



GAYATRI SMART SCHOOL (SENIOR SECONDARY)

(Affiliated to CBSE, New Delhi, Affiliation No. 1530265)

At : Bramansualo, Sudhasarangi, Bhubaneswar, Odisha, Cell : 9437007103, 9078085097

H.O. : City Campus, N.H.-316, Dhauli Chhaka, Bhubaneswar, Odisha

Ref. No.:

Date:

(RECOGNITION & NOC BY GOVT. OF ODISHA, EDN. DEPT.) UDISE CODE-21170102202

SERVICE RULE WITH EFFECT FROM- 01.04.2020:-

(Appointment, Service Rules, Conditions and Duties of the Teachers
in CBSE Affiliated Schools)

1. Qualification of the Teacher:

- a. Sec. 23 of RTE Act 2009 provides that any person possessing such minimum qualification, as laid down by an Academic Authority, authorized by the Central Government, by notification, shall be eligible for appointment as a teacher. The Central Government vide notification dated 21st March 2010 declared National Council for Teacher Education (NCTE) as the Academic Authority under sec. 23 of RTE Act 2009 read with rule 17 of RTE Rules 2010.
- b. The NCTE vide notification dated 23rd August 2010 (Appendix-1) read with notification dated 29th July 2011 (Appendix-2) prescribed the minimum qualification for a person to be eligible for appointment as a teacher in classes I to VIII in a school as amended from time to time. Further, NCTE (Determination of Minimum Qualifications for Recruitment of Teachers in Schools) regulation 2014 (Appendix-3) read with rule 53 of Affiliation Bye-Laws prescribes minimum qualification for teachers up to class XII.
- c. The Academic Authority i.e. NCTE under RTE Act 2009 also prescribes passing of Teacher Eligibility Test (TET) as essential qualification to be eligible for appointment as teacher of classes I to VIII.

2. Appointment of the Teachers:

- a. The school shall ensure that all appointments be in accordance to rule 25 of Affiliation Bye-Laws and/or procedure prescribed in respective State / U.T. Act.




Chairman-cum Managing Trustee
Gayatri Educational Trust
Bhubaneswar

Smit chandra Mohapatra
PRINCIPAL
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b. The school shall ensure that the vacancy of a teacher shall not exceed 10% of the total sanctioned strength of the teachers as required under sec. 28 of RTE Act 2009.

3. Duties of the Teachers

a. The school shall ensure that teachers are given specific academic duties as provided under sec. 24 (1) of RTE Act 2009, read with rule 21 (2) of RTE Rules 2010.

b. Sec. 27 of RTE Act 2009 emphasizes that teachers should be free from deployment to non-educational assignments and enable teachers to spend more time on school and classroom related activities. This statutory provision has been reiterated vide M/o Human Resources Development, Govt. of India letter no. F-1-3/2010-EE4 dated 13th September 2010. The CBSE vide circular no. CBSE/Aff.04/Circular/2016 dated 28th October 2016 advised that the teachers may not be deployed for non-academic activities.

c. No teacher shall engage in private tuition or private teaching activities as per sec. 28 of RTE Act 2009 and rule 39 of Affiliation Bye-Laws.

d. As per Rule 10.5 and 32 of Affiliation Bye-Laws of the Board, normally a teacher should be engaged as a whole time employee in the school except in special cases wherein the work load does not justify a whole time teacher due to its unique nature. No teacher, teaching secondary and/or senior secondary classes, shall be required to teach more than $\frac{3}{4}$ th of the total periods in a week. However, in case of schools offering the vocational courses, the school can engage subject expert/teacher on contract/part-time and share the resources with reputed/recognized institutions having expertise in such vocational courses.

4. Salary and Conditions of Service of the Teacher:

a. The scale of pay and allowances of teachers in the school shall be at par with the similar qualification, work and experience as provided under sec. 23 (3) of RTE Act 2009 read with rule 20 (3) of RTE Rules 2010 and in accordance with rule 3.3 (i) (v) of Affiliation Bye-Laws. The salary and other allowances to the teachers shall be transferred through ECS on the last working day of the month.

b. In accordance with the provisions of rule 20 (2) of RTE Rules 2010 read with Chapter VII of Affiliation Bye-Laws, the school shall define and publish the terms and conditions of service of the teachers to create a professional cadre of teachers to impart quality education and ensure the learning outcomes to the students.

- c. The school shall ensure timely promotion after completion of residency period and benefit of Modified Assured Career Progression (MACP) to its teachers at par with teachers working in the similar grade in Central/State Government schools.
- d. The school shall prescribe transparent and objective Annual performance Appraisal system on the lines similar to APAR in respect of teachers under Central/State Government, which shall be the basis for promotion and/or MACP.
- e. The school shall enter into a 'contract of service' with the teacher in accordance to Appendix III of Affiliation Bye-Laws or in the form prescribed by the State/U.T. Government, as the case may be.
- f. The school shall give due recognition to the academic responsibilities of the teachers and involve them in the educational activities in a dignified manner.
- g. The school shall not retain the original degree/diploma certificates of the teachers after their appointment. Copies of degree/diploma certificates duly certified by the Head of School shall be placed in the personal file of the teacher in lieu of the original documents.

5. Retirement:

Every teacher including the Head of the School shall superannuate from the service on attaining the age of 60 years as per rule 30.1 of Affiliation Bye-Laws. However, National Teacher awardees may be considered for further extension of service upto two years after attaining the age of superannuation subject to meritorious service, impeccable character, sound health, good leadership, management qualities and outstanding results throughout with the prior approval of the CBSE as stipulated in the circular no. CBSE/Aff./Circular/5/2016 dated 20th December 2016.

6. Redressal of Grievance:

The school shall establish the internal 'Grievance Redressal Mechanism' for the teachers as mandated under sec. 24 (3) of RTE Act 2009.

7. Professional Development of the Teachers:

- a. The school shall provide training facility for the teachers on similar lines as mandated under sections 8 (i) and 9 (j) of RTE Act 2009 regarding Appropriate Government and Local Authority respectively. Under rule 3.3 (i) (vi) of Affiliation Bye-Laws, the school shall organize at least one-week training programme for the teachers in association with the Centers of Excellence (CoEs) established by the CBSE or any Teacher's Training Institute recognized by the Central/State Government.

b. The school shall ensure that the school library has appropriate books/periodicals useful for teachers and designate a dedicated area for them in the library to enrich their subject knowledge.

8. Sexual Harassment Committee and Protection of children from sexual offences Committee: -

As per directive of Pocso act-2012 all desired measures should have been adopted by the School authority by forming of a committee of parents, teachers and trust members for smooth running of the school. the school shall constitute an 'Internal Complaints Committee' and take appropriate action as per the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

9. Other Facilities for the Teachers:

The School shall ensure adequate provision for staff rooms, crèche facility, canteen facility and separate rest-rooms for the teachers.

(SERVICE RULE FOR Staff Members as per the CBSE BYE-LAWS)

Working Days and Working Hours as per Clause no. 31

1. The working days and holidays will be as per State Government Schools or Kendriya Vidyalayas.
2. The working hours will be such as may be specified from time to time by the Principal. Normally the working hours will conform to the Kendriya Vidyalayas.
3. Working hours may be different for teaching and non-teaching staff as may be specified by the Principal.
4. As and when required an employee may be assigned any special duty even if it is to be done beyond the normal working hours in the interest of the school.
5. An employee is also required to conduct and organise co-curricular programmes and perform other duties even beyond the normal working hours.

Number of Teaching periods as per Clause no. 32

1. Normally a teacher should be engaged as a whole-time employee except in special cases because of the nature of a subject where the work load does not justify a whole time teacher.
2. Every teacher shall devote in a year not less than 1200 hours to the teaching of students, out of which not more than 200 hours may be required to be devoted for the coaching in the school premises, of weak or gifted students, whether before or after the school hours.

3. Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him at such rate as may be determined, by the managing committee, for every hour in excess of 1200 hours devoted by him to the teaching of students.

Attendance of Employees as per the Clause no 34

1. Every employee is expected to reach the school punctually and sign the attendance register on arrival before the working of the school begins and also mark the time of departure.
2. An employee who has not signed the attendance register as above is liable to be considered absent from duty for that date.

Grant of Leave as per Clause no. 41

1. Leave cannot be claimed as a matter of right.
2. Grant of any leave shall depend on the exigencies of the institution and shall be at the discretion of the Principal/Manager.
3. Except in unavoidable circumstances, applications for leave in writing shall be made in advance, a letter or a phone message giving reasons should reach the Principal on the day of absence. When a phone message is sent, it should be confirmed in writing by the subsequent day. Merely applying for leave will not mean sanction, until and unless the leave is sanctioned by the sanctioning authority.

Code of conduct for employees as per Clause no. 42

Every employee shall be governed by the Code of Conduct. The following acts shall constitute breach of code of conduct:

- i) Habitual late coming and negligence of duty.
- ii) use of abusive language, quarrelsome and riotous behavior.
- iii) Insubordination and defiance of lawful order.
- iv) Disrespectful behaviour, rumour mongering and character assassination.
- v) Making false accusations or assault either provoked or otherwise.
- vi) Use of liquor or narcotics on the school premises.
- vii) Embezzlement of funds or misappropriation of school property or theft or fraud.
- viii) Mutilation/destruction of school records and property.
- ix) Conviction by a court of law for criminal offence.
- x) Possession in school premises of weapons, explosives, and other objectionable materials.

- xi) Indulging in or encouraging any form of malpractice connected with examination or other school activities.
- xii) Divulging confidential matters relating to school.
- xiii) Obstructing other members of the staff from lawful duties and indulging in any sort of agitation to coerce or embarrass the school authorities.
- xiv) Carrying on personal monetary transactions among themselves, with the student and/or with the parents.
- xv) Taking active part in politics.
- xvi) Propagating through teaching lessons or otherwise communal or sectarian outlook or inciting or allowing any student to indulge in communal or sectarian activity.
- xvii) Making sustained neglect in correcting class work or home work.
- xviii) Taking private tuitions without permission of school authorities.
- xix) Organising or attending any meeting during school hours except when he is required or permitted by the Head of the school to do so.
- xx) Absenting from work even though present in the school premises or absent without leave.
- xxi) Preparing or publishing any book or books commonly known as keys or assist whether directly or indirectly in their publication or as a selling agent or canvasser for any publishing firm or trader.
- xxii) Asking for or accept, except with the previous sanction of the society, any contribution or otherwise associate himself with the raising of funds of any kind or make any collection whether in cash or in kind, in pursuance of any object whatsoever, except subscription from the members of any association of teachers.
- xxiii) As per the Right To Education, Act-2009 no staffs are allowed to give any kind of corporal punishment to any students.

2. All the teachers are expected to be exemplary in their public and private life. Their loyalty, sense of dedication and integrity of character at all times should be an inspiration of the youth committee to their care. The teacher shall attend to his duties with care and commitment, be punctual in attendance and dutiful in respect of class room and also for any other work connected with the duties assigned to him by the Head of the school or the Board. He shall abide by the rules and regulations of the school and carry out the lawful orders and also show due respect to the constituted authorities.

3. The following shall not be deemed as a breach of the Code of Conduct.

- i) to appear at an examination to improve his qualifications with the Permission of the employer.
- ii) to become, or to continue to be a member of any religious, literary, scientific or professional organisation or cooperative society.

- iii) to organise or attend any meeting outside the school hours subject to the condition that such meeting is held outside the school premises.
- iv) to make any representation to the management for the redressal of any bonafide grievance, subject to the condition that such representation is not made in rude or indecorous language.
- v) as per the RTE, Act 2009 no staffs are allowed to give any kind of physical punishment to any children's.

Appointments

(1) All appointments to all categories of employees except Group 'D' employees as per Government of India gradation shall be made by Managing Committee either by direct recruitment or by promotion through a Selection Committee constituted by the School Society/ Trust/ Company Registered under section 25 of the Companies Act, 1956 and in accordance with and upon such conditions as the Managing Committee may decide, which shall be consistent with the norms of the Board/Government if statutory provision exists. Appointment of Group 'D' employees will be made by the Principal through constituted Selection Committee.

(2) The selection Committee shall include

a) in the case of recruitment of the Head of the school:

- i) the President of the Society;
- ii) the Chairman of the Managing Committee
- iii) an educationist, nominated by the managing committee; and
- iv) a person having experience of administration of schools, nominated by the Managing Committee.

b) in the case of recruitment of teachers and librarian:

- i) the Chairman of the managing committee;
- ii) the Head of the school;
- iii) an educationist, nominated by the managing committee; and
- iv) a subject expert..

c) in the case of recruitment of clerical staff / Lab. Asstt :

- i) the Chairman of the managing committee or any member of the managing committee nominated by the Chairman.
- ii) the Head of the School.
- iii) Manager/Correspondent of the School

d) In case of recruitment of class IV staff :

i) the Head of the institution,

ii) a nominee of School Managing Committee.

(3) The Selection Committee shall regulate its own procedure and in the case of any difference of opinion amongst the members of the Selection Committee on any matter, it shall be decided by the trust or society running the school.

(4) The appointment of every employee of a school shall be made by its managing committee.

(5) Where any selection made by the Selection Committee is not acceptable to the managing committee of the school, the managing committee shall record its reason for such non acceptance and refer the matter to the trust or society or # Company Registered under section 25 of the Companies Act, 1956 running the school and the trust or society, as the case may be, shall decide the same.

(6) Employees shall be appointed subject to the provisions of this agreement and they shall have to comply with all the requirements of the provisions contained herein.

Medical Certificate and Character Certificate etc.

1. Every employees shall be required to produce the following certificates on appointment in the school:

a) Medical certificate of fitness from a hospital established or maintained by the Government or local authority

b) Two certificates from educationists or any other respectable members of Society, not related to the candidate, certifying the character and conduct to the satisfaction of the school authorities.

c) Original degree/diploma, certificates along with certificate(s) of experience, if any; with attested photocopies thereof. Original certificates will be returned after verification.

Probation

1. Except in the case of a purely temporary vacancy or leave vacancy or for a specific post of temporary nature, every employee shall on initial appointment be on probation for a period of one year from the date of his/her joining the duties. The period of probation may be extended by the Managing Committee by a further period not exceeding one year. Services of an employee during probation may be terminated by the Managing Committee without assigning any reason by giving one month's notice in writing or one month's salary including all allowances.

2. If an employee desires to be relieved during the period of probation, it will be necessary for him to give one month's notice in writing or one month's salary including all allowances unless and otherwise the Managing Committee permits relaxation under special circumstances.

Confirmation

1. If the work and conduct of an employee during the period of probation are found to be satisfactory, he/she will become eligible for confirmation on the expiry of the period of probation or the extended period of probation as the case may be, with effect from the date of expiry of the said period provided he/she fulfils the other requisite conditions.
2. The employee shall be informed of his confirmation within 3 months of the completion of probation period.

Termination of Service Due to Abolition of Posts etc.

1. If an employee at any time after confirmation intends to resign he/she shall give three months' notice in writing or three months' salary including all allowances to the Managing Committee.
2. The Managing Committee shall also be competent to terminate the services of a confirmed employee only in case of abolition of a post due to closing down of school a class or reduction in the number of sections of a class or discontinuance of a teaching subject by giving three months notice in writing or three months salary including all allowances.
3. The Managing Committee shall have the power to relax the period of notice or payment of salary in special circumstances.

Retirement

1. Notwithstanding anything contained in these rules or otherwise every employee including Head of institution shall retire from service on attaining the age of 60. However if the age of superannuation falls during the academic session, the concerned employee will retire at the end of the academic session. Provided further that if such employee is a recipient of National/State/CBSE Teachers Award. He may be considered for a further extension of service for two years after attaining the age of superannuation provided he is medically fit and is

prepared to serve the school. The school managing committee after considering such case of extension of service, shall forward the details to the Board.

2. The Managing Committee may grant extension as per rule of State/UT if the employee has no mental or physical disabilities and his/her services are beneficial to the institution.

3. The Board will be informed of such extension by the SMC.

Working Days and Working Hours

1. The working days and holidays will be as per State Government Schools or Kendriya Vidyalayas.

2. The working hours will be such as may be specified from time to time by the Principal. Normally the working hours will conform to the Kendriya Vidyalayas.

3. Working hours may be different for teaching and non-teaching staff as may be specified by the Principal.

4. As and when required an employee may be assigned any special duty even if it is to be done beyond the normal working hours in the interest of the school.

5. An employee is also required to conduct and organise co-curricular programmes and perform other duties even beyond the normal working hours.

Number of Teaching periods

1. Normally a teacher should be engaged as a whole-time employee except in special cases because of the nature of a subject where the work load does not justify a whole time teacher.

2. Every teacher shall devote in a year not less than 1200 hours to the teaching of students, out of which not more than 200 hours may be required to be devoted for the coaching in the school premises, of weak or gifted students, whether before or after the school hours.

3. Provided that if any teacher is required to devote more than 1200 hours to the teaching of students, extra remuneration shall be paid to him at such rate as may be determined, by the managing committee, for every hour in excess of 1200 hours devoted by him to the teaching of students.

4. In the case of an aided school, the extra remuneration referred to in sub-rule 32(3) shall be subject to the previous approval of the grant-in-aid authority to qualify for aid of 95 per cent of such extra remuneration, and in the case of an unaided recognised school, such extra remuneration may be recovered from the students at such

proportionate rate as may be determined by the managing committee.

Maintenance of Record by the Teachers

1. A teacher is expected to maintain the following documents and also any other record as maybe specified from time to time.

- a) Attendance Register of the class for which he/she is the Class Teacher.
- b) Personal Log Book and Class Log Book, Programme of Instruction and Lesson Plans.
- c) Cumulative result of his class.
- d) Attendance Diary of optional subjects in case of teachers teaching such optional subjects.
- e) Stock Register of properties held by him/her.
- f) CRB (Cumulative Record Book) of the class for which he/she is a class teacher.
- g) Fee collection book of the class.

Attendance of Employees

1. Every employee is expected to reach the school punctually and sign the attendance register on arrival before the working of the school begins and also mark the time of departure.

2. An employee who has not signed the attendance register as above is liable to be considered absent from duty for that date.

Contributory Provident Fund - Pension Scheme

1. Employees except those employed in temporary vacancies and on part time service, will be required to become members of the Contributory Provident Fund Scheme as required under the employees' Provident Fund and Miscellaneous Provisions Act, 1952 or shall be eligible for pension and gratuity, if adopted by the school.

2. Those eligible for pension shall contribute to GPF as per Government Rules.

Representations

1. Representation to the Managing Committee, Chairman of the Society or Manager may be made only through Principal in case of teachers/other employees.

2. The Principal may submit his representation to Managing Committee/Chairman of the Society through his next higher up- Manager/Correspondent of the School.

Permission to add Qualifications

1. No teacher shall be permitted to apply for adding qualifications before completing two years service.
2. Individual cases duly recommended by the Principal may be considered when due by the Managing Committee as also under special circumstances before completion of two years.

Application for Another Post

1. No member of the staff shall apply for employment elsewhere without notifying through the Principal in writing to the S.M.C. which may grant such permission.
2. At the time of appointment each candidate will be required to declare particulars about all other applications he/she might have put in for jobs.

Private and Other Tuitions

1. *No staff member shall undertake private or any other tuition.*
2. Group Tuitions in the school shall not be allowed.

Leave

1. Every employee shall be entitled to such leave as are admissible to the employee of a Corresponding status in Government schools.
2. Encashment/accumulation of leave shall also be allowed as per Govt. rules.

Grant of Leave

1. Leave cannot be claimed as a matter of right.
2. Grant of any leave shall depend on the exigencies of the institution and shall be at the discretion of the Principal / Manager.
3. Except in unavoidable circumstances, applications for leave in writing shall be made in advance, a letter or a phone message giving reasons should reach the Principal on the day of absence. When a phone message is sent, it should be confirmed in writing by the subsequent day. Merely applying for leave will not mean sanction, until and unless the leave is sanctioned by the sanctioning authority.



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Ref. No.:

Date:

Signature of the Society / Trust Authority Members -*

- 1.
2. Sudhansu Sekhar Panigrahi
3. Sakeita Searo
4. Anita Padhi
5. Nibedita Padhi

(with seal)

Dated- 01/04/2020.

Chairman-cum Managing Trustee
Gayatri Educational Trust
Bhubaneswar

Sarat chandra Mohapatra
PRINCIPAL
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