

(Authoritative English text of this Department notification No. EDN-B-B(2)-3/2013 dated as required under clause (3) of Article 348 of the Constitution of India)

Government of Himachal Pradesh
Higher /Elementary Education Department

No. EDN-B-B(2)-3/2013,

.....
Dated: Shimla-171002

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following Rules further to amend the "Himachal Pradesh, Higher/Elementary Education Department, Punjabi Language Teacher, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2007 notified vide this Department Notification No.Shiksha-II-(Chha)6-3/2004-Vol-II dated 9.10.2007 namely:-

Short title and Commencement: 1. (1) These rules may be called the "Himachal Pradesh Higher/elementary Education Department, Punjabi Language Teacher, Class-III (Non-Gazetted) Recruitment and Promotion (First amendment) Rules, 2015.

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

Amendments of Annexure-"A "

2. In Annexure- "A" to the "Himachal Pradesh, Higher /Elementary Education Department, Punjabi Language Teacher, Class-III (Non-Gazetted) Recruitment and Promotion Rules, 2007:-,

(a) for the existing provisions against Col. No.4 following shall be substituted, namely;-

"(i) Pay scale for regular incumbents :-

Pay Band Rs.10300-34800+3200/-Grade pay

(ii)Emoluments for contract employees:-

Rs.13500/-P.M. as per details given in column No.15-A";

b) for the existing provision against Col. 7, the following shall be substituted, namely:-

a)Essential Qualification

i)B.A. with Punjabi as an elective subject and 2-year Diploma in Elementary Education (by whatever name known).

OR

BA with atleast 50% marks with Punjabi as an elective subject and 1-year Bachelor in Education (B.Ed.)

OR

BA with at least 45% marks with Punjabi as an elective subject and 1-year Bachelor in Education (B.Ed.) in accordance with the NCTE(Recognition Norms & Procedure) Regulations issued from time to time in this regard.

OR

B.A. with at least 50% marks with Punjabi as an elective subject and 1-year Bachelor in Education(B.Ed.) (Special Education).

OR

Giani with 50% marks followed by B.A. Examination (English and one additional subject) with 50% marks from a recognized University and 1-year Bachelor in Education (B.Ed.).

OR

M.A. (Punjabi) with at least 50% marks from a recognized university and 1-year Bachelor in Education(B.Ed.).

Note:

Graduation from a recognised University with Punjabi as a subject during the three year of graduation. B.Ed. with teaching of Punjabi(State Teacher Eligibility Test)

AND

ii) Pass in Teacher Eligibility Test(TET) Language Teacher) duly conducted by H.P. Board of School Education,Dharamsala.

Provided that the incumbents who have already qualified the Teacher Eligibility Test(TET) conducted by the H.P. Subordinate Services Selection Board, Hamirpur shall also be eligible subject to the condition as laid down in Para-11 of the guidelines issued by the National Council for Teacher Education vide Notification No.76-4/2010/NCTE/Acad. Dated 11.2.2011.

Note(1):- Relaxation up to 5% will be allowed in minimum educational qualifications and also in minimum qualifying marks for TET to the candidates belonging to SC/ST/OBC/PH categories of Himachal Pradesh.

Note(2) :- Relaxation to those persons who are not B.Ed. and posses the academic qualification prescribed in Column-7(a) above shall also be eligible for appearing in the TET up to 31st March, 2014 only.

Note(3):-The persons possessing graduation with 50% marks in the relevant subject shall also be eligible for appearing in TET for LT upto 31st March, 2014.

Note (4):-Priority shall be given to those eligible candidates who possess the minimum qualifications specified in NCTE Notification dated 23rd August, 2010, as amended from time to time and thereafter other candidates will be considered with the relaxed qualifications. This relaxation shall be valid up to 31.3.2014.

Note(5):- Teachers who are appointed under the relaxed qualification norms shall have to acquire the minimum qualification within a period of two years from the year of appointment.

(b) Desirable

Knowledge of customs, manner and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

(c) for the existing provisions against Col. No.15-A-the following shall be substituted, namely:-

Notwithstanding anything contained in these Rules, contract appointments to the post will be made subject to the conditions given below:-

i) Concept:

a)Under this policy the Punjabi Language Teacher in the Department of Higher/Elementary Education H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis:

Provided that for extension /renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/extended.

(b) POST FALLS WITHIN THE PURVIEW OF HPSSSB:-

The Deputy Director of Higher/Elementary Education of the concerned District after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e H.P. subordinate Services Selection Board, Hamirpur.

(c)The selection will be made in accordance with the eligibility conditions prescribed in these rules.

(II) CONTRACTUAL EMOLUMENTS:

The Punjabi Language Teacher appointed on contract basis will be paid consolidated fixed contractual amount @ Rs. 13500/- P.M.(which shall be equal to minimum of the pay band + grade pay). An amount of Rs. 405/- (3% of the minimum of pay band + grade pay of the post) as annual increase in contractual emoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

(III) APPOINTING/DISCIPLINARY AUTHORITY

The Deputy Director of Higher/ Elementary Education of the concerned District H.P. will be the appointing and disciplinary authority.

(IV) SELECTION PROCESS:-

Selection for appointment to the post in the case of contract appointment will be made on the basis of viva-vice test or if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting Agency i.e. HIMACHAL PRADESH SUBORDINATE SERVICES SELECTION BOARD, HAMIRPUR.

(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS

As may be constituted by the concerned recruiting agency i.e. HIMACHAL PRADESH SUBORDINATE SERVICES SELECTION BOARD ,Hamirpur from time to time.

(VI) AGREEMENT :-

After selection of a candidate, he/she shall sign an agreement as per Annexure-B appended to these Rules.

(VII) TERMS AND CONDITIONS :-

(a)The contractual appointee will be paid fixed contractual amount @ Rs. 13500/- P.M. (which shall be equal to minimum of the pay band + grade pay). The Contract appointee will be entitled for increase in contractual amount @ Rs.405/- (3% of the minimum of the pay band + grade pay of the post) for further extended years and no

other allied benefits such as senior/selection scales etc. will be given.

- (b) The service of the Contract Appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found satisfactory .
- (c) Contract Appointee will be entitled for one day's casual leave after putting one month service. However, the contract employee will also be entitled for 16 weeks Maternity Leave and 10 days Medical Leave and 5 days special leave. He/She shall not be entitled for Medical Reimbursement and LTC etc. No leave of any other kind except above is admissible to the contract appointee.

Provided that the un-availed casual leave, Medical leave and special leave can be accumulated up to the calendar year and will not be carried forward for the next Calendar Year.

- (d) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time.

However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty.

Provided that he/she shall submit the certificate for illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government.

- (e) An official appointed on contract basis who have completed 3 years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds
- (f) Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnancy beyond twelve weeks will render her temporarily unfit till confinement is over. The Women candidate will be re-examined for the fitness from an authorized Medical Officer/Petitioner.

- (g) Contract appointee will be entitled to TA/DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular counterpart at the minimum of pay scale
- (h) Provisions of service rules like FR-SR, Leave Rules, GPF Rules, Pension Rules and conduct Rules etc. as are applicable to regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this column.

By Order,

Addl. Chief Secretary (Edu.) to the
Government of Himachal Pradesh

Endst. No.As above.

Dated Shimla-171002

Copy for information and necessary action to:-

1. All the Principal Secretaries/Secretaries to the Govt. of H.P.
2. The Secretary, H.P. Public Service Commission, Shimla-2 w.r.t. his letter No.1-10/71-PSC-Part dated 25-11-2014.
3. The Director, Higher Education, Himachal Pradesh, Shimla-171001
4. The Director, Elementary Education, Himachal Pradesh, Shimla-171001
5. The ALR-cum-Secretary (Law) (office Language wing) to the Govt. of Himachal Pradesh.
6. The Secretary, H.P. subordinate Services Selection Board, Hamirpur
7. Controller, Printing & Stationary H.P. Shimla-171005
8. Guard file/additional copies.

Addl. Secretary (Edu.) to the
Government of Himachal Pradesh

Annexure-B

Form of contract/ agreement to be executed between the Punjabi Language Teacher and the Government of Himachal Pradesh through Director of Higher /Elementary Education.

This agreement is made on this _____ day of _____ in the year _____ between _____ Sh./Smt. _____ S/O Shri _____ R/O _____ Contract appointee (hereinafter called the FIRST PARTY), AND The Governor of Himachal Pradesh through Deputy Director of Higher/ Elementary Education Himachal Pradesh (here-in-after the SECOND PARTY). Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Punjabi Language Teacher on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as Punjabi Language Teacher for a period of one year commencing on day of _____ and ending on the day of _____. It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso- facto stand terminated on the last working day i.e on _____ and information notice shall not be necessary.

Provided that for further extension /renewal of contract period the concerned HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then his period of contract is to be renewed/extended.

2. The contractual amount of the FIRST PARTY will be Rs.13,500/- per month.
3. The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/ conduct of the contract appointee is not found good or if a regular incumbent is appointed/ posted against the vacancy for which the first party was engaged on contract.
4. Contractual Punjabi Language Teacher will be entitled for one day casual leave after putting in one month service. However, the contract employee will also be entitled for 16 weeks Maternity Leave and 10 days Medical Leave and 5 days special leave. He/She shall not be entitled for Medical Re-imburement and LTC etc. No leave of any other kind except above is admissible to the contractual Language Teacher.

Provided that the unavailed Casual Leave, Medical Leave and special leave can be accumulated upto the Calendar Year and will not be carried forward for the next Calendar Year.

5. Unauthorized absence from the duty without the approval of the controlling Officer shall automatically lead to the termination of the contract. However, in exceptional cases where the circumstances for un-authorized absence from duty were beyond his/her control on medical grounds, such period shall not be excluded while considering his/her case for regularization but the incumbent shall have to intimate the controlling authority in this regard well in time.

However, the contract appointee shall not be entitled for contractual amount for this period of absence from duty.

Provided that he/she shall submit the certificate for illness/fitness issued by the Medical Officer, as per prevailing instructions of the Government. A contractual Punjabi Language Teacher will not be entitled for contractual amount for the period of absence from duty.

6. An official appointed on contract basis who have completed three years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.
7. Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner . In case of Woman candidate pregnancy beyond twelve weeks will render her temporarily unfit till the confinement is over. The woman candidate should be re-examined for fitness from an authorized Medical Officer/ Practitioner.
8. Contract appointee shall be entitled to TA/DA if required to go on tour in connection with his /her official duties at the same rate as applicable to regular counter-part official at the minimum of pay scale.
9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to contractual appointee(s).IN WITNESS the FIRST PARTY AND SECOND PARTY have herein to set their hands the day, month and year first, above written.

IN THE PRESENCE OF WITNESS:

1. _____

(Name and full Address)

(Signature of the FIRST PARTY)

2. _____

(Name and full Address)

(Name and full Address)

(Signature of the SECOND PARTY)

(Name and full Address)