

## CHAPTER XIV (A)

**CONDITIONS OF SERVICE OF AIDED SCHOOL TEACHERS**

<sup>1</sup>[<sup>2</sup>1. (1) Managers of Private Schools shall appoint only candidates who possess the prescribed qualification. As far as High School classes are concerned the appointment shall be made with due regard to the requirement of subjects as determined by Director of Public Instruction with reference to the curricula of studies. Whenever vacancy occurs, the manager shall follow the directions issued by Government from time to time, for ascertaining the availability of qualified hand <sup>3</sup>[and for filling up vacancy].

<sup>4</sup>[Note:- (1) A member of the non-teaching staff under the category of Clerks, Peons, Sweepers and other staff shall also be eligible for appointment as teacher provided he has the prescribed qualifications and that there is no teacher eligible for promotion or for appointment to such post under these rules.

Note:- (2) If there are more than one claimant for appointment as teacher under these categories, preference shall be given in the order of clerks, peons, sweepers and other staff. If there are more than one claimant under a particular category, the order of preference shall be according to the date of their first appointment, if their date of first appointment be the same, then preference shall be given with reference to age, the older being given first preference;]

(2) The age limit and the relaxation thereof for appointment applicable to teachers of Government Schools shall apply mutatis mutandis to teachers of aided schools. <sup>5</sup>[The date of determination of age for eligibility for appointment shall be the 1<sup>st</sup> January of the year in which the appointment is to be made.

<sup>6</sup>[(3) Subject to Rule 51A, candidates advised by the Kerala Public Service Commission shall be appointed as teachers in Schools managed by local self Government institutions.]

<sup>7</sup>[(4) In determining the requirement of subjects, the Director shall also issue such instructions as he may deem necessary for giving protection to teachers:-

- (i) who are in service and would have continued in service; and
- (ii) who stand relieved as per rule 49 or 52 or on account of termination of vacancies and who would have been eligible for reappointment under Rule 51A had there been no change in the requirement of subjects.]

- <sup>8</sup>[2. Appointment of qualified hands shall be deemed acting till they are confirmed]
3. Initial appointment of qualified teachers shall be on probation.

Provided that for the purpose of this Rule qualified teachers in service on the date on which this Rule comes into force and have a satisfactory continuous service of not less than one year, who shall be deemed to have completed their probation.

<sup>9</sup>[4. XXXX]

- <sup>10</sup>[5. Unqualified teachers appointed after 2-2-1965 and who acquire the prescribed qualification shall have preference for appointment to future vacancies in schools under the same Educational Agency.

**Note:-** (1) If more than one person acquire the prescribed qualifications, preference as among them shall be given to the person who acquired the qualification earliest. If more than one person acquired the prescribed qualification on the same date, the person with the earliest date of first appointment as an unqualified hand, shall be preferred.

(2) If there are claimants under this rule and rule 51A, preference shall be given to those coming under rule 51-A].

- <sup>11</sup>[5A. Qualified teachers who are retrenched by the opening of new schools or consequent on orders of Government relating to the course of studies or scheme of teaching <sup>12</sup>[or due to withdrawal of recognition of the school for any of the reasons specified in Rules 22, 22A or 23 in Chapter V and consequent closure of the school] shall be given preference for appointment to future vacancies in schools under the same Educational Agency or under other Educational Agencies].

6. (a) Teachers appointed under rule 3 shall be on probation for a total period of one year on duty within a continuous period of two years, <sup>13</sup>[Qualified teachers in the lower grade promoted to the higher grade under Rule 43 before completing their probation shall be on probation in the higher grade as if appointed under rule 3 in that category]. At the end of the period of probation the manager may issue an order declaring him to have satisfactorily completed his probation;

<sup>14</sup>[Explanation:- Broken periods of duty within a continuous period of two years can be reckoned for calculating the one year duty period. In such cases satisfactory completion of probation of the teacher concerned shall be declared by the Manager with retrospective effect from, the date on which he is found eligible/suitable for such

declaration of completion of probation].

(b) At any time before the expiry of the period of probation, the manager may with approval of the Educational Officer, by order extend the period of probation for a further period not exceeding one year if the work of the probationer is found to be unsatisfactory. In cases where the probation is extended, a condition shall, unless there are special reasons to the contrary, be attached in the order of extension of probation that the probationer's increment shall be stopped until he is declared to have satisfactorily completed his probation. Such stoppage of increment shall not be treated as a penalty, but only as a condition of extension of probation and shall not have the effect of postponing future increments after he has declared to have satisfactorily completed his probation.

(c) If the work of the probationer is found to be unsatisfactory at any time before the expiry of the period of probation or where such period of probation is extended, the manager may, with the approval of the Educational Officer, by order either terminate the probation and discharge him from service or in case probation has not been extended, extend the period of probation after giving him a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that where a probationer has been given a reasonable opportunity of showing cause against the imposition on him of any of the penalties specified in items (v), (vi) and (vii) of rule 65 and at the end of the disciplinary proceedings a tentative conclusion is arrived at to terminate his probation, a further opportunity of showing cause specifically against termination of his probation need not be given to him.

**Explanation:-** An opportunity to show cause may be given after arriving at a provisional conclusion on the suitability or otherwise of the probationer.

(d) The probation of a teacher may be terminated and the probationer discharged at any time by the manager for want of vacancy;

(e) Notwithstanding anything contained in this Rule the power specified herein may also be exercised by the Educational Officer or by any other higher authority].

7. As soon as a teacher is appointed in a school, the Manager shall immediately issue an appointment order to the teacher <sup>15</sup>[in Form 27] and the appointment shall be effective from the date on which the teacher is admitted to duty, provided the appointment is duly

approved.

<sup>16</sup>[XXXX]

<sup>178</sup>7A. (1) x x x

(2) Posts that may fall vacant on the closing date shall not be filled up till the reopening date <sup>179</sup>except in the case of <sup>180</sup>[non vacation staff].

<sup>181</sup>(3) Vacancies the duration of which is less than one academic year shall not be filled up.

<sup>17</sup>8 (1) Three copies of appointment order all signed by the Manager and the teacher, shall be forwarded by the Manager to the Educational Officer for approval together with such details, particulars and documents as may be required by the Director <sup>18</sup>[within fifteen days from the date of effect of the staff fixation order by which the additional posts are sanctioned or within fifteen days from the date of joining duty of the candidates] whichever is later in the manner prescribed by the Director:

<sup>19</sup>[Provided that where the Manager fails to forward the appointment order within the time specified above, he may apply to the <sup>20</sup>[Deputy Director (Education) in the case of delay up to six months or to the Director in other cases, for condonation of such delay and thereupon the <sup>19</sup>[Deputy Director (Education)] or the Director\* as the case may be for reasons to be recorded in writing condone the delay]

<sup>21</sup>[Provided further that the appointment order and the time limit specified in the sub-rule shall not be insisted in the case of conversion of part-time post into full time as per staff fixation and the filling up such post by promotion].

(2) The Educational Officer on receipt of the appointment order and other records mentioned in sub rule (1) may approve the appointment if it is in accordance with the provisions of the Act, the Rules and orders issued by the Government or the Director from time to time. After approval one copy shall be forwarded by the Educational Officer to the teacher through the Manager and another copy forwarded to the Manager to be filed in the school records. The approval may be given as expeditiously as possible <sup>22</sup>[at any rate not later than 30 days from the date of receipt of the appointment order and other documents mentioned in sub-rule (1)].

(3) If the approval of appointment is declined for any reasons the order declining approval showing reasons thereof shall be communicated to the teacher through the Manager.

(4) If the appointment order and other required particulars are not forwarded in the manner prescribed by Director within the time specified in sub-rule (1), it shall be deemed that no such appointment has taken effect.

(5) An appeal shall lie against the order declining approval of appointment issued by the Assistant Educational Officer or the District Educational Officer to the District Educational Officer or the <sup>23</sup>[Deputy Director (Education)] as the case may be. The decision of the appellate authority shall be final.

(6) No appeal shall be entertained unless it is preferred within 15 days from the date of receipt of the order appealed against.

(7) The manager shall give effect to the orders passed by the appellate authority forthwith.

(8) The violation of these provisions will be one of the grounds for withdrawal of recognition under rule 23 of Chapter V and action under rule 7 of Chapter III of the Kerala Education Rules.]

<sup>24</sup>[8A The Director may on his own motion or otherwise call for records of the orders relating to approval of appointments issued by the Subordinate Officers and revise the same:

Provided that order affecting the interest of a person shall not be passed under this rule unless the person concerned has been given an opportunity of making any representation which he may wish to make against such orders].

9. (1) The appointment order shall not be affected by any change in the Educational Agency or the Manager.

(2) Part-time teachers may, with the approval of the Educational Officer be allowed to work as such in more than one school, Government or aided, but not more than three; but no person shall be allowed to work as a part-time teacher in one school and at the same time as a full time teacher in another school.

10. <sup>25</sup>[**Transfers:-** Where more than one school is under the same Educational Agency, the Educational Agency may transfer any teacher from one school to another and in deciding on these transfers the principles followed in Government Schools shall be observed to the extent possible. The principles of transfer shall be as follows:-

(1) The chief and for most criterion for transfer of Headmaster <sup>26</sup>[ and teacher] shall be the seniority.

(2) Every Headmaster <sup>27</sup>[and teacher] shall be allowed to exercise choice of 3 or more schools.

(3) Exceptions to the seniority criterion shall be the bare minimum. Exception shall include close relatives of Jawans, Intercast marriage, Physically handicapped, other grounds for special consideration, compassionate grounds, persons who have only one year of service left for retirement etc,

(4) Cases coming under administrative interest shall include unsuitability, allegations of corruption, misuse of official position, disciplinary action, incompetence, and consistent poor performance.

(5) Cases of deviation from the seniority norms shall be appealable before the Director of Public Instruction, who shall decide the case.

(6) All exceptions to the general rule of seniority put together may not exceed 25% transfers.

(7) Mutual transfers on request shall not be entertained.

(8) The number of transfers shall be limited to twice or thrice a year]

- 11.** (1) A teacher serving in any school under one Educational Agency may be transferred to a school under another Educational Agency with the previous approval of the District Educational Officer provided the two Educational Agencies and the teacher agree in writing; and in such cases the number and date of the order of the District Educational Officer containing the approval shall be quoted in the Last Pay Certificate.

<sup>28</sup>[(2) A teacher serving in any Government School may be transferred to an aided school with the previous approval of Government provided the Educational Agency and the teacher agree in writing and in such cases the number and date of the order of Government containing the approval shall be quoted in the Last Pay Certificate].

<sup>29</sup>[Note:- The transfer under this rule may be to a post carrying the same scale of pay a higher scale of pay or a lower scale of pay. Provided that no transfer to a higher post shall be made if the person to be transferred does not possess the prescribed qualification for such post or if there are persons with the prescribed qualification in the school eligible for promotion to that post to which the transfer is proposed.

<sup>30</sup>[12. **Transfers:-** Transfers under rule 10 and 11 shall ordinarily be made only at the beginning of the School year]

13. Teachers who are transferred as per these Rules will continue to receive in the latter school the pay and the scale of pay they were receiving in the former school provided they are transferred to a post carrying the same scale of pay, and their rank in the new school will be fixed next below the junior most teacher in that particular grade in that school, except in the case of transfers under Rule 10 in which case the existing seniority will continue.

<sup>31</sup>[X X X X]

<sup>32</sup>[13A. When a teacher is transferred to a school under a different educational agency in a higher scale of pay <sup>33</sup>[X X X] he will draw the minimum in the higher scale provided his pay in the lower scale is below the minimum fixed in the higher scale. If he was drawing higher pay in the lower scale at the time of the transfer then he will draw the same pay in the higher scale. If this pay is not a stage in the higher scale he may be allowed the next lower stage plus the difference as personal pay which may be absorbed in the next increment;]

<sup>34</sup>[13B. The pay of a teacher who is appointed against a post carrying a lower time-scale of pay, by intermanagement transfer shall be fixed at the rate at which he was drawing in the previous appointment, if it represents a stage in the new scale or at the next lower stage if it is not a stage in the new scale, the difference being treated as personal pay to be absorbed in future increases of pay, provided that if he has previously held any post identical to that of the new appointment his new appointment shall be considered as a case of reversion and his pay regularised on that basis.]

14. In respect of transfers made under the orders of competent authority, joining time and allowances during joining time shall be regulated according to the provisions of the service regulations in force as applicable to officers of Government appointed after the 1<sup>st</sup> November 1956.

<sup>35</sup>[14(A). In the case of teachers who are governed by the rules in Chapter IV (C) the Rules in Chapter XI, Part I, Kerala Service Rules regarding deputation on foreign service applicable to Government employees shall mutatis mutandis apply subject to the following modifications.

(a) A copy of the order sanctioning transfer to foreign service must be communicated to the Headmaster of the school from where the teacher has been deputed for foreign service.

(b) The teacher shall intimate to the Headmaster the remittance of pension contribution and the Provident fund through the foreign employer.

(c) The Headmaster shall record in the Service Book, the amount of pension contribution and other particulars. The particulars of remittance of Provident Fund shall be intimated to the Accounts Officer (Provident Fund) and he will be responsible for watching the remittance regularly. The District Educational Officers will be responsible for watching the recoveries towards pension contribution and Provident Fund. The entries made by the Headmaster shall be verified by the Controlling Officers].

- 15. Charge reports and Last Pay Certificate:-** Teachers shall be admitted to duty or relieved from duty by the Headmaster under orders from the manager and the Headmaster shall assume charge or relinquish charge of office according to the directions of the Manager, the orders or the directions of the Manager, being in accordance with the provisions of the Kerala Education Act and the Rules thereunder and any other orders issued by the Government or the Department in conformity with the provisions of the Act and the rules thereunder.
- 16.** When a teacher is newly appointed in a school or is transferred to the school from some other school, the Manager shall forward a copy of the appointment order or the transfer order, as the case may be, to the Headmaster who shall admit the teacher to duty and report to the Manager the date and time of the teacher's admission to duty.
- 17.** When a Headmaster or a teacher deputed to be in charge of the duties of Headmaster assumes or takes over charge of that office, he shall forward to the Manager and the Educational Officer concerned a charge report in the prescribed form, which in case of transfer of charge from one person to another shall be signed by both.
- 18.** When a teacher or Headmaster is transferred from one school to another whether under the same Educational Agency or under a different Educational Agency, the Headmaster of the former school shall forward a Last Pay Certificate in the prescribed form to the Headmaster of the latter school, who shall make therein an entry relating to the date and time of the teacher's or Headmaster's joining duty. In the case of Headmasters, the Last Pay Certificate shall be countersigned by the Educational Officer.
- 19.** When a teacher or Headmaster is transferred from one school to another, his salary till his relief shall be drawn in the Pay Bill of the former school to which a certificate of relief in the prescribed form shall be attached; and his salary thereafter, including transit pay if any, shall be drawn in the pay Bill of the latter school, to which shall be attached

the Last Pay Certificate referred to in Rule 18 above and a certificate of admission to duty in the prescribed form.

20. **Service Records:-** Service Books in the Form as prescribed by Government shall be maintained for all aided and recognised school teachers.
21. Every teacher shall provide at his cost a Service Book and 3 copies of the form prescribed for History of Service.
22. The entries in the History of Service shall be a complete record of the previous service of the teacher till the opening of the Service Book for him.
23. The entries in the History of Service Form shall be completed in the manner prescribed by the Director.
24. One copy of the History of Service Form shall be deemed to be an Annexures to the Teacher's Service Book and shall be securely attached to the Service Book. The initial salary of the teacher at the time of commencement of the school as an aided school shall be fixed by the Director and entered in the History of Service Form or the Service Book.

Note:- In the case of any teacher appointed after the passing of these rules, the Annexure may be dispensed with if the teacher has no previous service at all.

25. The entries in the Service Book shall commence from a date not later than the teacher's first admission to service in an aided school.
26. The Headmaster shall be responsible to the Manager and the Department for the custody and the proper maintenance of Service Books and shall produce them for inspection by Departmental authorities whenever required to do so.

Note:- (i) Scrutiny of Service Books shall be one of the important items to be attended to by the Educational Officers during annual inspection.

(ii) The Service Book of the Headmaster shall be maintained by the Educational Officer.

27. The procedure for entries in the Service Book shall generally conform to the procedure followed in the case of Government servants and in cases of doubt the Headmaster may refer to the Educational Officer for instructions.

- <sup>36</sup>[28. The date of birth on page one of the Service Book shall be entered in words as well as in figures. Once the date of birth has been accepted and recorded in the Service Book it shall form conclusive evidence of the same in respect of all future transactions on the matter.

Note 1:- The date of birth to be entered in the Service Book at the time of the entry in service shall be that entered in the school Admission Register, Matriculation Book or SSLC Book. For making alteration to such entries relating to date of birth in the Service Book subsequently, the procedure laid down in the case of Government employees under GO(MS) 39/72-PD dated 22<sup>nd</sup> January 1972 and GO (MS) 123/75/PD dated the 16<sup>th</sup> June, 1975 which were made applicable to aided school staff (teaching and non-teaching) as per GO(Ms) 139/76/G.Edn. dated the 17<sup>th</sup> July, 1976, <sup>37</sup>[and also GO(P)No.45/91/P&ARD dated 30<sup>th</sup> December 1991, issued in modification of the existing orders in this matter] shall be followed and the conditions stipulated in these Government Order in regard to correction of date of birth shall be applicable to aided school staff (teaching and non-teaching) as well].

<sup>38</sup>[Note II:- The procedure laid down by the Government from time to time regarding alteration of date of birth in Service Book of Government employees shall, mutatis mutandis, be applicable to aided school staff (teaching and non-teaching) as well.]

<sup>39</sup>[Provided that the date of birth once entered and duly attested by the Educational Officer under Rule 29 shall be changed only under sanction obtained from Government].

29. The Educational Officer shall be the Attesting Officer for the entries in Part I of the Service Book (vide page 3 of the Service Book).
- <sup>40</sup>[30. The Headmaster shall be the Head of office or Attesting Officer for the entries in Part II of the Service Book (vide columns 8,11 and 18) except annual verification certificate. The annual verification certificate shall be attested by the Manager. <sup>41</sup>[The entries in Part II of the Service Book shall be verified annually by the Educational Officer also with reference to the original records in the schools during their inspections or the verification shall be conducted by them in their offices at their discretion. A record of such verification shall also be made by them in the Service Book.]
31. When a teacher is transferred from one school to another, the Headmaster of the former school shall forward the Teacher's Service Book, with entries completed, to the Headmaster of the latter school and obtain an acknowledgment thereof, which shall be preserved till the teacher leaves service.

32. When the services of a teacher are terminated permanently or in the event of death of the teacher, the Headmaster shall forward the Teacher's Service Book and History of Service Form with entries completed to the Educational Officer along with application for pension, provident fund or gratuity as the case may be for the teacher in accordance with the rules of procedure relating to pension and grant of gratuity and application shall be dealt with by the Educational Officer in accordance with the rules relating to grant of pension or gratuity.
33. If any teacher acquires any additional qualifications during his service, particulars thereof shall be entered in the Service Book by the Headmaster and attested by the Educational Officer.
- <sup>42</sup>[34. Every Management shall prepare and maintain <sup>43</sup>[in Form 11A] a staff list otherwise called the seniority list of teachers as specified below:-
- (a) In the case of High Schools, a combined seniority list of teachers specified in clauses (ii) and (ii A) of rules 3, Chapter XXIII shall be prepared.
- (b) In the case of Upper Primary School and Lower Primary school a combined seniority list of teachers if any, specified in clauses (iii), (iv) and (v) of Rule 3, Chapter XXIII shall be prepared.]
- <sup>44</sup>[35. If the Educational Agencies have more than one school in a District they shall be constituted into one unit and a common seniority list shall be prepared for all the schools in the unit together and shall be submitted to the concerned District Educational Officer for approval. If the Educational Agencies have schools in more than one District within a <sup>45</sup>[Revenue District] they shall be constituted as one unit and a common seniority list shall be prepared for all the schools in the unit together and submitted to the concerned <sup>45</sup>[Deputy Director (Education)] for approval. If the Educational Agencies have schools in more than one <sup>45</sup>[Revenue District] they shall be constituted as one unit and a common seniority list shall be prepared for all the schools together and shall be submitted to the Director for approval.

The District Educational Officer, the <sup>45</sup>[Deputy Director (Education)] and the Director, as the case may be may approve the list provisionally pending finalisation of appeals if any preferred by aggrieved teachers;]

<sup>46</sup>[Provided that the Educational Agency may at its option constitute the existing Girls High Schools and Training Schools for women under it as a separate Unit and draw up a separate seniority list for teachers in those institutions solely intended for women. New Girls Schools to be

opened by such Educational Agency shall be allowed to include the staff therein with the Girl's Section while those who do not have Girl's schools on the 24<sup>th</sup> July, 1962 as a separate unit, shall include the teachers in the new Girl's Schools in the common seniority list referred to in this rule. In preparing this list, the teacher's option to be in one list or the other will be ascertained.

**Note 1:-** The option under this proviso shall be exercised within one month from the 24<sup>th</sup> July, 1962 and shall be final.

<sup>47</sup>[**Note 2:-** The seniority list shall be made as on the 1<sup>st</sup> day of January of every year. The list should be made up to date and renewed every year. The supplementary list during a school year, showing the names of teachers appointed and got approved by the Controlling Officers, shall be sent by the Educational Agency to the authority competent to approve the list with copies to all sub controlling officers concerned before 31<sup>st</sup> May every year. The competent authority shall approve the list provisionally by 30<sup>th</sup> June and finally by 31<sup>st</sup> August every year.

**Note 3:-** In case the Educational Agency fails to comply with the provisions in Note 2 above it shall be held responsible and such failure on the part of the Educational Agency shall be deemed to be sufficient cause for taking steps referred to in sub-rule (2) of Rule 7 of Chapter III].

- <sup>48</sup>[**35 A.** If the Educational Agencies have only one Primary School, the seniority list in respect of that school shall be prepared and submitted to the Assistant Educational Officer having jurisdiction over the school, and the Assistant Educational Officer may approve the list provisionally pending finalisation of appeals, if any, preferred by aggrieved teachers].
- <sup>49</sup>[**36.** The staff list as provisionally approved shall be circulated to the teachers and representations if any received from the teachers within one month from the date of circulation, shall be submitted to the concerned officer competent to approve the list with the management's remarks within two months from the date of receipt of the list provisionally approved, to the authorities specified in rule 35. The list shall be maintained by the managements and produced whenever required by the Departmental authorities].
- <sup>50</sup>[**36A.** When schools under one Educational Agency are transferred to another Educational Agency with the approval of the competent authority the various categories of teachers in the schools so transferred shall be integrated with the corresponding categories of teachers already working on the date of transfer in the schools under

the Educational Agency to which the transfer is made. The common seniority of all teachers of the schools so transferred and the schools existing under the Educational Agency to which the transfer is made on the date of transfer, shall be decided according to the length of continuous service of all such teachers transferred to the Educational Agency and existing under it on the date of transfer subject to Rule 36 and sub-rule (2) of Rules 37.

Provided however that the Educational Agency to which the transfer is made shall have the option to treat the teachers in the transferred school who were in the service in that school on the date of such transfer, as a separate unit their promotions being confined to the posts in the transferred school. The option shall be exercised by the concerned agency with the approval of the Director and prior to the transfer of the school unless the question of deciding seniority of the teachers of the transferred school or schools is pending decision on 8<sup>th</sup> June, 1966].

<sup>51</sup>[37. (1) Seniority of a teacher in any grade in any unit shall be decided with reference to the length of continuous service in that grade in that unit provided the is duly qualified for the post]

<sup>52</sup>(2) In the case of teachers in the same grade in the same unit whose date of commencement of continuous service is the same, seniority shall be decided with reference to the date of first appointment. If the date of first appointment is also the same, seniority shall be decided with reference to age, the older being the senior.]

<sup>53</sup>Provided that the period of service rendered in the parent school or in another school by a teacher who is relived under Rule 52, shall be reckoned for seniority on his reappointment to the parent school.

<sup>54</sup>[38. (1) <sup>55</sup>[The Assistant Educational Officer]. The District Educational Officer, the <sup>56</sup>[Deputy Director (Education)] and the Director as the case may be may after considering the representations if any, and after hearing the parties, if they deem it necessary, finalise and approve the list with or without change and the list so approved shall be final.

<sup>57</sup>[(2) An appeal shall lie to the District Educational Officer the <sup>56</sup>[Deputy Director (Education), the Director and the Government respectively against an order passed by the Assistant Educational Officer, District Educational Officer, <sup>56</sup>[Deputy Director (Education) and Director under sub-rule (1)]

Provided that no appeal shall be entertained after the expiry of a period of one month from the date of receipt of the order.

39. The staff list shall be prepared with reference to the position existing on the date of commencement of the school as an aided school under the Act unless there is a Staff List already approved by the Department which conforms to these Rules and shall thereafter be maintained up to date.
40. When a teacher in any unit leaves service in that unit, or is transferred from one category of post to another in the same unit, a note to that effect shall be entered against his name in the last columns of the Staff List.
- <sup>58</sup>41. **Confirmation and promotion:-** A teacher who has or is deemed to have completed his probation satisfactorily <sup>59</sup>[shall be confirmed] in any permanent vacancy that may exist or arise in the grade with effect from the date of commencement of continuous service or the date of occurrence of the vacancy whichever is later.
42. Where more than one teacher is eligible for confirmation, the senior most among them shall be confirmed in the order of seniority]
43. <sup>60</sup>[Subject to rules 44, 45 and 51A] and considerations of efficiency and any general order that may be issued by the Government, vacancies in any higher grade of pay shall be filled up by promotion of qualified hands in the lower grade according to seniority, if such hands are available:

<sup>61</sup>[Provided that in the case of promotion to the post of High School Assistant (Subject), the minimum subject requirements alone need be satisfied, to safe quard the interests of trained graduates who are awaiting promotions as High School Assistants].

<sup>62</sup>[Provided further that where a Headmaster or a teacher who has been promoted under this rule faces retrenchment for want of vacancy, he shall be reverted to the category of post from which he has been promoted provided he is not eligible for protection in the retrenched post as per the orders issued by the Government from time to time.]

**Note :-** (1) A teacher in a lower grade of pay in one category of post is eligible for promotion to a higher grade of pay in another category of post provided.

- (i) he has the prescribed qualifications; and
- (ii) there is no teacher with the prescribed qualifications in the lower grade of pay of the category of post to which promotions are to be made.

<sup>63</sup>[**Note :-** (2) Promotion under this rule shall be made from persons possessing the prescribed qualifications at the time of

occurrence of vacancy].

<sup>64</sup>[**43A**- A teacher promoted from a Lower Scale of pay to a Higher Scale of pay shall have his initial pay in the higher scale of pay fixed applying rules 28 A and 37 of part I Kerala service Rules]. <sup>65</sup>[A refixation of pay will be allowed whenever there is change of pay in the lower time scale]

**Note 1.** The Government may in individual cases fix by special order the pay of an officiating teacher at an amount less than that admissible under these rules.

**Note 2.** If the teacher promoted to officiate in the higher post is reappointed to the lower post the service rendered in the higher post will count for increment in the lower time-scale to which he is reappointed.

<sup>66</sup>[**Note.** The above rule shall apply to all cases of appointments made from the non-teaching staff also]

<sup>67</sup>[**43.B.** (1) Notwithstanding anything contained in rule 43, posts of full time High School Assistants in a particular Language shall be filled up by promotion in the following order of preferences];

- (i) Lower Grade Language Teachers who have the prescribed qualifications in that Language for promotion to the post of High School Assistants in that language at the time of occurrence of the vacancy and who had given option in writing as per G.O.(MS) 612/Edn. dated 10-11-1964 to continue as Lower Grade Language Teachers.
- (ii) Part time High School Assistant in that Language.
- (iii) Other Lower Grade language Teachers in that Language.
- (iv) Regular Primary teachers having the prescribed qualifications.
- (v) Craft and Specialist teachers having the prescribed qualifications.
- (vi) If no teacher with the prescribed qualifications is available in the categories mentioned above, Lower Grade Language Teachers in any other Language having the prescribed qualifications.

<sup>68</sup>[**Note :-** Promotion under this sub-rule shall be made according to seniority from persons possessing the prescribed qualifications at the time of occurrence of vacancy].

(2) If qualified teachers as mentioned in sub-rule (1) are not available in schools under the same Educational Agency for promotion to the

post of High School Assistants in that language, qualified candidates from outside may be appointed to that post.

**43 C. (1)** Posts of part time High School Assistants in a particular language shall be filled up by promotion in the following order of preference:-

- (i) Lower Grade Language teachers in that language who have prescribed qualification.
- (ii) Regular Primary teachers having the prescribed qualification.
- (iii) Craft and Specialist teachers having the prescribed qualification.
- (iv) If no teacher with the prescribed qualification is available in the categories mentioned above, Lower grade language teachers in any other language having the prescribed qualification.

(2) If qualified teachers mentioned in sub-rule (1) are not available in schools under the same Educational Agency, qualified candidates from outside may be appointed.

Provided that teachers appointed against part time post of High School Assistants (Languages) from among the categories (i) to (iv) mentioned in sub-rule (1) may be allowed to draw the pay they are getting in the scales of pay at the time of promotion. The service put in by them against part time post of High School Assistants will be counted for increment, higher scale of pay in the lower grade and pension].

**44. (1)** <sup>69</sup>[The appointment of Headmasters shall ordinarily be according to seniority from the seniority list prepared and maintained under clause (a) and (b) as the case may be of rule 34]. The manager will appoint the Headmaster subject to the Rules laid down in the matter. A teacher if he is aggrieved by such appointment will have the right of appeal to the Department [XXX].

<sup>70</sup>[**Note:-** Whenever the Manager intends to appoint a person as Headmaster other than the senior claimant, the Manager shall obtain a written consent from such senior claimant renouncing his claim permanently. Such consent shall have the approval of the Educational Officer concerned].

<sup>71</sup>[(2) An appeal under sub-rule (1) shall lie to the Educational Officer.

(3) A second appeal shall lie to the District Educational Officer against the order of the Assistant Educational Officer passed on an appeal preferred under Sub-Rule (2). In the case of an order passed by the District Educational Officer under sub-rule (2), the second appeal shall

lie to the <sup>72</sup>[Deputy Director (Education)].

(4) No appeal or second appeal preferred under these rules shall be entertained unless it is preferred within one month of the date of <sup>73</sup>[receipt of the order appealed against].

<sup>74</sup>[44A. (1) Subject to the provisions contained in sub-rule (1) of rule 44, the minimum service qualification for appointment as Headmaster in Aided Complete High Schools/Training schools shall be twelve years of continuous graduate service <sup>75</sup>[with a pass in the test in Kerala Education Act and the Kerala Education Rules] <sup>76</sup>[and a pass in account Test (Lower) conducted by Kerala Public Service Commission.]

<sup>77</sup>[Provided that Headmasters of High and Training Schools, who were actually holding the said post on the eleventh day of June, 1974 shall stand exempted from passing the Account Test (Lower)].

<sup>78</sup>[Provident further that Teachers who have attained the age of 50 years shall stand exempted permanently from acquiring the test qualification specified in Sub rule (1)].

<sup>79</sup>[X X X X]

<sup>80</sup>[**Explanation:-** For the purpose of this rule, "Graduate Service" means all service of a teacher as High School Assistant, Training School Assistant, Headmaster of an incomplete High School, Headmaster of a complete Upper Primary School/Middle school or Headmaster of a Training School after acquisition of Collegiate training such as B.T, L.T. Or B.Ed. But in the case of such teachers appointed prior to 15-10-1957 their untrained service after graduation shall also be reckoned as "Graduate Service", provided that their appointments were not in accordance with the Madras Educational Rules].

<sup>81</sup>[**Note:-** A period of 8 years from 6-11-1968 is given to Headmasters or Aided complete High and Training Schools for passing the test in the Act and Rules. All appointments to the posts of Headmasters of Aided complete High and Training Schools during the period of 8 years from 6-11-1968 shall be provisional. If such persons do not secure the test qualification within the specified period they will be reverted].

<sup>82</sup>[44B.(1) Notwithstanding anything contained in Rule 61, in case of persons appointed to the posts of Headmasters of aided complete High/Training Schools prior to 6-11-1968 and who do not pass the test in the Act and Rules will continue as such but their increments falling after 6-11-1976 will be granted only after passing the test. They will be deemed to have satisfactorily completed their probation and will be eligible for increments in the scale of pay of Headmaster only after

passing the test]

<sup>83</sup>[**Note:-** The benefit of increment on passing the obligatory departmental tests will be given from the last day of the qualifying examination which shall be applicable in the same grade and for promotion to posts not involving change of duties].

<sup>84</sup>[(2) Teachers who have attained the age of 50 years shall stand exempted permanently from passing the tests]

<sup>83</sup>[**Explanation:-** Untrained Service of the teachers shall also be taken into account for computing the 25 years Service]

<sup>85</sup>[(3) Headmasters of complete High/Training Schools who have opted for the rules in Chapter XIV B and who can continue in service up to 60 years of age will be granted exemption from passing the tests if they have passed the age of 55 years].

**Explanation:-** For the purpose of this rule “service” means “aggregate qualified approved teaching service”].

<sup>86</sup>[**45.** Subject to rule 44, when the post of Headmaster of a complete Upper Primary School is vacant or when an incomplete Upper Primary School becomes a complete Upper Primary School, the post shall be filled up from among the qualified teachers on the staff of the School or Schools under the Educational Agency. The person appointed as Headmaster shall have passed the SSLC or equivalent Examination with TTC issued by the Board of Public Examination, Kerala or TCH issued by the Karnataka Secondary Education Examination Board, Bangalore or a pass in Pre-degree Examination with Pedagogy as an elective subject conducted by the University of Kerala or a Degree in any subject and B.Ed/ B.T/L.T conferred by or recognised by the Universities in Kerala or any other equivalent training qualification prescribed for appointment as Lower Primary School Assistant or Upper Primary School Assistant.]

<sup>87</sup>[**Note:-** The language/specialist teachers, according to their seniority in the combined seniority list of teachers shall also be appointed as Headmaster of U.P. Schools under an Educational Agency provided the teacher possesses the prescribed qualifications for promotion as Headmaster of U.P. School on the date of occurrence of vacancy].

**45A.** Subject to rule 44, when the post of Headmaster of a complete L.P. School is vacant or when an incomplete L.P. School becomes complete the post shall be filled up from among the qualified teachers on the staff of the school or schools under the Educational Agency. The person appointed as Headmaster shall have passed SSLC or equivalent

Examination with TTC <sup>88</sup>[issued by the Board of Public Examination, Kerala or T.C.H. Issued by the Karnataka Secondary Education Examination Board, Bangalore or a pass in Pre-degree Examination with pedagogy as an elective subject conducted by the University of Kerala or any other equivalent training qualification prescribed for appointment as primary school Assistant. In the case of those who are continuing as teachers with Standard VII or its equivalent with H.E.T.T.C. or its equivalent training qualification they shall have 12 years of continuous qualified service as Assistant for appointment as Headmasters of Lower Primary Schools].

<sup>89</sup>[Note:- The language / Specialist teachers according to their seniority in the combined seniority list of teachers shall also be appointed as Headmaster of L.P. School or schools under an Educational Agency, provided the teacher possesses the prescribed qualifications for promotion as Headmaster of L.P. Schools on the date of occurrence of vacancy].

<sup>90</sup>**[45B.** (1) Notwithstanding anything contained in rules 45 and 45A, Account Test (Lower) conducted by the Kerala Public Service Commission shall be an obligatory qualification to the teachers for promotion as Headmasters of Lower Primary and Upper Primary Schools.

(2) Every person who is holding the post of Headmaster in a lower primary school or an upper primary school on the date of these rules shall stand exempted from acquiring the qualifications specified in sub-rule (1).

<sup>91</sup>(3) In the case teachers awaiting promotion as Headmasters <sup>92</sup>[under rule 45 and 45A as the case may be] there shall be temporary exemption to them from acquiring the qualification specified in sub-rule (1) <sup>93</sup> [till 31<sup>st</sup> day of March 1988].

<sup>94</sup>[(4) Teachers who have attained the age of 50 years shall stand exempted permanently from acquiring the qualification specified in sub-rule (1).

(5) During the period of exemption allowed under sub-rule (3) promotions to the posts of Headmasters shall be made without insisting on the qualification specified in sub-rule (1) and those who fail to acquire the said qualification within the said period of exemption shall be reverted].

<sup>95</sup>**[45BB.** Notwithstanding anything contained in these rules, every person holding the post of Headmaster in a Lower Primary School or in an Upper Primary School as on the 10<sup>th</sup> of May 1988 and who has completed 50 years of age or 25 years of service on that date shall be

eligible for permanent exemption from acquiring the qualification specified in sub rule (1) of rule 45B.

Provided that this exemption shall not adversely affect the claim of a person fully qualified under the rules and eligible for promotion as on 10<sup>th</sup> May 1988 on a regular basis].

<sup>96</sup>**[45C. Temporary Promotion:-** (1) Where in any aided school, a qualified teacher is not available to be promoted as Headmaster in accordance with the provisions contained in rule 44, 44A, 45, 45A and 45B the appointing authority shall promote, the senior most teacher on the staff of the school or the schools under the Educational Agency as Headmaster, temporarily. Provided that in the case of High Schools and Training Schools the teacher so promoted shall be the senior most graduate teacher on the staff of the school or the schools under the Educational Agency who has put in at least 12 years of continuous graduate service as provided in sub-rule (1) of rule 44A of this Chapter <sup>97</sup>[and in the case of primary schools it shall be the senior most teacher possessing qualifications prescribed in rule 45 or, rule 45 A; as the case may be].

(2) A teacher temporarily promoted under sub-rule (1) shall be replaced as soon as possible by the member of the service who becomes entitled to the promotion under the rules.

(3) A teacher temporarily promoted under sub-rule (1) shall not be regarded as a probationer in the higher category or be entitled by reason only of such promotion to any preferential claim to future promotion to such higher category.

(4) If such person is subsequently promoted to the higher category in accordance with the rules, he shall commence his probation, if any, in such category from the date of such subsequent promotion or from such earlier date as the appointing authority may determine without prejudice to the seniority of others.

(5) The pay of the promote shall be fixed as provided in rule 43A.

<sup>98</sup>[Provided that in the case of Headmaster of Aided primary school the promotee is entitled to draw the scale of pay applicable to the Headmaster of Government School only on completion of the period of service as specified in sub-rule (1) of rule 1, Chapter XXVI, and in the case of Headmaster of Aided High Schools and training schools, the promotee is entitled to draw the departmental Headmaster's scale of pay only on completion of the period of service as specified in rule 3, Chapter XXVI. Those who have not completed the prescribed service qualification for drawing the respective departmental Headmaster's

scale of pay will be paid their grade pay and supervision allowance only].

(6) If no teacher with the prescribed service qualification is available on the staff of the school or the schools under the Educational Agency for temporary promotion as Headmaster under sub-rule (1) and the proviso there under, the senior most teacher on the staff of the school or the schools under the Educational Agency shall be appointed as Teacher-in-charge, provided that in the case of a High School, the teacher-in-charge should be the Senior most Graduate teacher on the staff of the school or the Unit, and he shall be replaced as soon as a fully qualified teacher as provided in the rules becomes available.

(7) The Teacher-in-charge so appointed under sub-rule (6) shall be eligible for his grade pay plus charge allowance fixed by Government. He shall be counted against the post of the Headmaster and the consequential vacancy shall also be filled].

46. Confirmations and promotions made in deviation of the Rules shall be subject to the approval of the Director.
47. Every teacher appointed in a permanent vacancy shall on confirmation be required to produce a health certificate in the Form given below with suitable modifications wherever necessary from a Medical Officer in Government service not below the rank of an Assistant Surgeon and the health certificate shall be securely attached to the Teachers Service Book.

#### **Form of Health Certificate**

I do hereby certify that I have examined .....  
 a candidate for employment in ..... School  
 and cannot discover that he has any disease, constructional affection of bodily  
 infirmity except ..... I do not consider this a disqualification for  
 employment as a teacher. The candidate's age is according to his own  
 statement about ..... years and by appearance about  
 ..... years. I further certify that he has had small pox that he  
 bears successful vaccination/that he is vaccinated now.

### Discharge, Relief and Resignation :-

<sup>99</sup>[48. No teacher shall be relieved before the expiry of the term of appointment without the previous approval of the Educational Officer].

49. <sup>100</sup>[Qualified teachers except Headmasters appointed in vacancies which are not permanent] which extend over the summer vacation and who continue in such vacancies till the closing date shall be retained in the vacancies during the vacation, if their continuous service as on the closing day is not less than eight months. The teachers so retained shall be entitled to the vacation salary. These teachers shall be relieved on the closing day if their continuous service as on that day is less than the aforesaid period. This rule shall not apply to teacher appointed in training vacancies].

<sup>101</sup>[Explanation:- For the purpose of this rule, 'Headmaster' includes Teacher-in-charge also].

50. If a vacancy terminates on a holiday or during the vacation, the period of the acting or temporary appointment in the vacancy shall be deemed to terminate on the last preceding working day.

51. When a vacancy in any category of post terminates necessitating the relief of a teacher, senior hands shall ordinarily be retained in preference to junior hands <sup>102</sup>[with due regard to the requirement of subjects determined by the Director under sub-rule (1) of rule 1 and to the instructions issued by him under sub-rule (4) of the Rule].

<sup>103</sup>[51A. Qualified teachers who are relieved as per Rule 49 or 52 or on account of termination of vacancies shall have preference for appointment to future vacancies <sup>104</sup>[in the same or higher or lower category of teaching posts, for which he is qualified that may arise] in schools under the same Educational Agency <sup>105</sup>[or an Educational Agency to which the school may be subsequently transferred] provided they have not been appointed in permanent vacancies in schools under any other Educational Agency].

<sup>106</sup>["Provided that a teacher who was relieved under rule 49 or rule 52 shall not be entitled to preference for appointment under this rule unless such teacher has a minimum continuous service of one academic year as on the date of relief:

Provided further that the first preference under this rule shall be given to protected teachers".]

<sup>107</sup>[Note 1. If there are more than one claimant under this rule the order of preference shall be according to the date of first appointment. If the date of first appointments is the same then preference shall be decided with reference to age, the older being given first preference. In making such appointments due regard should be given to the <sup>108</sup>[requirement of subjects and to the instructions issued by the Director under sub-rule (4) of rule 1] as far as High Schools are concerned].

<sup>109</sup>[Note 1A:- Fresh appointments to vacancies arising in the same or higher or lower category of teaching posts under the Educational Agency shall be made only after providing re-appointment to such teachers thrown out from service and protected teachers available under the Educational Agency.

**Explanation:-** For the purpose of this clause, "Protected teacher" means, a teacher who has been retrenched for want of vacancy after putting such length of regular service that may be specified by the Government or who is eligible for such Protection as per G.O(MS)No.104/69/Edn. dated 6-3-1969 or G.O(MS)No. 231/84/G.Edn. dated 27-10-1984 or any other orders issued by Government from time to time.]

<sup>110</sup>[Note 2. Manager should issue an order of appointment to the teacher by Registered post acknowledgment due and give a period of 14 (fourteen) clear days to the teacher to join duty. If the teacher does not join duty in time the Manager should give a further notice to the teacher stating that another person would be appointed instead and that the preferential right under this rule would be forfeited if not exercised within another 7 (seven) clear days. If nothing is heard during that time also, the preferential right under the rule will be regarded as forfeited]

<sup>111</sup>[51B. The Manager shall give employment to a dependent of an aided school teacher dying in harness. Government orders relating to employment assistance to the dependents of Government servants dying in harness shall mutatis mutandis, apply in the matter of such appointments]

52. (1)<sup>112</sup>[XXX] Teachers who are relieved on account of any reduction in the number of posts under orders of the department shall on reappointment in the same school or in another school under the same management or a different management start on the same pay as they were getting at the time of relief, whether the new appointment is permanent or not <sup>113</sup>[XXX]].

<sup>114</sup>[(2)<sup>115</sup>[XXX] Teachers thrown out from service due to the withdrawal of recognition of schools by the Department shall also be eligible to

draw the pay which they were getting at the time of withdrawal of recognition of the school on re-appointment in another school <sup>116</sup>[XXX].

53. A teacher shall not himself terminate his service before the expiry of the term of his appointment without the permission of the Educational Officer.
54. (1) If any teacher resigns his appointment in any aided school <sup>117</sup>[XXX] he shall not one-appointment, be eligible to count his service prior to his resignation for purposes of increment or seniority on re-appointment; but he shall only be deemed to commence service afresh.

(2) Applications for appointments under Government or in private schools or for service elsewhere from teachers employed in an aided school should be sent through the manager of the aided school.

55. **Supernumerary and Excess Teachers:-** The number of permanent teachers under each category in the staff list of any school or in all the schools under one Educational Agency shall not exceed the aggregate number of sanctioned posts under that category in that school or in that unit as the case may be : and excess hands, if any based on the strength of the classes <sup>118</sup>[fixed in accordance with sub-rule(1) of rule 12 of Chapter XXIII] will be retrenched by throwing out the junior most hands with due regard however to the <sup>119</sup>[requirement of subjects determined by the Director under sub rule (1) of rule 1 and to the instructions issued by him under sub rule (4) of rule 1 as far as High Schools are concerned].

Provided that a person who was confirmed before the date of commencement of section 12 of the Act under orders of the competent authority shall not be retrenched under this Rule but will be treated as supernumerary and absorbed in the next earliest vacancy in that school or in any other aided or government school as laid down in Section 13.

56. **Leave Rules:-** (1) In the matter of casual leave and all other kinds of leave, the teachers of aided schools shall be governed by the Rules for teachers of government schools in the Service Regulations for the time being in force.

<sup>120</sup>[Provided that the matter of leave, the teachers appointed for limited periods ie those appointed in short vacancies and those appointed in regular vacancies but not eligible for vacation salary under rule 49, shall be governed by the leave rules in Appendix VIII of Kerala Service Rules.]

<sup>121</sup>[(2) Teachers who are members of the Legislative Assembly shall be granted special leave without pay for attending the sessions of Legislature. Such leave may be combined with the vacation. The period of special leave granted under this rule shall count for increment but not for leave.]

<sup>122</sup>[(2A) Teachers who are members of the Legislative Assembly may be granted special leave without pay for attending the sessions of the Legislature and their work in their constituencies for one entire academic year at a time or for the entire period of membership of the Assembly. <sup>123</sup>[The period of such leave shall count for increments and higher scale of pay but not for leave and pension].

<sup>124</sup>[(3) Teachers who are members of the University bodies attending the meeting of such bodies in their official capacity shall be treated as on duty including the actual days taken for to and fro journey].

<sup>125</sup>[(4) A Teacher shall cease to be in service after a continuous absence of 5 years whether with or without leave].

<sup>126</sup>[(5) Teachers who are elected as Presidents, Chairman or Chairpersons of local bodies constituted under the Kerala Panchayat Raj Act, 1994 and the Kerala Municipalities Act, 1994, shall be granted special leave without pay for attending their duties under the said Acts for one entire academic year at a time or part thereof or for the entire period of their holding such office. The period of such leave shall count for increments, higher scale of pay and pension but not for leave, if so requested.

(6) Teachers who are elected as Presidents, Chairman or Chairpersons of local bodies, constituted under the Kerala Panchayat Raj Act, 1994 and Kerala Municipalities Act, 1994 and who are elected as Chairman or Chairpersons of standing committee constituted under such local bodies shall be granted duty leave upto 20 days in an academic year, without detrimental to their duties and responsibilities being a teacher in the school and to the academic interest of the students, for attending to the meetings of the concerned local bodies.

(7) Teachers who are elected as members of the local bodies, constituted under the Kerala Panchayat Raj Act, 1994 and the Kerala Municipalities Act, 1994, shall be granted duty leave upto 15 days in an academic year, without detrimental to their duties and responsibilities being a teacher in the school and to the academic interest of the students, for attending the meeting of the concerned local bodies].

<sup>127</sup>[(56A) (1) Notwithstanding anything contained in any of the rules in this Chapter, where a teacher unauthorisedly absents himself from duty for

participation in any strike it shall, cause interruption in service entailing forfeiture of his past service, and the Government may at its discretion decide that the period of such unauthorised absence be treated as "Dies Non".

(2) Where a teacher forfeits his past service under sub-rule (1) he shall lose the benefit of all increments earned by him in the scale of the pay of the post which he was holding at the time of interruption and such past service shall not count for purposes of increment or leave.

(3) Where the period of unauthorised absence is treated as "Dies non" the teacher shall lose the pay and allowances for the period and also the benefit of such period being counted for leave.

<sup>128</sup>[(3A) A teacher required or permitted to attend an obligatory departmental examination may be treated as on duty during the day or days of the examination and during the reasonable time required for the journey, if any, to and from the place of examination].

(4) When a teacher is placed under suspension for participation in a strike or for committing any act during the period of such strike, he shall not be eligible for any subsistence allowance for the period of such suspension.

**Note:-** (1) Refusal to do work though physically present at the place of duty by resort to chalk - down strike or stay-in-strike or other methods, will be treated as unauthorised absence constituting interruption in service and entailing forfeiture of past service, or at the discretion of Government as "Dies non".

(ii) An employee resorting to direct action for three hours or less on any day, will be disentitled to his pay and allowances for half a day and that if the period of agitation exceeds three hours in a day the whole days payment will be disallowed.

(iii) The period of unauthorised absence by an employee for participating in strike will be reckoned from the date of the first working day on which he makes such absence to the date of working on which he resumes his duties and that all the days (including the intervening holidays) during that period will be treated as "dies non" and further action taken on that basis. The holidays which immediately precede the period treated as "dies non" will however stand unaffected]

<sup>129</sup>[(iv) The period treated as "dies non" under these rules shall count for increment and pension].

<sup>130</sup>[57. The Headmaster shall be the competent authority to grant casual leave to teachers and non-teaching staff. The Educational Officer shall be the competent authority to grant casual leave to Heads of Schools. A copy of application for casual leave for the Headmaster shall be submitted to the Manager also for information].

<sup>131</sup>[58. (1) Subject to rule 57 and sub-rule (3) of this rule the Educational Officer shall be the competent authority to grant all kinds of leave other than study leave and special disability leave to teachers and non-teaching staff. The grant of study leave and special disability leave requires the sanction of the Government].

<sup>132</sup>[(2) On the receipt of an application for leave <sup>133</sup>[under sub-rule (1) the Headmaster shall forward same to the Educational Officer with his remarks through the Manager so as to enable him to make substitute arrangements. The manager shall forward the application for leave along with his remarks to the Educational Officer within three days from the date of receipt of the communication from the Headmaster. Copies of orders sanctioning leave shall be furnished to the Manager also in addition to the Headmaster].

<sup>134</sup>[Note:- In case the Headmaster does not forward the application for leave or the Manager does not forward the same to the Educational Officer within three days from the date of receipt of the application for leave, the Educational Officer may sanction the leave applied for.]

<sup>135</sup>[(3) The Headmaster of High /Training Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to grant all kinds of leave other than study leave and special disability leave to teachers and non teaching staff in their schools. Copies of orders sanctioning leave shall be furnished to the Manager also so as to enable him to make substitute arrangements wherever necessary:]

<sup>136</sup>[Provided that Headmasters of Aided High and Training Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age 50 years and completed 25 years of service and those Headmasters of Aided High and Training School who have and opted for Chapter XIV(B) of Kerala Education Rules and who have attained the age of 55 years and completed 25 years of Service shall grant all kinds of leave mentioned in sub-rule (3) even though they have not passed Account Test (Lower)]

<sup>137</sup>[(4) The Headmasters of Aided Primary Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall

be competent to grant all kinds of leave other than (a) Leave without allowances exceeding 120 days, (b) study leave and (c) Special Disability Leave to the Teaching and non-Teaching Staff in their schools. Copy of order sanctioning leave shall be furnished to the Manager also so as to enable him to make substitute arrangements whenever necessary.

Provided that Headmasters of Aided Primary Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age of fifty years and those Headmasters of Aided Primary Schools who have opted for Chapter XIV (B) of Kerala Education Rules and who have attained the age of Fifty five years shall grant all kinds of leave mentioned in sub-rule (4) even though they have not passed the Account Test (Lower)].

59. Particulars relating to leave granted other than casual leave, shall be immediately recorded in the Service Book.
60. Service qualifying for leave shall be reckoned from the date of commencement of continuous service as teacher in an aided school under the Act and leave standing to his credit till the date of commencement of service in the aided school under the Act shall be carried over and will stand to his credit.
61. **Increment:-** (1) <sup>138</sup>[Subject to rule (1A), the Educational Officers] shall be competent to sanction the increments when they fall due to teachers (including Headmasters). The Headmaster will move the Educational Officer through the Manager for sanction of the increments as and when they fall due and the Manager shall forward the increment certificates within a month <sup>139</sup>[with his remarks, if any on the conduct of the teacher].

<sup>140</sup>[**Note:-** (1) In case the Headmaster does not move the Educational Officer or the Manager does not forward the increment certificates within one month from the date on which increment falls due, the Educational Officers may sanction the increment already accrued.

(2) Wilful delay in forwarding the increment certificate shall be deemed as disobedience of departmental orders and instructions on the part of the Manager.]

[(1A) The Headmasters of High /Training Schools who have passed the account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to sanction the increments due to the teachers and non teaching staff in their schools. The first increment due to the teachers and non-teaching staff on satisfactory completion of probation

shall however be sanctioned by them only after declaration of satisfactory completion of probation under Rule 6.

<sup>141</sup>[Provided that Headmasters of Aided High /Training Schools who have opted for Chapter XIV (C) of Kerala Education Rules and who have attained the age of 50 years and completed 25 years of service and those Headmasters of Aided High and Training Schools who have opted for Chapter XIV (B) of Kerala Education Rules and who have attained the age of 55 years and completed 25 years of service shall sanction increment mentioned sub-rule (1A) even though they have not passed Account Test (Lower).

<sup>142</sup>[(1B) The Headmasters of Aided Primary Schools who have passed the Account Test (Lower) conducted by the Kerala Public Service Commission or who have been exempted from passing that test shall be competent to sanction the increments due to the teachers and non teaching staff in their schools. The first increment due to the teachers and non-teaching staff on satisfactory completion of probation shall however be sanctioned by them only after declaration of satisfactory completion of probation under rule 6.

Provided that, Headmasters of Aided Primary Schools who have opted for Chapter XIV (C) of the Kerala Education Rules and who have attained the age of Fifty years and these Headmasters of aided Primary Schools who have opted for Chapter XIV B of Kerala Education Rules and who have attained the age of Fifty five years shall sanction increment mentioned under sub-rule (1B) even though they have not passed the Account Test (Lower).

<sup>143</sup>[(2) Subject to the provision in sub-rule (2A) a qualified teacher shall be granted increments in the time scale of his post, if he has served the period necessary to earn them. The increment shall be granted from the first day of the month which it falls due.

(2A) A teacher appointed on probation shall draw his first increment in the time scale only with effect from the date of satisfactory completion of probation, but subsequent increments shall be drawn on the first day of the month in which they fall due]

<sup>144</sup>[2B) Delay in the declaration of satisfactory completion of probation of a teacher will not however, affect his future increments and these will accrue on the normal incremental dates]

<sup>145</sup>(3) X X X X]

<sup>146</sup>[4) All duty in a post on a time scale whether continuous or interrupted shall count for increment in that time scale]

<sup>147</sup>[(5) All leave except leave without allowances taken otherwise than on medical certificate count for increments in the time scale applicable to a post in which a teacher was officiating at the time he proceed on leave and would have continued to officiate but for his proceeding on leave.

(6) Service on deputation count for increment in the time scale applicable to a post in which a teacher was officiating at the time he proceeded on deputation and would have continued to officiate but for his proceeding on deputation].

- 62. Retirement:-** A teacher who completes the age of retirement during the course of an academic year but not within one month from the date of reopening shall continue in service till the close of the school for the mid-summer vacation. But if he is on leave on such date with no prospect of returning to duty or on leave from the commencement of the academic year to the date of superannuation he may be retired on the due date. If the teacher applied for any leave other than casual leave during the period of his continuance under this rule beyond the age of retirement he shall be retired forthwith.

<sup>148</sup>[Provided that in cases where the academic year is extended beyond the 31<sup>st</sup> day of March in any year a teacher to whom this rule is applicable shall retire on the last day of March itself.]

<sup>149</sup>[Provided further that the extended period of service beyond the actual date of superannuation of the teacher shall not be reckoned as qualifying service for promotion, increment and pension, and the provisions of sub-rule (c) or rule 60 of Part 1 of the Kerala Service Rules shall apply to the teacher.]

- 63.** If the date of superannuation falls within one month from the date of re-opening of the institution, he will cease to be on active duty on the date of re-opening. In such cases, he will be allowed special leave on full pay from the re-opening date till he gets superannuated.

<sup>150</sup>[**63A.** For purpose of rules 62 and 63 <sup>151</sup>[the first of June] every year shall be deemed as the date of re-opening of all school including primary schools after summer vacation].

- 64. Disputes between the teacher and the Manager:-** An appeal shall lie to the District Educational Officer against the orders of the Assistant Educational Officer in regard to any dispute between the teacher and the Manager that might be referred to him and an appeal on the orders of the District Educational Officer shall lie to the Director\*. Such appeal shall be preferred within thirty days of the receipt of the Educational Officer's orders.

<sup>152</sup>**65.Discipline - Penalties:** - The following penalties may, for good and sufficient reasons and as herein after provided; be imposed upon teachers of aided schools, namely

- (i) Censure;
- (ii) Withholding of increments or promotion;

**Note:** (1) Withholding of increments or promotion referred to may be either permanent or temporarily for a specified period.

(2) Temporary period of withholding of increments or promotion shall not be less than six months and not more than three years. If the period is not specified in the order it will be deemed to be six months.

(3) Withholding of promotion shall not entail loss of seniority in that grade.

(4) A teacher whose promotion is withheld shall, if and when promoted to a higher grade or higher time scale subsequently on promotion take his place at the bottom of the higher grade or higher time scale.

(iii) (a) Recovery from pay of the whole or part of any pecuniary loss caused to the State Government by negligence or breach of orders;

(b) Recovery from pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to;

(iv) Reduction to a Lower rank in seniority list or to a lower grade or post or time scale.

**Note:-** (1) The reduction referred to may be either permanent or temporary for a specified period.

(2) Temporary period of reduction shall not be less than six months and not more than two years. If the period is not specified in the order the period of reduction shall be deemed to be six months.

(3) An order of reduction to a lower post or to a lower time scale shall entail loss of seniority.

(4) A teacher so reduced shall take his place in the lower grade or in the lower time scale at the top of the list of teachers in that grade or time scale. He shall be considered for promotion on completion of the specified period of reduction. On promotion, he shall take his place at the bottom of the higher grade or higher time scale.

(5) The previous service in the higher grade or time scale of a teacher who has been reduced to a lower post or lower time scale shall on re promotion to the higher grade or higher time scale count for increment.

- (v) Compulsory retirement
- (vi) Removal from service which shall not be a disqualification for future employment
- (vii) Dismissal from service which shall ordinarily be a disqualification for future employment
- (viii) Reduction of pension

**Note:-** (1) The penalty of reduction of pension shall be imposed in such a manner that pension will not be reduced to nothing or to a nominal amount.

(2) No punishment shall be imposed without giving the person affected an opportunity to show cause against the action proposed to be taken.

**Explanation:-** The following shall not amount to a penalty within the meaning of this Rule:-

- (i) Withholding of increments consequential to the extension of probation in accordance with the terms of appointment
- (ii) Termination of service:-
  - (a) of a teacher appointed on probation during or at the end of the prescribed or extended period of probation or
  - (b) of a teacher appointed to hold a temporary appointment on the expiration of the period of appointment.

<sup>153</sup>[66. X X X X]

<sup>154</sup>[67. **Suspension:** (1) The Manager may at any time place a teacher under suspension

- (a) when disciplinary proceedings against him are contemplated or are pending or
- (b) when a case against him in respect of any criminal offence is under investigation or trial or
- (c) when the final orders are pending in the disciplinary proceedings if the authority considers that in the then prevailing circumstances it is necessary, in public interest that the teacher should be suspended from service.

(2) The Government or an officer authorised by the Government under section 12A of the Act may suspend a teacher of an aided school:-

- (a) when any disciplinary proceedings are proposed to be taken against him or
  - (b) when disciplinary proceedings are pending against him.
- (3) A teacher who is detained in custody on a Civil, Criminal or other proceedings for a period exceeding 48 hours, shall be deemed to have been under suspension during that period and he cannot draw his pay and allowance, other than subsistence allowance, allowable under the rule till the final termination of such proceedings.

<sup>155</sup>[X X X X]

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a teacher under suspension is set aside in appeal, revision or review under these rules and the case is remitted for further enquiry or action or with any other direction the orders of suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(5) Where a penalty of dismissal removal or compulsory retirement from service imposed upon a teacher is set aside or declared or rendered void in consequence of or by a decision of a Court of Law and the authority on a consideration of the circumstances of the case decides to hold a further enquiry against him on the allegation on which the penalty of dismissal or removal or compulsory retirement was originally imposed the teacher shall be deemed to have been placed under suspension from the date of the original order of dismissal removal or compulsory retirement and shall continue to remain under suspension until further orders.

(6) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order.

(7) Whenever a teacher is placed under suspension he shall be paid such subsistence and other allowances as may be allowed to Government servants.

Provided that no teacher shall be placed under suspension by the manager for a continuous period exceeding 15 days without the previous sanction of the <sup>156</sup>[Deputy Director (Education)] in the case of Headmasters of Secondary Schools and Training school and of the Educational Officer in other cases.

(8) Where the orders of suspension is made by the manager he shall on

the same day report the matter together with reasons suspension to the Educational Officer and where the suspension is in respect of Headmaster of Secondary school and Training school such reports shall be sent to the <sup>156</sup>[Deputy Director (Education)] also in addition to the Educational Officer. The <sup>156</sup>[Deputy Director (Education)] if the suspension is in respect of Headmaster of a Secondary school or Training School and the Educational Officer in other cases shall thereupon make a preliminary investigation into the grounds of suspension. If on such investigations the authority is satisfied that there was no valid ground for the suspension he may direct the manager to reinstate the teacher with effect from the date of suspension and thereupon the teacher shall forthwith be reinstated by the manager. If the teacher is not actually reinstated the teacher shall be deemed to have been on duty. It shall then be open to the Department to disburse the pay and allowances to the teacher as if he were not suspended and recover the amount so disbursed from the manager. If on such investigation it is found that there are valid grounds for such suspension, permission may be given to the manager to place the teacher under suspension beyond 15 days if necessary. The authority mentioned above shall pass orders permitting the suspension or otherwise within said 15 days]

<sup>157</sup>[(8A) Notwithstanding anything contained in sub-rule (8) the authority who permitted the suspension beyond 15 days or any higher authority may at any time during the pendency of such suspension, review such permission and if such authority is satisfied that the teacher under suspension has to be reinstated in service for reasons to be recorded in writing cancel the permission already ordered under sub-rule (8) and direct the Manager to reinstate the teacher in service. On such order, the Manager shall reinstate the teacher forthwith failing which the provisions in sub-rule (8) will apply in such case]

<sup>158</sup>[(9) Cases where teachers suspended by Managers are continuing under suspension for a period exceeding <sup>159</sup>[six months] have to be reviewed and decision taken soon as to whether they should continue to be under suspension or not. The review shall be conducted by an Officer immediately superior to the Officer who issued permission to place the Officer under suspension beyond 15 days. In cases where the suspension is ordered by the Government or an Officer authorised under section 12A of the Act such review shall be conducted by the respective authority or any authority higher than the one which issued the order of suspension. The review contemplated under this sub-rule will not apply to cases of suspension in pursuance of criminal proceedings in a Court or detention or as a prisoner for debt where sub rule (3) of rule 67 and rule 67A apply].

- <sup>160</sup>[67A. A teacher against whom proceedings have been taken ( CHAPTER XIV A arrest for debt or criminal charge shall be considered as under suspension for any periods during which he is detained in custody or is undergoing imprisonment and not allowed to draw any pay and allowances during such periods other than subsistence allowance that may be granted in accordance with the rules, until the final termination of the proceedings taken against him <sup>161</sup>[X X X]].
68. The authority which may impose the penalty of censure on a teacher shall be the Headmaster or the Manager.
69. The authority which may impose the penalty of censure on a Headmaster shall be the Manager.
70. The authority which may impose the penalty of withholding increments or promotion or reduction to a lower stage in a time scale, shall be the Manager who shall consult the Headmaster before imposing the penalty and shall also get his action ratified by the Educational Officer.
71. The penalty of reduction to a lower rank in the seniority list or to a lower post or time scale may be imposed by the Manager on a Headmaster with the previous sanction of the \*Director in the case of Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the Educational Officer in the other cases; such penalty may be imposed by the Manager on a teacher in consultation with the Headmaster and with the previous sanction of the Educational Officer.
72. The penalty of recovery from pay of the whole or part of any pecuniary loss caused to the State Government by negligence or breach of orders can be imposed by the Educational Officer.
73. The penalty of reduction of pension can be imposed by the \*Director in the case of Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the Educational Officer in the other cases.
74. The penalty of compulsory retirement, removal, or dismissal from service can be imposed by the Manager only with previous sanction of the \*Director, in the case of teachers in the graduate teacher's scale and Headmasters of Secondary Schools <sup>162</sup>[and Training Schools] and of the District Educational Officer in the other cases.
- <sup>163</sup>[75. Procedure for imposing major penalties :- (1) (a) Whenever a complaint is received or on intimation from the authorised Officer as per Section 12(A) is recorded or on consideration of the report of investigation or for other reasons the manager is satisfied that there is

prima facie case for taking action against the teacher defined. Charges shall be framed and communicated to him with the statement of allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case. The teacher shall be required to submit within a reasonable time to be specified in that behalf a written statement of his defence and also to state whether he desires to be heard in person. The teacher may on his request be permitted to peruse or take extracts from the records pertaining to the case for the purpose of preparing the written statement; provided the manager may, for reasons to be recorded writing refuse him such access if in his opinion such records are not strictly relevant to the case or it is not essential in Public interest to allow such access. After the written statement is received within the time allowed, the manager may if he is satisfied that a formal enquiry should be held into the conduct of the teacher, order that a formal enquiry may be conducted.

(b) The Manager shall forward the records of the case with a request to the <sup>164</sup>[Deputy Director (Education)] in the case of Headmasters of High Schools and Training Schools or to the Educational officers in other cases, that the formal enquiry may be conducted by that Officer or any other officer not below the rank of an Assistant Educational Officer authorised by that officer or an officer of the department appointed by the Director or Government.

(c) The Manager shall also intimate the Government or the authorised officer as the case may be, the date of initiation of the disciplinary proceedings and also the date of passing final order within 7 days from such dates.

(2) The Inquiring Authority may during the course of inquiry if it deems necessary, add to, amend, alter or modify the charges framed against the teacher in which case, the teacher shall be required to submit within a reasonable time to be specified in that behalf any further written statement of his defence.

(3) The teacher shall for the purpose of preparing his defence be permitted to inspect and take extracts from such official records as he may specify. Provided that such permission may be refused, if for reasons to be recorded in writing, in the opinion of the Inquiring Authority, such records are not relevant for the purpose or it is against the Public Interest to allow him such access thereto.

(4) On receipt of the further written statement of defence under sub-rule (3) or if no such statement is received within the time specified therefor or where the teacher is not required to file a written statement under the said sub-rule the Inquiring Authority may inquire into such

of the charges as are not admitted.

(5) The teacher may himself present his case before the Inquiring Officer and he may not be allowed to engage a legal practitioner for the purpose.

(6) The Inquiring Authority shall, in the course of the inquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The teacher shall be entitled to cross examine witnesses examined in support of the charge and to give evidence in person and to have such witnesses as may be produced, examined in his defence. The person presenting the case in support of the charges shall be entitled to cross examine the teacher and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material it shall record its reason in writing.

**Note:-** If the Inquiring Authority proposes to rely on the oral evidence of any witness the authority should examine such witness in the presence of the teacher and give an opportunity to cross-examine the witness.

(7) The teacher may present to the Inquiring Authority a list of witnesses whom he desires to examine in his defence. The Inquiring Authority will normally request such witnesses to appear before him to give evidence. Where the witness to be examined is any other teacher the Inquiring Authority will normally try to secure the presence of witnesses unless he is of the view that the witness's evidence is irrelevant or not material to the case under inquiry. Where the witness proposed to be examined by the teacher is any other person the Inquiring Authority will be under no obligation to summon and examine him unless the teacher himself produces him for examination.

(8) At the conclusion of the inquiry, the Inquiry Authority shall prepare a report of the inquiry, recording its findings on each of the charges together with the reasons therefor. If in the opinion of such authority the proceedings of inquiry establish charges different from those originally framed, it may record its findings on such charges provided that findings on such charges shall not be recorded unless the teacher has admitted the facts constituting them or has had opportunity of defending himself against them.

(9) The records of inquiry shall include:-

- (i) the charges framed against the teacher and the statement of the allegation furnished to him;
- (ii) his written statement if any;

- (iii) the oral evidence taken in the course of inquiry
- (iv) the documentary evidence considered in the course of the inquiry;
- (v) the orders; if any; made in regard to the inquiry;
- (vi) a report setting out the findings on each charges and the reasons therefor.

(10) After the inquiry authority shall forward the record of inquiry to the manager.

(11) If the Manager is of opinion that any of the penalties specified in items (iv) to (viii) of rule 65 should be imposed, he shall;

(a) Furnish to the teacher a copy of the report of the Inquiring Authority.

(b) Give him a notice stating the action proposed to be taken in regard to him and calling up on him to submit within a specified time which may not generally exceed one month such representation as he any wish to make against the proposed action provided that such representation, shall be based only on the evidence adduced during the inquiry.

(c) On receipt of the representation, if any and after taking into consideration the representation, final orders shall be passed by the manager imposing the penalty with the previous sanction of the competent authority.

(12) The procedure referred to above shall be conducted as expeditiously as the circumstances of the case may permit, particularly one against a teacher under suspension.]

**<sup>165</sup>[75A. Disciplinary powers of the Government or the authorised Officer :-**

Notwithstanding anything contained in rule 75, if a manager does not initiate appropriate action against the teacher, within a month from the date of intimation as specified in section 12(A) or after intimation of the disciplinary proceeding he is not completing the disciplinary proceedings within two months from the date of intimation of the disciplinary action. <sup>166</sup>[or if according to Government or the authorised officer the manager dropped the disciplinary proceedings without sufficient grounds or imposed a penalty not proportionate to the gravity of charges proved] then the Government or the authorised officer as the case may be shall take appropriate disciplinary action against the teacher concerned. But in extraordinary cases for reasons to be recorded in writing the Director may on the application of the manager extend the time allowed to the manager to complete the disciplinary action. The procedure prescribed in rule 75 shall mutatis

mutandis be followed by the Government or the prescribe CHAPTER XIV A  
in the matter of imposing major penalties]

**76. The procedure for imposing minor penalties:-** (1) No order imposing any of the penalties specified in items (i), (ii) and (iii) of Rule 65 shall be passed except after (a) the teacher is informed in writing of the proposal to take action against him and of the allegation on which it is proposed to be taken and given opportunity to make any representation he may wish to make, (b) such representation if any is taken into consideration.

- (2) The record of proceedings in such cases shall include:-
- (i) a copy of the intimation to the teacher of the proposal to take action against him;
  - (ii) a copy of the statement of allegations communicated to him;
  - (iii) his representation if any, and
  - (iv) the orders of the case together with the reasons therefor.

**77.** (1) The powers regarding imposition of the penalties given by the foregoing rules can be exercised by higher authorities or their own accord <sup>167</sup>[subject to the provisions contained in section 12A]

<sup>168</sup>[X X X X]

(2) Where in any case a higher authority has imposed or declined to impose a penalty, a lower authority shall have no jurisdiction to proceed in respect of the same case.

(3) The fact that a lower authority has imposed or declined to impose a penalty in any case shall not debar a higher authority from exercising its jurisdiction in respect of the same case.

(4) The order of a higher authority imposing or declining to impose in any case a penalty shall supersede any order passed by a lower authority in respect of the same case.

<sup>169</sup>[77A. Notwithstanding anything contained in Rules 75, 76 and 77.

- (i) where a penalty is imposed on a teacher on the ground of conduct which had led to his conviction on a criminal charge: or
- (ii) where the authority imposing the penalty is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said rules; or
- (iii) where such authority for reasons to be recorded in

writing is satisfied that in the interest of the State, it is not expedient to follow such procedure, Such authority may consider the circumstances of the case and pass such order thereon as it deems fit]

78. Where, on promotion or transfer, a teacher is holding an appointment in another category or grade; no penalty shall be imposed upon him in respect of his work or conduct before such promotion or transfer except by an authority competent to impose the penalty upon a teacher in the latter category or grade as the case may be.
79. **Appeal against orders of suspension:-** A teacher may appeal against an order of suspension to the authority to which the authority which made or is deemed to have made the order is immediately subordinate. <sup>170</sup>Where previous sanction for the continuance of suspension has been accorded then the appeal shall lie to the next higher authority to whom the authority who accorded sanction is subordinate.
2. Where previous sanction for the continuance of suspension has been accorded then the appeal shall i.e to the next higher authority to whom the authority who accorded sanction is subordinate.
80. **Appeal against orders imposing penalties :-** A teacher shall be entitled to appeal from an order imposing on him any of the penalties specified in Rule 65 to the next higher authority to whom the former authority is subordinate.
81. **Appeal to whom lies:-** Where sanction has been accorded for the imposition of any of the penalties by any authority then the appeal shall lie to the next higher authority to whom the authority who accorded sanction is subordinate.
- 81A. Managers are lower or subordinate authorities for the purpose of these Rules in relation to Educational Officers. <sup>171</sup>[Deputy Directors (Education), the Director, the Government or the authority empowered by the Government.
82. **Period of limitation for appeal:-** No appeal under these Rules shall be entertained unless it is submitted within a period of two months from the date on which the appellant received a copy of the order appealed against:

Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

**Note :-** The appellate authority which receives a copy of submitted direct should not take any action on such copy until the period for receipt of the copy of the appeal forwarded through the appropriate channel or a period of one month whichever is earlier is over.

- 83. Form and contents of appeal:-** (1) Every person submitting an appeal, shall do so separately and his own name.

(2) The appeal shall be addressed to the authority to whom the appeal lies shall contain all material statement and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself:

- 84. Submission of appeals:-** Every appeal shall be submitted to the authority which made the order appealed against through the head of the institution to which the appellant belongs or belonged and through the Manager:

Provided that a copy of the appeal may be submitted to the appellate authority.

- 85. Withholding of appeals:-** (1) The authority which made the order appealed against may withhold the appeal if:

- (i) it does not comply with any of the provisions in Rule 83 or 84; or
- (ii) it is not submitted within the period specified in Rule 82 and no cause is shown for the delay or
- (iii) it is repetition of an appeal already decided and no new facts or circumstances are adduced; or
- (iv) it is addressed to an authority to which no appeal lies under these Rules:

Provided that an appeal withheld only on the ground that it does not comply with the provisions of Rules 82 and 83 shall be returned to the appellant and if re-submitted within one month thereof after compliance with the said provision shall not be withheld.

(2) Where an appeal is withheld the appellant shall be informed of the fact and the reasons therefor.

(3) When an appeal is withheld, the authority withholding the appeal shall forward copy of the order communicated to the teacher to the appellate authority.

- 86. Transmission of appeals:-** The authority which made the order

appealed against shall without any avoidable delay, transr  
 appellate authority every appeal which is not withheld under Rule 85  
 together with its comments and the relevant records.

**87. No appeal from an order withholding an appeal:-** No appeal shall lie against the withholding of an appeal by a competent authority.

**88. Consideration of appeals:**(1) In the cases of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provision of Rule 67 and having regard to the circumstances of the case the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in Rule 65, the appellate authority shall consider.

- (a) Whether the facts on which the order was based have been established;
- (b) Whether the facts established afford sufficient grounds for taking action;
- (c) Whether the procedure prescribed in these Rule have been complied with and if not whether such non-compliance has resulted in violation of any of the principles of natural justice;
- (d) Whether the findings are justified and
- (e) Whether the penalty imposed is excessive, adequate or inadequate and pass orders:-

(i) setting aside, reducing, confirming or enhancing the penalty or

(ii) remitting the case to the authority which imposed the penalty or to any other authority with such directions as it may deem fit in the circumstances of the case:

Provided that -

(i) the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent to impose.

(ii) no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making such representation as he may wish to make against such enhanced penalty provided that such representations shall be based only on the evidence adduced during the inquiry.

89. **Implementation of orders on appeal:-** The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.
90. **Review of orders by appellate authorities:-** The authority to which an appeal against an order imposing any of the penalties specified in Rule 65 lies may of its own motion or otherwise call for the records of the case in a disciplinary proceedings, review any order passed in such a case and pass such orders as it deems fit, as if the teacher has preferred an appeal against such orders:

Provided that no application for review shall be entertained after the expiry of one month from the date of passing the order:

Provided further that no action under this rule shall be instituted more than one year after the date of the order to be reviewed.

91. <sup>172</sup>[When a teacher who has been dismissed, removed, retired compulsorily or suspended is reinstated in service or would have been reinstated but for his retirement on superannuation while under suspension, rules for the time being in force relating to Government servants in the matter shall mutatis mutandis apply]
- <sup>173</sup>92. **Revision:-** <sup>174</sup>[(1)] Notwithstanding anything contained in these rules the Government, may on their own motion or otherwise, after calling for the records of the case, revise any order passed by a subordinate authority <sup>175</sup>[in respect of matters contained in this Chapter] which is made or is appealable under these Rules:-

- (a) confirm modify or set aside the order;
- (b) impose any penalty or set aside, reduce confirm or enhance the penalty imposed by the order;
- (c) remit the case to the authority which made the order or to any other authority directing such further action or enquiry as they consider proper in the circumstances of the case or
- (d) pass such other order as they deem fit;

Provided that -

(i) an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty provided that such representation shall be based only on the evidence adduced during the enquiry;

(ii) if the Government propose to impose any of the penalties specified in items (iv) to (viii) of Rule 65 on a case where an inquiry be held and

thereafter on consideration of the proceedings of such inquiry giving the person concerned an opportunity of making any representation which he may wish to make against such penalty pass such orders as they deem fit. CHAPTER XIV A

<sup>176</sup>[**Explanation:-** For the purpose of this proviso and sub rule (ii) the person concerned shall include the Manager of a School whose orders are sought to be revised by the Government].

<sup>176</sup>[(2) Nothing contained in the proviso to sub-rule (1) shall be deemed to require the Government to give an opportunity for personal hearing to the person concerned and it shall be sufficient if:-

(i) Whether the Government propose to revise an order on their own motion, a copy of the grounds on which the order is proposed to be revised, or

(ii) Whether the Government propose to revise an order in pursuance of a revision petition filed by a party, a copy of the revision petition is furnished to the person concerned along with a notice requiring him to make representation, if any, in the matter in writing a period specified in the notice and the Government pass final orders in revision after consideration of such representation].

<sup>177</sup>[**93. Review only of original orders:-** Government shall on application of the party, review the original orders. There shall be only one review and application for review shall be made within a period of two months from the date of the order].

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1. Rules 1 to 6 substituted by G.O(P) 52/65/Edn. dt.30/1/1965 published in gazette dt.2-2-1965.
  2. Rule 1 Substituted by G.O.(P) 94/72/S.Edn. dated 4-7-1972 published in Gazette dt.18-7-1972 for: "(2) Subject to the qualifications laid down by Government from time to time in respect of teachers of Government and aided schools and subject to the following restrictions teachers of aided schools may be appointed as (a) permanent, (b) acting, (c) temporary".
  3. Added by G.O. (P) 157/73/G.Edn. dated 17-9-1973 in Gazette dated 23-10-1973.
  4. Inserted as per G.O. (P) 132/82/G.Edn. Dated 17-9-1982 published in gazette dated 19-10-1982.
  5. Added as per G.O.(P) No.183/81/G.Edn. dated 20-10-1981 published in gazette dated 24-11-1981.
  6. Substituted by G.O.(P)No.110/2000/G.Edn. dated 3-4-2000 published in gazette dated 6-4-2000.
  7. Inserted by G.O(P) 112/74/G.Edn. dated 11-6-1974 in gazette dated 27-8-1974.
  8. Substituted by G.O.(P) 94/72/S.Edn. dated 4-7-1972 gazette dated 18-7-1972 for "2. Appointment of unqualified teachers made under Rule 2(1) and 2A of Chapter XXI shall be deemed as acting till they are confirmed".
  9. Omitted by G.O. (P) 239/68/Edn. dated 23-5-1968 published in gazette dated

4-6-1968. The omitted rule was "Permanent appointment of teachers made among from the qualified teachers who have completed their probation satisfactorily." CHAPTER XIV A

10. Substituted G.O.(P) 94/72/S.Edn. dated 4-7-1972 published in gazette dated 18-7-1972 for "5. Unqualified teachers appointed under Rule 2 and who acquire the prescribed qualifications subsequently shall have preference for appointments to future vacancies in schools under the same Educational Agency:
11. Added by G.O.(P) 256/68/Edn. dated 30-5-1968 in gazette dated 11-6-1968.
12. Inserted by G.O.(P) 302/69/Edn. Dated 22-7-1969 in gazette dated 5-8-1969.
13. Added by G.O.(P) 25/77/G.Edn. dated 12-2-1977 in gazette dated 8-3-1977.
14. Substituted by G.O.(P) 135/86/G.Edn. dated 7-8-1986 published in Gazette dated 23-9-1986.
15. Inserted by G.O.(P) 99/62 dated 7-2-1962 published in gazette dated 13-2-1962.
16. Omitted by G.O.(P) 426/60 Edn. dated 30-8-1960 published in Gazette dated 13-9-1960.
17. Substituted by G.O.(P) 199/69/Edn. dated 15-5-1969 published in gazette dated 10-6-1969.
18. Substituted for the words "Within one week from the date of receipt of the fixation order or one week from the date of joining duty of candidates" by notification dated 13-9-1972 in gazette dated 26-9-1972.
19. Substituted by G.O.(P) 189/79/G.Edn. dated 12-11-1979 published in gazette dated 4-12-1979. The proviso to rule 8(1) was first introduced by G.O.(P) 23/74/G.Edn. dated 5-2-1974 empowering the RDD to condone delay up to two months. Then the proviso was amended by G.O.(P) 243/76/G.Edn. Dated 11-12-1976 to condone delay beyond two months but up to six months by the Director. Further it was amended by G.O.(P) 41/79/G.Edn. dated 7-4-1979 for the 4<sup>th</sup> time.
20. Substituted by G.O(P)No.217/79/Edn. dated 26-12-1979 in gazette dated 28-12-1979. for "RDD"
- \* Power delegated to Joint Director by G.O(P) 127/79 G. Edn. dated 1-8-1979 published on 28-8-1979.
21. Added by G.O.(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 with effect from 03-01-1981.
22. Inserted by G.O.(P) 41/79/G.Edn. dated 7-3-1979 published in gazette date 3-4-1979.
23. Substituted by notification No. GO(P)No.217/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979.
24. Aided by G.O.(P)78/78/G.Edn. dated 21-6-1978 in gazette dated 4-7-1978.
25. Substituted by G.O.(P) 105/89/G.Edn. dated 4-7-1989 published in Gazette dated 10-7-1989 "for 10". Transfers. Where more than one school is under the same Educational Agency, the Educational Agency may transfer any teacher from one school to another and in deciding on these transfers the principles followed in Government schools shall be observed".
26. Added by G.O.(P) 93/05/G.Edn. dated 19/3/2005 published in gazette dated 30-3-2005.
27. Added by GO(P)No.78/78/G.Edn. Dated 21-6-1978 published in Gazette dated 4-7-1978.
28. Rule 11 renumbered as sub rule (1) and sub rule (2) was added by G.O.(P)33/79/G.Edn. dated 23-2-1979 in gazette dated 13-3-1979.
29. Added as per G.O(P) 206/80/G.Edn. Dated 8-12-1980 published in gazette dated 20-1-1981.
30. Substituted by GO(P)No.68/71/G.Edn. dated 4-6-1971 as per notification in

- gazette dated 8-6-1971 for; "12. Transfers under rule 10 and ordinarily be made only during the monsoon vacation of the school
31. Proviso to Rule 13 omitted by GO(P)No.206/80/G.Edn. dated published in Gazette dated 20-1-1981. CHAPTER XIV A
32. Added by notification GO(P)No. 215/65/G.Edn. dated 24-4-1965 in gazette dated 11-5-1965.
33. Omitted by G.O.(P) 206/80/G.Edn. dated 8-12-1980 gazette dated 20-1-1981.
34. Added as per G.O.(P) 206/80/G.Edn. dated 8-12-1980 published in gazette dated 20-1-1981.
35. Inserted by GO(P)No.392/70/G.Edn. as per notification 4-9-70 in gazette dated 6-10-70.
36. Substituted by G.O(P) 104/84/G.Edn. dated 11-6-1984 published on 26-6-1984 for "28 The date of birth on page 1 of Service Book shall be entered in words as well as in figures.  
Note:- The date of birth shall be that entered in the School Admission Register, Matriculation Book or SSLC Bool".
37. Added by G.O(P) 70/99/G.Edn. dated 22-3-1999 published in Gazette dated 22-3-1999 w.e.f.30-12-1991.
38. Added by G.O(P) 70/99/G.Edn. dated 22-3-1999 published in Gazette dated 22-3-1999 with effect from 30-12-1991.
39. Added by G.O(P) 54/80/G.Edn. dated 12-5-1980 published in Gazette dated 24-6-1980.
40. Substituted by GO(P)No.493/62 dated 27-7-1962 and published by notification in gazette dated 7-8-1962. The original rule was "30. The Headmaster shall be the head of office or Attesting Officer for the entries in Part II of the Service Book. (vide columns 8,11 and 18)
41. Inserted by notification GO(P)No.442/63/G.Edn. dated 8-7-1963 and published in gazette dated 16-7-1963.
42. Substituted by G.O(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 for "34. Seniority List:- Every management shall prepare and maintain in the prescribed form a staff list, otherwise called seniority list of teachers". The amendment shall be deemed to have come into force on 3-1-1981.
43. Substituted for "in the Prescribed form" by G.O.(P) 176/84 dated 27-8-1984 published on 9-10-1984 with effect from 15-6-1983.
44. Substituted by notification GO(P)No.439/64/G.Edn. dated 14-8-1964 and published in gazette dated 1-9-1964. The original Rule 35 was "If there are two or more schools under the same Educational Agency they shall be constituted into one unit for the purpose of staff list; and a common seniority list shall be prepared for all the schools in the unit together. The Educational Agencies shall submit the common seniority list to the Director within three months from the date on which this rule comes into force".
45. Substituted by G.O(P) 219/79/G.Edn. dated 26-12-1979 for "Region "and "RDD".
46. Added by GO(P)No.467/62/G.Edn. dated 14-7-1962 published notification in gazette dated 24-7-1962.
47. Added as per G.O (P) 56/81/Edn. Dated 2-4-1981.
48. Added by notification GO(P)No.75/67/G.Edn. Dated 16-2-1967 published in gazette dated 28-2-1967.
49. Substituted by GO(P)No.439/64/G.Edn. Dated 14-8-1964 published in gazette dated 1-9-1964.
50. Added by G.O.(P)No.271/66/Edn. dated 30-5-1966 published on 17-7-1966.
51. Substituted by GO(P)No.574/62/G.Edn. dated 28-8-1962 published by

- notification in gazette dated 18-9-1962 for “37. Seniority of a teacher in any grade in any unit shall be decided with reference to the date of first appointment in that grade in that unit, provided he is duly qualified for the post on that date”.
52. Substituted by G.O(P) 112/78/G.Edn. dated 22-8-1978 in gazette dated 12-9-1978 for “(2). In the case of teachers in the same grade in the same unit whose date of first appointment is the same, seniority shall be decided with reference to age, the older being senior”. This sub-section was introduced by notification published in gazette dated 19-3-1963.
  53. Added by GO(P)No.39/2010/G.Edn. dated 23-07-2010 published in Gazette dated 23-07-2010.
  54. Inserted by notification by GO(P)No.439/84/G.Edn. dated 14-08-64 and published notification in Gazette dated 01-09-64.
  55. Added by GO(P)No.317/67/Edn. dated: 22-07-67 and published in Gazette dated: 15-08-67.
  56. Substituted by G.O.(P) 217/79/G.Edn. Dated 26-12-1979 published in Gazette dated 28-12-1979 for the words Regional Deputy Director.
  57. Substituted by GO(P)No.317/67/G.Edn. dated 22-7-1967 published in notification in gazette dated 15-8-1967.
  58. Substituted by GO(P)No.52/65/G.Edn. dated 30-1-1965 published in gazetted dated 2-2-1965 For “**41. Confirmation and promotion** Acting teachers shall be confirmed only in the order of seniority and only if eligible for confirmation.
  42. Probationary teachers shall be confirmed at the end of the period of probation if their work and conduct have been found satisfactory”.
  59. Substituted for the words “may be confirmed” by GO(P)No.239/68/G.Edn. dated 23-5-1968 published in Gazette dated 4-6-1968.
  60. Substituted by GO(P) 187/05/G.Edn. Dated 17-6-2005 published in gazette dated 25-6-2005.
  61. Inserted with effect from 22-4-1986 by G.O(P)185/86/G.Edn. Dated 22-11-1986 published in gazette dated 6-1-1987.
  62. Inserted by G.O.(P) 187/05/G.Edn. Dated 17-6-2005 published in gazette dated 25-6-2005.
  63. Inserted as per G.O(P) 191/82/G.Edn. dated 16-12-1982 in Gazette dated 15-2-1983.
  64. Substituted by G.O.(P) 197/74/G.Edn. dated 8-10-1974. The original rule was “43A. A teacher promoted from a lower scale of pay to a higher scale of pay may draw as initial pay in the higher scale the next higher stage above his pay in the lower scale irrespective of whether the pay in the lower time scale is a stage in the higher time scale or not. If his substantive pay after promotion happens to exceed the officiating pay, he may draw his substantive pay in the officiating post”.
  65. Added by G.O.(P) 38/77/G.Edn. dated 2-3-1977 in Gazette dated 5-4-1977.
  66. Inserted by G.O.(P) 9/93/G.Edn. dated 14-1-1993 published in gazette dated 14-1-1993.
  67. Rule 43B and 43C inserted by G.O.(P) 71/72/S.Edn. dated 22-5-1972 in gazette dated 12-9-1972.
  68. Inserted as per G.O.(P) 191/82/G.Edn. dated 16-12-1982 published in Gazette dated 15-2-1983.
  69. Substituted by G.O(P) 181/84/G.Edn. dated 30-8-1984 published on 17-9-1984 for “Appointment of Headmasters shall ordinarily be according to seniority”. The amendment came into force on 3-1-1981.
  70. Added by G.O(P) 27/76/G.Edn. dated 12-2-1976 in gazette dated 2-3-1976.

71. The last sentence in rule 44 deleted and the existing rule 44 renumbered as sub-rule (2) and added as sub-rule (2), (3) and (4) by GO(P)No.373/63 dated 7-6-1963 published by notification in gazette dated 25-6-1963 for; "The appeal shall be preferred within one month of the date of the order appealed against".
72. Substituted for Regional Deputy Director of Public Instruction by G.O(P) 217/79/G.Edn. dated 26-12-1979 published on 28-12-1979.
73. Inserted by GO(P)No. 876/63/G.Edn. Dated 4-12-1963 as per notification in gazette dated 24-12-1963.
74. Inserted by G.O(P) 45/68/G.Edn. dated 31-1-1968 in Gazette dated 13-2-1968.
75. Added by G.O(P) 479/68/G.Edn. dated 6-11-1968 in Gazette dated 10-12-1968.
76. Added by G.O(P) 149/76/G.Edn. dated 7-8-1976 in Gazette dated 31-8-1976.
77. Substituted with effect from 31-8-1976 by G.O(P) 27/87/G.Edn. Dated 31-1-1987. Published in Gazette dated 24-2-1987.
78. Added by SRO 237/97 Published in Gazette No.13 dated 1-4-1997 with effect from 2-3-1982.
79. Sub-rules (2) and (3) of Rule 44A omitted by G.O(P) 222/89/G.Edn. dated 28-11-1989 published in gazette dated 30-11-1989.
80. Inserted by G.O(P) 123/75/G.Edn. dated 30-5-1975 in Kerala gazette dated 24-6-1975.
81. Substitute by GO(P)No.52/76/G.Edn. dated 1-4-1976 published in gazette dated 28-4-1976.
82. Substitute by G.O(P) 52/76/G.Edn. dated 1-4-1976 in gazette dated 27-4-1976.
83. Added by G.O(P) 188/76/G.Edn. dated 30-9-1976 published on 16-11-1976.
84. Substituted by SRO 237/97 published in Gazette no 13 dated 1-4-1997 with effect from 2-3-1982 for "persons who attain the age of 50 years will be granted permanent exemption from passing the tests".
85. Added by G.O(P) 321/70/S.Edn. dated 16-7-1970 in Gazette dated 28-7-1970.
86. Substituted by G.O(P) 22/2008/G.Edn. dated 25-1-2008 published in gazette dated 30-1-2008.
87. Inserted by G.O(P) 273/84/G.Edn. dated 18-12-1984 in gazette dated 12-2-1985.
88. Inserted by G.O (P) 24/87/G.Edn. dated 31-1-1987 published in Gazette dated 7-7-1987.
89. Inserted by G.O(P) 273/84/G.Edn. dated 18-12-1984 in Gazette dated 12-2-1985.
90. Added by G.O(P) 156/78/G.Edn. dated 3-11-1978 in Gazette dated 19-12-1978.
91. Substituted by G.O(P) 259/84/G.Edn. dated 28-11-1984 in Gazette dated 2-7-1985. The Sub-rule came into force from 19-12-1978.
92. Inserted by G.O(P) 135/86/G.Edn. dated 7-8-1986 published in Gazette dated 23-9-1986.
93. Substituted by G.O(P) 139/86/G.Edn. dated 12-8-1986 published in Gazette dated 2-9-1986 with effect from 1-4-1986 for "31<sup>st</sup> day of March 1986".
94. Substituted by G.O(P) 24/82/G.Edn. dated 24-2-1982 published in the Gazette dated 2-3-1982 for "Teachers who have attained the age of 50 years and who have completed 25 years of service shall stand exempted permanently from acquiring the qualification specified in sub rule (1)".
95. Added by G.O(P) 226/89/G.Edn. dated 28-11-1989 published in Gazette dated 30-11-1989.
96. Substituted by G.O(P) 222/89/G.Edn. dated 28-11-1989 published in Gazette dated 30-11-1989.
97. Added by G.O(P) 106/97/G.Edn. dated 25-3-1997 with effect from 28<sup>th</sup> day of November 1989.
98. Added by G.O(P) 106/97/G.Edn. dated 25-3-1997 with effect from 28<sup>th</sup> day of

- November 1989.
99. Introduced by GO(P)No.52/65/G.Edn. dated 30-1-1965 published in gazette dated 2-2-1965.
  100. Substituted for the words "Qualified teachers except Headmaster appointed in vacancies" by GO(P)No.24/73/G.Edn. dated 19-7-1973 published in the gazette dated 21-8-1973.
  101. Added by G.O(P) 148/79/G.Edn. dated 1-9-1979 in gazette dated 30-10-1979.
  102. Substituted by G.O(P)112/74/G.Edn. dated 11-6-1974 in gazette dated 27-8-1974 "with due regard to the requirement of subjects so far as secondary schools are concerned".
  103. Added by G.O(P) 287/66/G.Edn. dated 20-6-1966 published in Gazette dated 17-7-1966.
  104. Inserted by G.O(P) 187/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
  105. Added by G.O(P) 226/98/G.Edn. dated 22-6-1998 with effect from 1<sup>st</sup> January 1985.
  106. Added by G.O(P) 121/05/G.Edn. dated 16-4-2005 published in Gazette dated 27-4-2005.
  107. Added by G.O(P) 94/72/G.Edn. dated 4-7-1972 published in Gazette dated 18-7-1972.
  108. Substituted by G.O(P) 112/74/G.Edn. dated 11-6-1974 published on 27-8-1974 for requirement of subjects'.
  109. Inserted by G.O(P) 187/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
  110. Added by G.O(P) 55/77/G.Edn. dated 23-3-1977 published in Gazette dated 26-4-1977.
  111. Inserted by G.O(P) 55/90/G.Edn. dated 30-3-1990 published in Gazette dated 30-3-1990.
  112. The word "Permanent" Omitted by G.O(P) 174/70/G.Edn. dated 10-4-1970 published in Gazette dated 28-4-1970.
  113. The words "and their service prior to relief shall count for increment after re-appointment" were deleted by G.O(P) 59/76/G.Edn. dated 30-3-1976 published in gazette dated 11-5-1976.
  114. Rule 52 renumbered as sub-rule(1) and sub-rule (2) added by G.O(MS)7/63 dated 4-1-1963 published in gazette dated 15-1-1963.
  115. The word "permanent" omitted by GO(P)No.174/70/G.Edn. Dated 10-4-1970 published in gazette dated 28-4-1970.
  116. The words "Provided their reappointment is within one year of the withdrawal of recognition" omitted by G.O(P) 775/63/G.Edn. dated 23-11-1963 published in gazette dated 3-12-1963.
  117. Omitted by G.O(MS) 307/61/Edn. dated 29-5-1961 published in gazette dated 30-5-1961.
  118. Substituted by G.O(P) 391/64/Edn. dated 25-7-1964 published in gazette dated 4-8-1964.
  119. Substituted by G.O(P) 112/74/G.Edn. dated 11-6-1974 published on 27-8-1974 for "requirement of subjects in Secondary School".
  120. Added by G.O(P) 237/84/G.Edn. dated 6-11-1984 published in Gazette dated 25-12-1984.
  121. Added by notification in Gazette dated 30-6-1959 as per Ed (e. special) 50398/59/EHD dated 28-6-1959.
  122. Added by GO(P)No.56/77/G.Edn. Dated 7-4-1972 published as per notification dated in Gazette dated 25-4-1972.
  123. Substituted by G.O(P) 227/98/G.Edn. dated 22-6-1998 with effect from 1-10-1991.

124. Sub-rule (3) renumbered as sub rule (4) by GO(P)NO.84/71/G.] CHAPTER XIV A  
5-7-1971 as per notification published in gazette dated 20-7-1971.
125. Added as sub-rule (3) by notification in gazette dated 2-2-1965. Then it was renumbered as sub rule (4) as per GO(P)No.84/71/G.Edn. dated 5-7-1971 by notification in the gazette dated 20-7-1971.
126. Inserted by G.O(P) 188/05/G.Edn. dated 17-6-2005 published in Gazette dated 25-6-2005.
127. Added by G.O(P) 109/73/G.Edn. dated 30-6-1973 published in Gazette dated 1-7-1973.
128. Inserted by G.O(P) 16/78/G.Edn. dated 4-2-1978 published in gazette dated 28-2-1978.
129. Added by G.O(P)No.164/73/G.Edn. dated 1-10-1973 published in gazette dated 6-11-1973.
130. Substituted by GO(P)No.171/71/G.Edn.dated 3-12-1971 published in gazette dated 21-12-1971 for "57. The Headmaster shall be the competent authority to grant casual leave.  
Note - The manager shall be the competent authority to grant casual leave to the Headmaster. If the Manager is also the Headmaster, the Educational Officer shall be the competent authority to grant him casual leave".
131. Substituted by G.O(P) 173/74/G.Edn. Dated 4-9-1974 in gazette dated 15-10-1974 for "subject to rule 57 the Educational Officer shall be the competent authority to grant leave other than study leave. The grant of special leave such as study leave and special disability leave requires the sanction of Government".
132. Rule 58 renumbered as sub-rule (1) of that rule and added sub-rule (2) GO(P)No.493/62/G.Edn. dated 27-7-1962 by notification in gazette dated 7-8-1962.
133. Substituted for the words "other than casual leave" by GO(P)No.171/71/G.Edn. Dated 3-12-1971 by notification in gazette dated 21-12-1971.
134. Added by G.O(P) 3/75/G.Edn. dated 1-1-1975 published in Gazette dated 28-1-1975.
135. Added by G.O(P) 173/74/G.Edn. dated 4-9-1974 published in Gazette dated 15-10-1974.
136. Added by G.O(P) 123/77/G.Edn. dated 30-5-1977 published in Gazette dated 9-8-1977.
137. Inserted by G.O(P) 174/88/G.Edn. dated 1-12-1988 published in Gazette dated 3-1-1989.
138. Substituted for "the Educational Officer" by G.O(P) 173/74/G.Edn. dated 4-9-1974 published in gazette dated 15-10-1974.
139. Added by G.O(P) 173/74/G.Edn. dated 4-9-1974, published in gazette dated 15-10-1974.
140. Added as per notification in gazette dated 28-8-1962.
141. Added by G.O(P) 123/77/G.Edn. dated 30-5-1977 published in gazette dated 9-8-1977.
142. Inserted by G.O(P) 174/88/G.Edn. dated 1-12-1988 published in gazette dated 3-1-1989.
143. Substituted by G.O(P) 214/81/G.Edn. dated 28-11-1981 published in gazette dated 22-12-1981.
144. Inserted with effect from 2-2-1965 by G.O(P) 40/87/G.Edn. dated 11-2-1987 published in gazette dated 24-3-1987.
145. Omitted by GO(P)No.52/65/G.Edn. dated 30-1-1965 as per notification in gazette dated 2-2-1965.

146. Sub-rule (4) substituted and sub-rules (5) and (6) have been added by G.O(P) 95/87/G.Edn. dated 24-4-1987 published in gazette dated 12-5-1987, sub rule (5) has been given effect from 21-2-1964.
147. Sub-rule (4) substituted and sub-rules (5) and (6) have been added by G.O(P) 95/87/G.Edn. dated 24-4-1987 published in gazette dated 12-5-1987, sub rule (5) has been given effect from 21-2-1964.
148. Added by G.O(MS) 66/84/G.Edn. dated 31-3-1984 published in gazette dated 31-3-1984.
149. Added by G.O(P) 3/2007/G.Edn. dated 5-1-2007 Published in gazette dated 5-1-2007 with effect from 15-5-1986.
150. Substituted by G.O(P)164/70 dated 4-4-1970 published in gazette dated 21-4-1970.
151. Substituted for the words "the 2<sup>nd</sup> of May" by G.O(P)68/71/S.Edn. dated 4-7-1971 published in gazette dated 8-6-1971.
- \* Delegated to DD(E) by G.O(P) 52/80/G.Edn. dated 7-5-1980 published in Gazette dated 24-6-1980.
152. Substituted by notification in Gazette date 2-2-1965.
153. Omitted by GO(P)No.52/65/G.Edn. dated 30-1-1965 notification in gazetted dated 2-2-1965.
154. Substituted by notification No.61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
155. Omitted by GO(P)37/78/G.Edn. dated 31-3-978 published in gazette dated 16-5-1978.
156. Substituted by GO(P)217/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979 for "R D D".
157. Added by G.O(P) 274/84/G.Edn. dated 18-12-1984 published in gazette dated 19-2-1985.
158. Added by G.O(P) 17/78/G.Edn.dated 4-2-1978 in Gazette dated 14-3-1978.
159. Substituted by G.O(P)43/80/G.Edn. dated 26-3-1980 in Gazette dated 22-4-1980 for "one year".
160. Added by G.O(P)44/68/G.Edn. dated 31-1-1968 published in Gazette dated 13-2-1968.
161. Omitted by G.O(P)37/78/G.Edn. dated 31-3-1978 published in Gazette dated 16-5-1978.
162. Inserted by GO(P) 315/68/G.Edn. dated 4-7-1968 on gazette dated 16-7-1968.
- \* The power delegated to Deputy Directors by notification published on 24-6-1980.
163. Substituted by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
164. Substituted by GO(P)317/79/G.Edn. dated 26-12-1979 published in gazette dated 28-12-1979 for "R D D".
165. Added by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
166. Inserted by GO(P) 48/77/G.Edn. dated 18-3-1977 in gazette dated 26-4-1977.
167. Inserted by GO(P)61/70/G.Edn. dated 3-2-1970 published in gazette dated 10-3-1970.
168. Deleted as per the above GO(GO(P)NO.61/70).
169. Inserted by GO(P) 247/67/G.Edn. dated 6-6-1967 published in gazette dated 20-6-1967.
170. Added by GO(P) 234/77/G.Edn. dated 2-12-1977 published in gazette dated 27-12-1977.
171. Substituted by GO(P) 217/79/G.Edn. dated 26-12-1979 published in gazette

- dated 28-12-1979 for "R D D".
172. Substituted by GO(P)180/81/G.Edn. dated 14-10-1981 published in gazette dated 5-1-1982 for "When a teacher who has been dismissed, removed or suspended is reinstated, rules for the time being in force relating to Government servants in the matter shall mutatis mutandis apply".
  173. Rules 92 and 93 added by GO(P)52/65/G.Edn. dated 30-1-1965 in gazette dated 2-2-1965.
  174. Rule 92 renumbered as sub rule (1) by GO(P)153/78/G.Edn. dated 1-11-1978 published in gazette dated 19-12-1978 and sub rule 2 was inserted.
  175. Inserted by GO(P) 243/76/G.Edn. dated 11-12-1976 published in Gazette dated 28-12-1976.
  176. Inserted by GO(P)153/78/G.Edn. dated 1-11-1978 in gazette dated 19-12-1978.
  177. Added by GO(P) 52/65/G.Edn. dated 30-1-1965 published in gazette dated 2-2-1965.
  178. Rule 7A(1) and its proviso deleted by G.O (P) 150/78/G.Edn. dated: 28-10-78.
  179. Added by G.O(P) 495/69/Edn. dated: 22-12-1969 published in Gazette dated: 06-01-1970.
  180. Substituted for "Headmasters" by G.O (P) 67/84/G.Edn dated: 03-04-84 published in Gazette dated: 26-06-84.
  181. Substituted by G.O (P) No. 121/05/G.Edn. dated: 16-04-05 published in Gazette dated: 27-04-05 for "3 vacancies the duration of which is two months or less shall not be filled up by any appointment.