

The M.P. Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Nilamban) Niyam, 1978

MADHYA PRADESH

India

The M.P. Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Nilamban) Niyam, 1978

Rule

THE-M-P-ASHASKIYA-SHIKSHAN-SANSTHA-ADHYAPAKON-TATHA-A of 1978

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The M.P. Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Nilamban) Niyam, 1978 Published vide Notification No. F. 73-44-78-1-9-20, dated 3-11-1978, Madhya Pradesh Gazette (Extraordinary) dated 4-11-78, page 2476 In exercise of the powers conferred by clause (e) of sub-section (2) of Section 10 read with the proviso to sub-clause (iv) of clause (a) of Section 6 of the Madhya Pradesh Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Vetano Ka Sandaya) Adhiniyam, 1978 (No. 20 of 1978), the State Government hereby makes the following rules, namely:-

1.

(i) These rules may be called The Madhya Pradesh Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Nilamban) Niyam, 1978. (ii) They shall come into force on the date of their publication in the Gazette.

2.

In these rules, "Act" means the Madhya Pradesh Ashaskiya Shikshan Sanstha (Adhyapakon Tatha Anya Karmachariyon Ke Vetano Ka Sandava) Adhiniyam, 1978 (No. 20 of 1978).

3.

These rules shall apply to teachers and employees of an institution.

4.

Where it is proposed to place a teacher or other employee under suspension for more than ninety days, the management shall within fifteen days of the date of receipt of the order of suspension by the teacher or the employee concerned, make an application to competent authority for his approval as required by sub-clause (iv) of clause (a) of Section 6 of the Act.

5.

On receipt of the application under Rule 4 of the competent authority shall call for the relevant record of the case to satisfy itself as to the propriety or legality of the proposed order. It shall also give notice of personal hearing to the management and the teacher or an employee concerned. Such notice shall be accompanied by the reasons in writing for suspension. The notice sent under certificate of posting shall be deemed to be sufficient service.

6.

On the date fixed for personal hearing, the concerned employee may submit a written statement against his suspension.

7.

The competent authority, after examining the record produced by the management, the application submitted by the teacher or an employee, if any, and hearing the parties concerned, pass an order giving the approval for the suspension for more than ninety days or may withhold such approval.

8.

The competent authority may give approval to the suspension of a teacher or an employee for more than ninety days, only if:-(a)a charge against the teacher or the employee is of grave and serious nature;(b)a case against the teacher or an employee in respect of any criminal offence, involving moral turpitude is under investigation enquiry or trial.

9.

(1)The competent authority shall complete the enquiry and pass order within a period of two months of the date of receipt of the application for approval.(2)If the competent authority fails to pass an order giving its approval or withholds such approval during the period specified in sub-rule (1), the order of suspension passed by an institution against the concerned teacher or employee shall

stand revoked on the expiry of the period of ninety days.(3)On such revocation of the order of suspension, the concerned teacher or employee shall be reinstated in service.