

HARYANA GOVERNMENT
SCHOOL EDUCATION DEPARTMENT

Notification

The 9th August, 2017

No. G.S.R.12/Const./Art.309/2017.— In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules regulating the appointment and other service conditions of persons appointed to the Haryana Voluntary State Education Service, namely:-

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| Short title and commencement | 1. (1) These rules may be called the Haryana Voluntary State Education Service Rules, 2017.
(2) They shall come into force on date of their publication in the official Gazette. |
| Definitions | <p>2. In these rules, unless the context requires otherwise, -</p> <p>(a) "aided school" means a recognized private school which is receiving aid in the form of grant from the Government under rule 54 of the Haryana School Education Rules, 2003;</p> <p>(b) "appointing authority", "Authority empowered to make order", "appellate authority" means the appointing authority, authority empowered to make order, appellate authority prescribed under the following service rules for the posts specified in column 2 of the Schedule, namely: -</p> <ul style="list-style-type: none"> (i) The Haryana State Education School Cadre (Group B) Service Rules, 2012; (ii) The Mewat District School Education (Group B) Service Rules, 2012; (iii) The Haryana School Education (Group C) State Cadre Service Rules, 2012; (iv) The Mewat District School Education (Group C) Service Rules, 2012; (v) The Haryana Primary School Education (Group C) District Cadre Service Rules, 2012; (vi) The Haryana Education Department, Sub-Offices, Ministerial (Group C) Service Rules, 1983; (vii) The Haryana State Secondary Education Department (Group D), Service Rules, 1998; <p>(c) "employee" means an employee working on sanctioned post in any aided school;</p> <p>(d) "Government" means the Government of the State of Haryana in the administrative department;</p> <p>(e) "Administrative Secretary" means the Principal Secretary or Additional Chief Secretary to Government, Haryana, School Education Department, as the case may be;</p> <p>(f) "Schedule" means the Schedule appended to these rules;</p> <p>(g) "Service" means the Voluntary State Education Service opted by an employee of an aided school under the serules;</p> |
| Composition and strength of Service | <p>3. (1) The service shall consist of the posts as specified in column 2 of the Schedule and constitute a separate cadre for each category as a diminishing cadre.</p> <p>(2) The strength of the post in the service shall be such, as may be determined by the government, from time to time.</p> |
| Procedure for appointment. | <p>4. (1) Any employee appointed in a regular capacity and working on a sanctioned post in any aided school desiring to be appointed under these rules shall submit an application in Form-I to the President/ Manager of the Managing Committee of the concerned aided school with an advance copy to the concerned appointing authority. Such application shall be made within one month of the publication of these rules in the Official Gazette. The option once exercised in this regard shall be final and shall not be allowed to be changed under any circumstances at any stage.</p> |

- (2) The President/Manager of the concerned aided school shall personally verify the contents of the application made in sub-rule (1) above within a period of fifteen days of the last date of receipt of application in Form-II and forward the duly verified application to the Directorate of Secondary Education, Haryana, Panchkula.
- (3) The suitability of employees for appointment to the posts categorised as under in Service shall be determined by the following screening committees: -

- (a) For the post of Principals and Head Masters,-

Chairman of Haryana Public Service Commission or his nominee not below the rank of Member.	Chairman
Administrative Secretary or his nominee not below the rank of Under Secretary	Member
Director Secondary Education, Haryana or his nominee not below the rank of Assistant Director	Member
Additional/Joint Director (Admn.), Secondary Education, Haryana, as the case may be.	Member Secretary

- (b) For the post of PGTs/Lecturers,-

Chairman of Haryana Staff Selection Commission or his nominee not below the rank of Member.	Chairman
Administrative Secretary or his nominee not below the rank of Under Secretary	Member
Director Secondary Education, Haryana or his nominee not below the rank of Assistant Director.	Member
Additional/Joint Director (Admn.), Secondary Education, Haryana as the case may be.	Member Secretary

- (c) For the posts of Trained Graduate Teachers/Masters, Classical and Vernacular Teachers, JBT Teachers or Teachers,-

Chairman of the Haryana Staff Selection Commission or his nominee not below the rank of Member.	Chairman
Director Elementary Education, Haryana or his nominee not below the rank of Assistant Director.	Member
Additional/Joint Director (Admn.), Elementary Education, Haryana as the case may be.	Member Secretary
Joint Director (Academic), Elementary Education, Haryana	Member

- (d) For the posts of Clerks, Lab Attendants, Peons and Class-IV,-

Chairman of the Haryana Staff Selection Commission or his nominee not below the rank of Member.	Chairman
Director Secondary Education, Haryana or his nominee not below the rank of Assistant Director	Member
Additional/ Joint Director (Admn.), Secondary Education, Haryana as the case may be	Member Secretary
Additional/Joint Director (Admn.), Elementary Education, Haryana as the case may be	Member

- (4) The above committees after determining the suitability of the employees shall recommend the names of the suitable employee to the concerned appointing authority for appointment under these rules.

5. (1) The appointment under these rules shall be a fresh appointment made on the minimum of pay scale of that post, however, the salary of the employee appointed under these rules shall be protected as a measure personal and shall not be less than the salary which he is already drawing. The past service rendered shall not be counted for any other intents and purposes.
- (2) An employee appointed under these rules shall not be entitled for any promotion till he attains the age of superannuation.

Terms and
conditions of
appointment.

Responsibility of
management of
aided school.

- (3) An employee under these rules shall not be eligible for pension under the provisions of Haryana Civil Services (Pension) Rules, 2016. However, for the purpose of pension, an employee so appointed shall continue to be governed under Haryana Aided Schools (Special Pension and Contributory Provident Fund) Rules, 2001, if appointed in the aided school before the 1st January, 2006. The employee appointed on or after the 1st January, 2006 and appointed in Service shall be governed by the National Pension Scheme (NPS).
 - (4) An employee appointed under these rules shall be entitled for the amount of contribution towards Contributory Provident Fund/ National Pension Scheme alongwith interest liable to be paid by the concerned aided school management for the service rendered in the said school and the Management shall pay the same within a period of one month to the concerned quarters.
 - (5) Arrears of any kind in respect of the employees shall not be paid by the Government for the period prior to the date of appointment in the Service.
 - (6) No grant-in-aid shall be payable to the aided schools in respect of the posts which have been taken over in the Service. However, the grant-in-aid shall continue to be reimbursed as per the provision made in rule 54 of the Haryana School Education Rules, 2003 for the remaining sanctioned posts on which incumbents are working in the aided school.
 - (7) The leave account of the employees appointed under these rules shall start with a zero balance.
 - (8) All other matters, not specifically mentioned in these rules, shall be governed by the Haryana Civil Services Rules and Punjab Financial Rules as applicable to Haryana Government Employees and by such rules and regulations as may have been, or may hereafter be adopted or made by the competent authority made under the Constitution of India or under any Law for the time being in force made by the State Legislature.
 - (9) An employee willing to join the Service shall submit an affidavit in Form-III duly attested by an Executive Magistrate to the concerned appointing authority.
6. (i) The management shall be bound to discharge all liabilities in respect of employees appointed to the Service for the period prior to date of appointment under these rules. The mere appointment of employees in the Service shall not absolve the management of the responsibility to clear the pending dues. The employees taken over shall have every right to claim their dues from the previous management in respect of the previous services rendered by them.
- (ii) The management shall be under statutory obligation to run the present schools just like un-aided recognized schools for a period of minimum 33 years. In this respect, Managements shall submit a duly registered and attested indemnity/security bond in Form-IV to Government.
- (iii) The Managements of the Aided Schools shall commit in the indemnity/security bond not to enhance their fees with regard to the existing students till they pass out of the school on the ground that one or more of their employees have left the school ever since these rules came into force. The Managements of the aided schools shall not be permitted to change the medium of instructions as well as mode of affiliation from Board of School Education, Haryana to any other Board to safeguard the interest of the existing students.
- (iv) In case the management of an aided school whose employees working against all or some sanctioned posts are appointed to the State Voluntary Education Service utilizes the land and building of the school for non-educational purposes either partially or fully, after such taking over of staff under these Rules, such school may be imposed penalty ranging from Rs. 1 Lakh for each such instance of violation to withdrawal of NOC as well as recognition of the defaulting schools, or in case of severe diversion of land and assets for non-educational purposes, takeover of the school by the Government.

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| 7. | A District level committee shall be constituted in which concerned District Education Officer/District Elementary Education Officer as the case may be will be the chairman, one local Block Education Officer/Block Elementary Education Officer as member, consisting one representative of the concerned aided school as member to redress the grievance of the students and their parents in case any complaint is filed by them. The committee will submit a consolidated report every year to the Directorate in this regard for taking suitable action against the defaulting schools. | Constitution of the committees for redressal of the grievances. |
| 8. | Where the Government is of the opinion that it is necessary or expedient to do so, it may by order, for reason to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons. | Power of Relaxation. |
| 9. | Where a doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the government, whose decision shall be final. | Removal of doubts. |
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SCHEDULE*[See rule 3]*

Serial Number	Name of the post	Existing Pay band and grade pay	New Pay Scales as per Haryana Civil Services (Revised Pay) Rules, 2016
1.	2	3	4
1.	Principal	15600-39100+GP 6000	FPL 11 of the Schedule 1 of the Pay Matrix.
2.	Head Master High schools	9300-34800+GP 5400	FPL 10 of the Schedule 1 of the Pay Matrix.
3.	PGTs/Lecturers of various subjects	9300-34800+GP 4800	FPL 8 of the Schedule 1 of the Pay Matrix.
4.	TGTs/Masters of various subjects	9300-34800+GP 4600	FPL 7 of the Schedule 1 of the Pay Matrix.
	C&V Teachers:-		
5.	Hindi Teacher	9300-34800+GP 4600	FPL 7 of the Schedule 1 of the Pay Matrix.
6.	Sanskrit Teacher	9300-34800+GP 4600	FPL 7 of the Schedule 1 of the Pay Matrix.
7.	Punjabi Teacher	9300-34800+GP 4600	FPL 7 of the Schedule 1 of the Pay Matrix.
8.	Urdu Teacher	9300-34800+GP 4600	FPL 7 of the Schedule 1 of the Pay Matrix.
9.	Art and Craft (Drawing) Teacher	9300-34800+GP 4200	FPL 6 of the Schedule 1 of the Pay Matrix.
10.	Swimming Coach	9300-34800+GP 4200	FPL 6 of the Schedule 1 of the Pay Matrix.
11.	Cutting & Tailoring Teacher	9300-34800+GP 4200	FPL 6 of the Schedule 1 of the Pay Matrix.
12.	PTI Teacher	9300-34800+GP 4200	FPL 6 of the Schedule 1 of the Pay Matrix.
13.	JBT Teacher	9300-34800+GP 4200	FPL 6 of the Schedule 1 of the Pay Matrix.
14.	Clerk	5200-20200+GP 1900	FPL 2 of the Schedule 1 of the Pay Matrix.
15.	Lab Attendant	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.
16.	Peon	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.
17.	Frash	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.
18.	Safai Majdoor	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.
19.	Waterman or Waterwoman	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.
20.	Chaukidar	4440-7440+GP 1300	FPL DL** of the Schedule 1 of the Pay Matrix.

FORM - I

[See rule 4(I)]

Application for appointment to the Haryana Voluntary State Education Service.

To

The President/Manager

(Name of Institution)

I, _____ (name in full), son/daughter/wife of _____ age _____
(years) working on the post of _____ in the _____ desire to be considered for
appointment in Haryana Voluntary Education Service in accordance with the terms and conditions of the rules. My
particulars are as follows: -

1. Date of Birth _____
2. Name of School _____
3. Sanctioned post held _____
4. Date of appointment on the sanctioned post _____
5. Existing Pay Band and Grade Pay _____
6. Existing Pay including Grade Pay _____
7. Address _____
8. An undertaking/ affidavit in the prescribed Performa duly attested is attached herewith.

My application may be forwarded, after verifying the above particulars, to the appointing authority under the
relevant service rules.

(Signature)

(Name in full _____)

FORM-II

[see rule 4(2)]

VERIFICATION BY PRESIDENT/ MANAGER OF THE AIDED SCHOOL.

I, _____ (Name in Full), son/daughter/wife of _____ working on the post of Secretary in _____ (Name of Aided School) do hereby verify that:-

- (i) That this application has been received in my office on _____ (date).
- (ii) That the particulars mentioned above in this application are true and correct on the basis of the official record.

The following documents are being forwarded with this application:

- (i) Service Book
- (ii) Personal File
- (iii) Last pay certificate
- (iv) Undertaking/affidavit under clause 6 of rules

Date:- _____

Place:- _____

(Signature)

(Name in full)

Office Seal

FORM - III

[See rule 5 (9)]

Affidavit

I, _____ (name in full), son/daughter/wife of _____ age _____ (years) working on the post of _____ in the _____ (Name of Aided School), after having read and understood various clauses of the Haryana Voluntary Education Service Rules, 2017 for taking over the staff of Aided Schools working against sanctioned/aided posts, hereinafter referred to as the said rules. I, do hereby undertake and state as under: -

1. That the post on which I am presently working is a sanctioned and aided post.
2. That I desire to be appointed in the Government service in accordance with the terms and conditions mentioned in these rules and I declare that I shall abide the conditions of the said rules.
3. That I am willing to work as fresh appointee, on regular basis on minimum of the pay band and grade pay of the post, if my salary is protected as a measure personal to me. I will not claim any seniority, pensionary and leave benefits from the Government in lieu of the services rendered in Aided Schools prior to my appointment to the Service. Thus, I agree to accept the salary which will be fixed in accordance with the rules.
4. That I will not claim any benefits in any way for the past services rendered in Aided Schools after taking over my services.
5. That after taking over my services, I am willing to serve anywhere in Haryana, as per the requirement of the School Education Department.
6. That I shall not make any claim for payment of any previous liabilities on any account whatsoever, including arrears of salary, selection grade, ACP etc. for the period prior to my joining in the Government service under the relevant Service Rules.
7. That I shall not make any claim from Government for payment of any Contributory Provident Fund contribution if not deposited by the Aided Schools for the period prior to the date of my joining in Government service.

Date: _____

Place: _____

(Signature)

(Name in full _____)

FORM - IV

[See rule 6(ii)]

Indemnity/security bond

I, _____ (name in full), son/daughter/wife of _____ age _____ (years) Manager/President of _____ (Name of Aided School), after having read and understood various clauses of the Haryana Voluntary Education Service Rules, 2017 for taking over the staff of Aided Schools working against sanctioned/aided posts, hereinafter referred to as the said rules. I, do hereby undertake and state as under: -

1. That the management of our school will be under statutory obligation to run the present schools just like un-aided recognized schools for a period of minimum 33 years.
2. That the Managements of our School assures that the fees of the existing students shall not be enhanced till they pass out of the school on the ground that one or more of their employees have left the school ever since these rules came into force.
3. That the Managements of the School shall not apply for permission to change the medium of instructions as well as mode of affiliation from Board of School Education, Haryana to any other board to safeguard the interest of the existing students.
4. That it is submitted that in case, the management of our school whose employees working against all or some sanctioned posts are appointed to the State Voluntary Education Service utilizes the land and building of the school for non-educational purposes either partially or fully, after such taking over of staff under these Rules, our school may be imposed penalty ranging from Rs. 1 Lakh for each such instance of violation to withdrawal of NOC as well as recognition of our school, or in case of severe diversion of land and assets for non-educational purposes, our school may be taken over by the Government.

Date: _____

Place: _____

(Signature)

(Name in full _____)
(Designation and stamp of the School)

P. K. DAS,
Additional Chief Secretary to Government Haryana,
School Education Department, Chandigarh.