

Tripura Educational Institution Teachers and other Employees (Terms and Conditions of Service) Rules, 1984

TRIPURA

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Rule

TRIPURA-EDUCATIONAL-INSTITUTION-TEACHERS-AND-OTHER-EMP of 1984

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Tripura Educational Institution Teachers and other Employees (Terms and Conditions of Service) Rules, 1984 Last Updated 18th February, 2020

1.

(1) These rules may be called the Tripura Educational Institution Teachers and other Employees (Terms and Conditions of Service) Rules, 1984. (2) They shall be deemed to have come into force on and from the first day of January, 1982. (3) They shall apply to the teachers and other employees who, immediately before the appointed day, were in the employment of an educational institution.

2.

In these rules, unless the context otherwise requires—(a) "absorbed employee" means a teacher or other employee of an educational institution who immediately before the appointed day, as in the service of that institution and has opted for his absorption in the service of the Government; (b) "Act" means the Tripura Educational Institutions (Acquisition of Right, Title and Interest) Act, 1980; (c) "appointed day" in relation to an educational institution, means the first day of January, 1982; (d) "educational institution" means the Ramthakur College, Agartala, Ramkrishan Mahavidyalaya, Kailashahar and Belonia College, Belonia as specified in the Schedule to the Act; (e) "fixed day" means a day fixed by the State Government under Rule 4; (f) "Government" means the Government

of Tripura ;(g)"Government college" means a degree college maintained and managed by the State Government but does not include an Engineering College or a college imparting technical or professional education ;(h)"parent institution" in relation to an absorbed employee, means the educational institution in which he was in service immediately before the appointed day;(i)"parent service" in relation to an absorbed employee, means his service in the parent institution immediately before the appointed day.

3.

Every teacher or other employee of the educational institution shall be required to exercise his option, in the form annexed to these rules either to be retrenched from service or to be absorbed in the service of the Government on terms and conditions hereinafter appearing.

4.

The State Government shall, by notification in the official Gazette fix a day which shall be the last date for exercising option and the period beyond six months from the appointed day till the day so fixed shall be deemed to be the further period for exercising option by a teacher or other employee of an educational institution, as contemplated in the proviso to sub-section (1) of Section 9 of the Act.

5.

Subject to the provisions of Rules 7 and 8 a teacher or other employee of an educational institution, who has exercised his option in favour of his absorption in the service of the Government may also at the same time and in the same form opt to retain the retirement age and retirement benefits, if any which were admissible to him in his parent service and, on exercise of his option for retention of retirement age and retirement which are admissible to an employee of the Government, though he shall be deemed to be in service of the Government for all other purposes.

6.

Subject to the provisions of Rules 7 and 8, a teacher or other employee of an educational institution, who has failed to exercise his option with regard to his absorption in the service of the Government or otherwise within fixed day, shall be deemed to have exercised his option in favour of his absorption in the service of the Government, but he shall not be deemed to have exercised any other option under these rules.

7.

A teacher or other employee, who attained the age of 58 years on or before the appointed day, but has not retired or resigned from service on or after the appointed day, shall be deemed to have opted for retaining the retirement age and retirement benefits to which he would have been entitled on

superannuation, had he been in the service of the parent institution.

8.

An absorbed employee who has attained the age of 58 years on or after the appointed day and has not opted, under Rule 5, to retain the retirement age and retirement benefit, if any, which were admissible to him in his parent sendee, shall retire from Government service on the fixed day.

9.

Option once exercised or deemed to have been exercised by a teacher or other employee of an educational institution under these rules shall be final.

10.

On and from the appointed day, every absorbed employee shall become a teacher or other employee of the Government, with the same grade, designation, scale of pay and subject to the other provisions of these rules, with all other benefits to which he was entitled immediately before the appointed day, until his remuneration and condition of service are duly altered by the State Government: Provided that on and from the appointed day, he shall also be entitled to the revision of pay scale and allowances, as may be sanctioned by the Government from time to time to the employee of the Government of the corresponding grade, working in the Government Colleges.

11.

On absorption in the service of the Government, the other terms and conditions of service of an absorbed employee, which have not been prescribed in these rules but are in force by other rules or regulations or orders or instruction of the Government, shall equally apply to him as they apply to a person in the corresponding grade or post of the Government.

12.

An absorbed employee may, in public interest, be transferred from one educational institution to another educational institution or to a Government College in the same or equivalent post carrying the same or identical scale of pay and other benefits.

13.

Every educational institution shall, for the purpose specified in Rule 14, maintain separately seniority lists showing the seniority of the absorbed, employee so that institution and notwithstanding anything in these rules, there shall be no common seniority of the absorbed employee of one educational institution with the absorbed employees of any other educational institution.

14.

Where a post in an educational institution is vacant or may fall vacant and is to be filled by promotion, or after the appointed day, such promotion shall be made from the eligible absorbed employees borne in the seniority lists of that educational institution. Explanation. - For the purpose of these rules, a vacancy caused by reason of death, resignation or retirement of an absorbed employee shall be deemed to have occurred in his parent institution, even though the holder of such post immediately before the appointed day, has, as an absorbed employee, been transferred to another educational institution or to any Government College.

15.

The leave which was due to an absorbed employee immediately before the appointed day, according to the Leave Rules of the educational institution shall be brought forward to the leave account of that employee in the service of the Government and the leave rules, which apply to an employee of the Government from time to time shall on and from the appointed day, apply to him.

16.

(1) Out of the money relating to Provident Fund which has been transferred to and vested in the Government under sub-section (1) of Section 10 of the Act, the contribution made to the fund by an absorbed employee, together with proportionate interest accruing on such contribution, shall, Provident Fund account of that employee and General Provident Fund Rules, which apply to an employee of the Government, shall also apply and be deemed to have always applied to such absorbed employee on and from the appointed day. (2) For the purpose of sub-section (1) the competent authority shall open or take steps for opening separate Provident Fund account in the name of every absorbed employee in accordance with the rules relating to Provident Fund that may apply to the employees of the Government from time to time.

17.

An absorbed employee, who opts or is deemed to have opted to retain the retirement age and retirement benefits, which were admissible to him in his parent service, shall, from the appointed day, get the benefit to Contributory Provident Fund, according to the rules applicable to the employee of the Government, converted under the Contributory Provident Fund Rules and the money, if any standing, in his Provident Fund Account immediately before the appointed day, shall be transferred to the Contributory Provident Fund Account to be opened in his name under the aforesaid rules.

18.

A teacher or other employee of an educational institution, who has exercised his option for retrenchment from service, shall cease to be in service on and from the fixed day and the period of

his service after the appointed day shall be regarded as service in that educational institution for the purpose of determining the benefits, which may be admissible to him on retrenchment according to the rules of that educational institution.

19.

A teacher or other employee, who was in the service of an educational institution on deputation, ad hoc contract or any other basis not being in regular service, immediately before the appointed day, shall be deemed to be in the service of the Government on or after the appointed day on the same basis, nature and tenure of service, same scale of pay and other terms and conditions as they were in relation to his service in the parent institution.

20.

Where the State Government is satisfied that the operation of any of these rules cause undue hardship in any particular case, it may, by order dispense with or relax the requirement of any provision of these rules to such extent and subject to such exception and condition as it may consider necessary, to deal with the case in a just and equitable manner.

21.

Where any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the State Government and the decision of the State Government shall be final. Annexure Form of Option (See Rules 3, 4 and 5) I, Shri/Smt..... was holding the post of..... in the (name of the institution) immediately before the first day of January, 1982. I have carefully gone through the terms and conditions of absorption in Government service, as provided in the Tripura Educational Institution, Teacher and other Employees (Terms and Conditions of Service) Rules, 1984 and in pursuance of the first proviso to sub-section (1) of Section 9 of the Tripura Educational Institutions (Acquisition of Right, Title and Interest) Act, 1980 and Rules 3 and 5 of the aforesaid Rules, I exercise my option as follows : *I opt for absorption in the service of the Government of Tripura Or *I opt to be retrenched from the service Or *I opt to be absorbed in the service of the Government of Tripura retaining the retirement age and retirement benefits which were applicable to me in my parent service. Station : Date : Signature of the teacher/employee..... Designation..... in which employed..... *Retain one option and score out the other two alternative options.