

Haryana Zila Parishad Primary Education Service Rules, 2003

HARYANA

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Rule

HARYANA-ZILA-PARISHAD-PRIMARY-EDUCATION-SERVICE-RULES- of 2003

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Haryana Zila Parishad Primary Education Service Rules, 2003 Published vide Haryana Government Notification No S. O. 85/H.A. 11/1994/Sections 133 and 209/2003, dated 19-6-2003 Haryana Government Development and Panchayats Department No. S.O.85/H.A.11/1994/Sections 133 and 209/2003. - In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 209 and sub-section (6) of section 133 of the Haryana Panchayati Raj Act, 1994 (Haryana Act 11 of 1994), and all other powers enabling him in this behalf, and with reference to Haryana Government, Development and Panchayats Department, Notification No. S.O. 84/H.A.11/1994/Sections 133 and 209/2003, dated the 11th June, 2003, the Governor of Haryana hereby makes the following rules, namely :-

1. Short title, commencement and application.

(1) These Rules may be called the Haryana Zila Parishad Primary Education Service Rules, 2003. (2) They shall come into force at once. (3) They shall apply to the posts fallen/falling vacant in primary schools administered by Education Department, within territorial jurisdiction of Zila Parishads in the State of Haryana on the commencement of these rules.

2. Definitions.

- In these rules unless the context otherwise requires, -(a) "Act" means the Haryana Panchayati Raj Act, 1994 (11 of 1994); (b) "Commission" means the Haryana Staff Selection Commission; (c) "direct recruitment" means an appointment made otherwise than by promotion or transfer; (d) "Government" means the Government of State of Haryana in the Development and Panchayats Department; (e) "Service" means the Primary School Teachers Service; (f) words used in

these rules but not defined, shall have the meanings assigned to them under the Haryana Panchayati Raj Act, 1994.

3. Posts in the Service and their scales of pay

(1)The Service shall comprise, the category of posts shown in Appendix A to these rules.(2)Number and nature of posts shall be specified by the Government in Education Department as per the norms laid down in Education Code :Provided that the Government may, from time to time, make addition to or reductions in the category of the Service and the pay scales whether permanently or temporarily.

4. Appointing Authority.

- All appointments to the Service shall be made by the concerned Zila Parishad on recommendation of the Commission :Provided that a vacancy which could not be anticipated may be filled in by the concerned Zila Parishad for a period of six months or till a candidate is recommended by the Commission, whichever is earlier, with the prior permission of the Government.

5. Nationality.

(1)No person shall be appointed to the Service by direct recruitment unless he is, -(a)a citizen of India; or(b)a subject of Sikkim; or(c)a subject of Nepal; or(d)a subject of Bhutan; or(e)a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India; or(f)a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India :Provided that a candidate belonging to categories (c), (d), (e) and (f) shall be a person in whose favour a certificate of eligibility has been given by the competent authority, and if he belongs to category (f) the certificate of eligibility will be issued for a period of one year, after which such a candidate will be retained in Service subject to his having acquired Indian citizenship.

6. Age and Physical fitness.

(1)No person shall be appointed to any post in the Service by direct recruitment, who is less than 18 years and more than 40 years of age on the last date fixed for receipt of applications for the post :Provided that in the case of candidate belonging to Scheduled Castes, Backward Classes and Ex-servicemen the upper age limit shall be such as may be fixed by the Government from time to time in this regard.(2)Persons appointed to the Service by direct recruitment shall be required to produce certificate of physical fitness from the Chief Medical Officer of the district before joining service.

7. Disqualification.

(1) No person -(a) who has entered into or contracted a marriage with a person having a spouse living; or (b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to any post in the Service : Provided that the Government may if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

8. Method of recruitment.

- Recruitment to the Service shall be made -(a) in the case of Junior Basic Trained Teacher -(i) by direct recruitment; or (ii) by transfer or deputation of an official already in the Service of any State Government or the Government of India; (b) in the case of Head Teacher -(i) by promotion from amongst Junior Basic Trained Teacher; or (ii) by transfer or deputation of an official already in the Service of any State Government or the Government of India. (2) All promotions unless otherwise provided, shall be made on seniority-cum-merit basis and seniority alone shall not confer any right to such promotions.

9. Qualification.

- No person shall be appointed to any post in Service, unless he is in possession of qualification and experience specified in column 3 of Appendix B in the case of direct recruitment and those specified in column 4 of the aforesaid Appendix in the case of appointment other than by direct recruitment.

10. Probation.

(1) Person appointed to the post in the Service shall remain on probation, for a period of two years, if appointed by direct recruitment and one year, if appointed otherwise :- Provided that -(a) any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation. (b) any period of work in equivalent or higher rank, prior to appointment to any post in the Service, may, in the case of an appointment by transfer at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule; and (c) any period of officiating appointment shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of the prescribed period of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy. (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, it may :- (a) if such person is appointed by direct recruitment dispense with his services; and (b) if such person is appointed otherwise than by direct recruitment, -(i) revert him to his former post; or (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit. (3) On the completion of the period of probation of a person, the appointing authority may, -(a) if his work or conduct has, in its opinion, been satisfactory -(i) confirm such person from the date of his appointment, if appointed against a permanent vacancy; or (ii) confirm

such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or(iii)declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or(b)if his or work conduct has in its opinion been not satisfactory -(i)dispense with his service, if appointed by direct recruitment; if appointed otherwise, revert him to his former post or deal with him in such other manner, as the terms and conditions of previous appointment permit;(ii)extend his period of probation and thereafter pass such order, as it could have passed on the expiry of the first period of probation;Provided that the total period of probation, including extension, if any, shall not exceed three years :

11. Seniority.

(1)Seniority inter-se of members of the Service shall be determined by the length of continuous service on any post in the Service :Provided that where there are different cadres in the Service, the seniority shall be determined separately for each cadre :Provided further that in the case of members appointed by direct recruitment, the order of merit determined by the Commission shall not be disturbed in fixing the seniority :Provided further that in case of two or more members appointed on the same date, their seniority shall be determined as follows :-(a)a member appointed by direct recruitment shall be senior to a member appointed by promotion or by transfer;(b)a member appointed by promotion shall be senior to a member appointed by transfer;(c)in the case of member appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred; and(d)in the case of members appointed by transfer from different cadres, their seniority shall be determined according to pay, preference being given to a member who was drawing a higher rate of pay in his previous appointment, and if the rates of pay drawn are also the same, the older member shall be senior to the younger member :-(2)The seniority of the members of the Service shall be maintained Zila Parishadwise.[12. Liability to serve. - A member of the Service shall be liable to serve at any place within the territorial jurisdiction of the concerned Zila Parishad :Provided that the member of the Service may also be transferred by the Government outside the territorial jurisdiction of the concerned Zila Parishad, if it is considered expedient in the public interest.] [Substituted by Haryana Notification No. S.O. 204/H.A. 11/1994/S. 133 and 209/2004. dated 14.10.2004.]

13. Pay and leave.

- During first year of probation the Junior Basic Trained Teacher will get consolidated salary of Rs. 5000/- per month and during second year of probation and intended period of probation 6000/- per months and after successful completion of probation period he may be granted the scale of pay as shown in Appendix A. In respect of leave the members of the Service shall be governed by the corresponding provisions contained in the rules applicable to the Haryana Government employees. The members of the Service shall not be entitled to pension.

14. Discipline, penalties and appeals.

(1)The Haryana Civil Service (Punishment and Appeal) Rules, 1987, as amended from time, shall apply to the members of the Service so far as they are not inconsistent with the provision of the Act

or these rules.(2)The authority empowered to impose minor penalties shall be the Chief Executive Officer of the concerned Zila Parishad and Zila Parishad shall be the appellate authority against minor punishment. Major penalties shall be imposed by the Zila Parishad.(3)The Government Employees (Conduct) Rules, 1966, as amended from time to time and applicable to the State of Haryana shall apply to the members of the Service so far as they are not inconsistent with the provisions of the Act or these rules.

15. Power of relaxation.

- Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

16. Special provision.

- Notwithstanding anything contained in these rules, the appointing authority may impose special terms and conditions in the order of appointment, if it is deemed expedient to do so.

17. Reservation.

- Nothing contained in these rules shall affect reservation and other concessions required to be provided for Scheduled Castes, Backward Classes, Ex-servicemen, physically handicapped person or any other class or category of persons in accordance with the orders issued by the State Government in his regard from time to time.Appendix A(See Rule 3)

Serial No.	Category of Post	Scale of pay
1	Junior Basic Trained Teacher	4500-125-6000-EB-125-7000
2	Head Teacher	5500-175-6300-EB-175-9000

Appendix B(See rule 9)

Sr. No.	Designation of posts	Academic qualifications and experience, if any, for directrecruitment	Academic qualifications and experience, if any, forappointment other than by direct recruitment
1	2	3	4
1	Junior Basic Trained Teacher	(i) 10+2 from the Board of School Education Haryana or itsequivalent as recognized by the Board of School EducationHaryana (ii) Passed two years junior Basic Training Course or Diplomain Education Training Course from Haryana Education Departmentor its equivalent recognized by the Haryana	(i) 10+2 from the Board of School Education, Haryana or itsequivalent as recognized by the Board of School Education,Haryana; (ii) Passed two years Junior Basic Training Course or Diplomain Education Training Course from Haryana Education Departmentor its equivalent recognized by the Haryana

2	<p>Head Teacher</p>	<p>-</p>
	<p>Government with special training in child psychology and behaviour of child upto the age of 12 years; and</p> <p>(iii) Knowledge of Hindi upto Matric Standard.</p> <p>Note :- (i) Preference will be given to candidates who possess knowledge of URDU upto Middle Standard for posts of Junior Basic Trained Teachers for Gurgaon and Faridabad;</p> <p>(ii) Professional Training Diploma or Certificate awarded by any State, Board or University other than Haryana Education Department will be recognized only if the Diploma or Certificate has been recognized by the Haryana Government.</p>	<p>Government with special training in child psychology and behaviour of child upto the age of 12 years; and</p> <p>(iii) Knowledge of Hindi upto Matric Standard.</p> <p>Note :- (i) Preference will be given to candidate who possess knowledge of URDU upto Middle Standard for posts of Junior Basic Trained Teachers for Gurgaon and Faridabad;</p> <p>(ii) Professional Training Diploma or Certificate awarded by any State, Board or University other than Haryana Education Department will be recognized only if this Diploma or Certificate has been recognized by the Haryana Government.</p> <p>At least 6 years regular in service as Junior Basic Trained Teacher.</p>