the Department,

(o) to make preparation for getting accounts inspected and to get them inspected,

(p) to deposit fees in Banks,

(q) to pay subscription of magazines,

(r) to carry out items of work so far as the senior Auditor is concerned,

(s) to look after matters pertaining to non-salary grants,

(t) to make purchases of materials required by the school on receipt of instructions to that effect from the superiors,

(u) to do work connected with fixation of pay of all members.

(2) *Duties in regard to teaching staff.*—

(a) to furnish information regarding teaching staff to the Department,

(b) to maintain their service books, leave accounts,

(c) to prepare their pay bills and obtain their signatures counter signatures,

(d) to make entries in service book from time to time and obtain their signatures against the entries,

(e) to maintain accounts of their Provident Fund,

(f) to submit their applications for grant of advance/loan from provident fund.

(g) to prepare their pension papers,

(h) to draft their appointment letters,

(i) to prepare their relieving memos,

- (j) to prepare their annual income certificates.
- (k) to make payment of amounts deducted from their pay on account of Income tax Professional tax, C.T.D., L.I.C., etc..
- (l) to do work connected with fixation of their pay,
- (m) to maintain files in respect of service matters of teachers.

**(3) Other duties in regard to office.—**

- (a) to draft correspondence to be made with Government, the S.S.C. Board, the Management and other Bodies,
- (b) to maintain inward and outward registers,
- (c) to carry out instructions issued by Government and the S.S.C. Board from time to time and bring them to the notice of teaching and non-teaching staff, parents and pupils in the school, wherever necessary,
- (d) to prepare draft letters, pay bills and statements and to do typing work,
- (e) to furnish requisite information to the parents/guardians,
- (f) to prepare muster rolls, and to do work in connection with claims on items of non-salary grant,
- (g) to maintain subject-wise select files, record, tuition fees and school general registers,
- (h) to get the forms of letters, statements etc., required in connection with school work, cyclostyled,
- (i) to attend to the work pertaining to school examinations and examinations conducted by Government and the S.S.C. Board, examinations in Hindi, English, Drawing etc.,
- (j) to assist the Head in verification of catalogues,
- (k) to perform such other official duties as may be assigned to him.
- (l) undergo and successfully complete orientation courses and Departmental Examinations organised by the Department.

**(4) Duties in regard to students.—(a) General duties:—**

- (i) to prepare school leaving certificates and other certificates and to attend to work in connection with true copies,
- (ii) to furnish information relating to State Transport or Railway concessions and other concessions,
- (iii) to check the forms received and certificates received,
- (iv) to make correspondence in connection with sports, competitions and other various activities such as dramas etc.,
- (v) to perform such other duties as may be assigned to him.

**(b) Duties relating to concessions in fees/scholarships to students:—**

- (i) to distribute forms relating to concessions in fees, to collect the said forms and check them, to submit the forms in a proper proforma and get the sanction from the Zilla Parishad, wherever necessary. Thereafter to prepare and submit bills and distribute the amounts of bills under proper acquittance,
- (ii) to write to the students whose attendance is less than the minimum required,

(iii) to perform duties including correspondence, preparation of bills and disbursement of amounts etc. in connection with High School and the Middle School Scholarships (information regarding their attendance to be communicated to the Department), and in connection with the concessions admissible to the Backward Class students, Wards of School Teachers/employees, holder of War concessions, freedom fighters, handicapped students etc.

(c) *Duties relating to Examinations conducted by Government and Secondary School Certificate Examination:—*

(i) to check the forms of the regular students and to fill in the relevant information,

(ii) to send the forms and the fees to Government or to the Maharashtra State Board or a Divisional Board of Secondary and Higher Secondary Education, as the case may be, within the time limit,

(iii) to keep the accounts of the examination fees,

(iv) to prepare the office copy of the application form,

(v) to distribute the mark lists at the time of declaration of results,

(vi) to distribute certificates awarded by Government, the S.S.C./H.S.C. Examination Certificates received from the Divisional Board of Secondary and Higher Secondary Education,

(vii) to make correspondence about the arrangements in respect of examinations,

(viii) to give information to the students about the examination,

(ix) to distribute the admission cards,

(x) to distribute the certificates to the successful students,

(xi) to scrutinise the applications received for rechecking of papers and send them to the Board,

(xii) to make entries of the examination results in the general register,

(xiii) to assist the Head in giving duplicate certificates,

(xiv) to assist the Head in furnishing relevant information as and when called for by the Board,

(xv) to fill in the forms of private students, send them to the Board and make correspondence in that connection,

(xvi) to make correspondence relating to the National Scholarships,

(xvii) to assist the Head in the conduct of various examinations and be responsible for efficiency and discipline as per rules prescribed for such examinations.

*Note.*—In the case of Schools having more than one clerical posts the seniormost person shall assist the Head in supervision, control and co-ordination of the work of all non-teaching employees, and the duties shall be suitably distributed amongst the clerks by the Heads.

By order and in the name of the Governor of Maharashtra.

B. K. CHUGULE,  
Secretary to Government

Sub. National Systems Unit,  
National Institute of Educational  
Planning and Administration  
17-B, SriAurbindo Marg NewDelhi-110016  
DOC. No... D-694.....  
Date..... 26/3/83.....

NIEPA DC



000694