

The Haryana Guest Teachers Service Act, 2019

HARYANA

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Act 13 of 2019

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The Haryana Guest Teachers Service Act, 2019(Haryana Act No. 13 of 2019)[Dated 12th March, 2019]Haryana GovernmentLaw And Legislative DepartmentNo. Leg. 13/2019. - The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 8th March, 2019 and is hereby published for general information:-An Act to provide service of teachers engaged as guest faculty/ad-hoc/contractual basis in the School Education Department, Haryana. Be it enacted by the Legislature of the State of Haryana in the Seventieth Year of the Republic of India as follows:-

1. Short title.

- This Act may be called the Haryana Guest Teachers Service Act, 2019.

2. Definitions.

(1)In this Act, unless the context otherwise requires,-(a)"Appropriate Authority" means appointing authority of the corresponding regular teacher;(b)"Appellate Authority" means the appellate authority of the corresponding regular teacher;(c)"Department" means School Education Department;(d)"Government" means the Government of the State of Haryana in administrative department;(e)"guest teacher" means a teacher working as a guest teacher in the Education department;(f)"PRT" means PRT as defined in the Haryana Primary School Education (Group C) State Cadre Service Rules, 2012;(g)"TGT" means TGT as defined in the Haryana Primary School Education (Group C) State Service Rules, 2012;(h)"PGT" means PGT as defined in the Haryana State Education School Cadre (Group B) Service Rules, 2012;(i)"regular teacher" means PRT or TGT or PGT working in Department and who has been issued appointment on regular basis;(j)"superannuation" means fifty-eight years of age.(2)Words and expressions used herein and not defined but defined in Haryana Civil Services (General) Rules, 2016 have the meanings respectively assigned to them in those Rules.

3. Terms of Service.

- A guest teacher already working as such shall continue to work in the Department till the age of Superannuation notwithstanding his mode or manner of appointment and length of service rendered on the date of commencement of this Act.

4. Remuneration/ Honorarium.

- Consolidated monthly honorarium of guest teachers shall be increased with effect from first day of January and first day of July every year in the same proportion as the Dearness Allowance granted by the Government to regular employees so as to completely neutralize inflation. However, such consolidated honorarium shall not exceed the minimum of the pay-scale (at the lowest grade, in the regular pay scale), extended to corresponding regular teacher of the Department.

5. Duty.

(1) A guest teacher shall perform following duties in the order of preference in the school where he is posted:-(i) classroom teaching due to vacancy of one or more regular teachers against sanctioned strength; (ii) classroom teaching due to non-availability of one or more regular teachers whether caused due to authorized leave, training, retirement, unauthorized absence or death; (iii) non-classroom academic work like remedial teaching, supervision and evaluation of tests, experiments in laboratory etc.; (iv) administrative duties like supervision of Mid Day Meal Scheme, enrolment drive, awareness drive in community through interaction with parents of students or any data collection or survey related works authorized by the Department. (2) If a guest teacher has not performed any duty under any of the clauses (i), (ii) or (iii) above for one full month and it is likely that he would not be called upon to so perform any duty under any of the said clauses for the next month too, Head of the School shall intimate the Appropriate Authority who shall relocate the guest teacher to a school where requirement for performing of duty under any of the said clauses exists. (3) A guest teacher shall be liable to serve at any place in the State of Haryana.

6. Removal.

(1) A guest teacher may be removed from the service by the Appropriate Authority if he is proved guilty of an act of omission or commission which, if had been committed by a regular employee of the Government, would have made him liable for initiation of disciplinary proceedings for major penalty. (2) A guest teacher so removed may make an appeal against the above decision before the Appellate Authority whose decision shall be final.

7. Delegation.

- Appropriate Authority, with the prior approval of the Government, may delegate its power under this Act to a subordinate authority not below the rank of District Elementary Education Officer or District Education Officer as the case may be.

8. Power to remove difficulty.

(1) If any difficulty arises in giving effect to any of the provisions of this Act, the Government may by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty. (2) Every order made under this section, shall be laid, as soon as after it is made, before the State Legislature.

9. Power to make rules.

(1) The Government may, by notification in the Official Gazette, make rules for the compensation, leave, transfer, termination of service etc. for carrying out of this Act. (2) Every rule made under this Act, shall be laid, as soon as after it is made, before the State Legislature.

10. Protection of action taken in good faith.

- No suit, prosecution or other legal proceedings shall lie against the Government or any officer or employee of the Government or any other person or authority, authorized by Government for anything which is done or intended to be done in good faith under this Act or the notification issued thereunder.