

ANNEXURE-H

EDUCATION SECRETARIAT

NOTIFICATION NO. ED/64/ViVida/2000, Bangalore Dated 31st January 2001

Whereas the draft of Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules 2000 was published as requested by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED/64/ViVida/2000 dated 9.10.2000 in part IV-A of the Karnataka Gazette Extraordinary dated 9-10-2000 inviting objections and suggestions from the persons likely to be affected thereby

And whereas the said Gazette was made available for the public on 10th October 2000.

And whereas the objections and suggestions received in this regard have been considered by the Government.

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka makes the following Rules namely:-

1. Title and Commencement :- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institution) (Amendment) Rules, 2000.

2. Amendment of Rule-3 :- In rule-3 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999 (herein after referred to as the said rules) in sub-rule (1) in clause (a), for the words and figure as specified in Annexure-1 procedure for filling up of the post of Head Master and Head Mistress in High Schools shall be specified as Annexure.....

3. Insertion of new Annexure-V : After Annexure- V of the said Rules, the following Annexure shall be inserted, namely:-

Annexure - VI (see rule-3)

The procedure for filling up of the Head Master / Head Mistress in Private Aided High Schools :

i) The post of Head Master / Head Mistress in Private Aided High School shall be filled up by promotion from the cadre of Secondary School Assistant Grade-I. If no eligible Secondary School Assistant Grade-I is available. Secondary School Assistant Grade-II may be considered secondary school Assistant Grade-I and Grade-II includes Science Assistants languages (Kannada, Urdu, Tamil, Marathi as the case may be) and Hindi Teachers.

ii) Promotion to the post of Head Master or Head Mistress shall be made on the basis of seniority of a teacher, seniority being determined by counting the total number of years of continuous service from the date of entry into the cadre of Secondary, School Assistant Grade-I or Grade-II as the case may be and by following Roster Rules, if they are applicable as per the orders issued by the Government in the matter of reservation from time to time. The service rendered in the cadre of Secondary School Assistant Grade-II (Untrained) may be protected for service benefits but shall not be counted for fixing the seniority.

iii) The eligible teacher must be a trained Secondary School Assistant and must have put in not less than five years of approved teaching, service in the Secondary School.

iv) If the management is running more than one school common seniority based on the date of approval of appointment of the teacher with aid shall be prepared and notified. If the date of approval of appointment of more than one teacher happens to be the same day the seniority shall be fixed on the basis of date of birth and the person older in age shall become seniority. Such notified common seniority list shall be the basis of making promotion.

v) Based on the notified seniority list the appointing Authority shall pass a resolution and send suitable proposals for approval to the Competent Authority Viz., The Regional Secretary, Karnataka Secondary Education Examination Board and Ex-Official Joint Director of Public Instruction of the concerned Divisions with a relevant documents relating to seniority, qualification, service register, service particulars of all the teachers, fulfillment of roster rules etc. If the Competent Authority after verifying the records is satisfied that all the requirements prescribed in the rules have been complied with he may convey approval for promotions of the selected candidates. In case the promotion is not in accordance with the procedure specified under these rules the Competent Authority may reject the proposal after recording reasons for such rejection in writing. Such approval or rejection shall be conveyed by the Competent Authority within 90 days from the date of receipt of proposal in his office, failing which disciplinary action will be taken against her him under KCS (CCA) Rules 1957. Candidates shall be promoted by the Appointing Authority only after such approval by the Competent Authority and benefits of fixation of pay of such candidates shall be payable from the actual date of assuming the charge of the promotional post.

The procedure specified above shall also apply to the Minority Institutions except it is not mandatory to consider only the senior most Secondary School Assistant for Promotion as Head Master or Head Mistress.

By order and in the name of the Governor of Karnataka.

K.S. GOPALSKRISHANA
Under Secretary to Govt. Education
Department (General)