

ವಿಧಾನ ಪರಿಷತ್ತು ಸದಸ್ಯರಾದ ಮಾನ್ಯ ಶ್ರೀ ಮರಿತಿಬ್ಬೇಗೌಡ, ಇವರು ಮಂಡಿಸಿರುವ
ನಿಯಮ-330ಕ್ಕೆ ಉತ್ತರ

ವಿಷಯ:-

ಅನುದಾನಿತ ಶಾಲಾ ಕಾಲೇಜಿನ ಸಿಬ್ಬಂದಿಗಳಿಗೆ ಯಾವುದೇ ಆರೋಗ್ಯ ವಿಮೆ ಇಲ್ಲದೆ ಇರುವುದರಿಂದ ಸದರಿಯವರ ಕುಟುಂಬ ಸದಸ್ಯರು ತುಂಬಾ ತೊಂದರೆ ಪಡುತ್ತಿರುವ ಗಂಭೀರ ಸಮಸ್ಯೆ ಕುರಿತು ಮಾನ್ಯ ಶಾಲಾ ಶಿಕ್ಷಣ ಹಾಗೂ ಸಾಕ್ಷರತೆ ಸಚಿವರಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಬಯಸುತ್ತೇನೆ.

ಉತ್ತರ:

ಅನುದಾನಿತ ಶಾಲಾ ಕಾಲೇಜುಗಳ ನೌಕರರು ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಅಧಿನಿಯಮ-1983 ಮತ್ತು ಅದರಡಿ ರಚಿಸಲ್ಪಟ್ಟ ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ (Classification, Regulation and Prescription of Curricula) ನಿಯಮಗಳು-1995ರ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುತ್ತಾರೆ ಇವರನ್ನು ಸರ್ಕಾರಿ ನೌಕರರೆಂದು ಪರಿಗಣಿಸಲಾಗುವುದಿಲ್ಲ.

ಅನುದಾನಿತ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಸಿಬ್ಬಂದಿಗಳು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ನೌಕರರ (ವೈದ್ಯಕೀಯ ಹಾಜರಾತಿ) ನಿಯಮಗಳು-1963ರ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುವುದಿಲ್ಲ. ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು (ಖಾಸಗಿ ಅನುದಾನಿತ ಪ್ರಾಥಮಿಕ ಮತ್ತು ಪ್ರೌಢ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ನೌಕರರ ನೇಮಕಾತಿ ಮತ್ತು ಸೇವಾ ಷರತ್ತು ಹಾಗೂ ನಿಬಂಧನೆಗಳು) ನಿಯಮಗಳು 1999ರ ಅನುಬಂಧ-ii (3) ರನ್ವಯ ವೈದ್ಯಕೀಯ ವೆಚ್ಚ ಮರುಪಾವತಿ ಸೌಲಭ್ಯಕ್ಕೂ ಅರ್ಹರಾಗಿರುವುದಿಲ್ಲ. ಆದುದರಿಂದ ಅನುದಾನಿತ ಶಾಲಾ ಶಿಕ್ಷಕರು, ಸಿಬ್ಬಂದಿಗಳು ಹಾಗೂ ಮತ್ತವರ ಕುಟುಂಬಿಕರಿಗೆ ಜ್ಯೋತಿ ಸಂಜೀವಿನಿ ಆರೋಗ್ಯ ವಿಮಾ ಯೋಜನೆ ಅನ್ವಯಿಸುವುದಿಲ್ಲ.

ಸಂಖ್ಯೆ: ಇಪಿ 121 ಎಸ್‌ಇಎಸ್ 2024



(ಎಸ್. ಮಧುಬಂಗಾರಪ್ಪ)
ಶಾಲಾ ಶಿಕ್ಷಣ ಮತ್ತು ಸಾಕ್ಷರತಾ
ಇಲಾಖಾ ಸಚಿವರು

**THE KARNATAKA EDUCATIONAL INSTITUTIONS
(RECRUITMENT AND TERMS AND CONDITIONS OF SERVICE OF
EMPLOYEES IN PRIVATE AIDED PRIMARY AND SECONDARY
EDUCATIONAL INSTITUTIONS) RULES, 1999.**

(As amended by Notification NO. ED 64 ViViDa 2000 dated 31-1-2001)
EDUCATION SECRETARIAT

No. ED 52 ViViDa 99, Bangalore, dated 2-2-2000

NOTIFICATION

Whereas the draft of the Karnataka Education Institutions (Terms and Conditions of service of employees in Private Educational Institutions) Rules, 1999, was published as required by sub section (I) of section 145 of the Karnataka Education Act 1983 (Karnataka Act I of 1995) in Notification No. ED 52 ViViDa 99, dated 10.12.99 in Part-IV-2 (c) (i) of the Karnataka Gazette Extraordinary dated 10.12.99, inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said gazette was made available to the public on 10.12.99.

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 Section 87 to 101 read with section 145 of the Karnataka Education Act, 1983, (Karnataka Act I of 1995) the Government of Karnataka hereby makes the following rules, namely-

1. Title, Application 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 Institutions) Rules, 1999.

(2) These rules shall apply to the Primary and Secondary Educational Institutions receiving grant-in-aid.

(3) They shall come into force from the date of their publication in the official Gazette.

2. Definition : (1) In these rules unless the context otherwise requires –

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act I of 1995)

(b) 'Annexure' means an annexure appended to these rules.

(c) 'Appointing Authority' means

(i) in respect of all the employees of the aided Primary and Secondary Educational Institution, other than the Head of the Institution, the Managing Committee of the Institution.

(ii) in respect of the Head of the Institution, the Governing Council.

(d) 'Disciplinary Authority' means the Managing Committee or as the case may be, the Governing Council.

(e) 'Form' means a form appended to these rules.

(f) 'Head of the Department' means –

(i) the Commissioner of Public Instruction

(ii) the Director of Public Instruction (Secondary) in respect of Secondary Schools.

(iii) the Director of Public Instruction (Primary) in respect of Primary Schools.

(g) 'Institution' means a Private Aided Primary or Secondary Educational Institution.

(h) 'Local body' means a duly constituted Zilla Panchayath, Taluk Panchayat, Grama Panchayat or Municipal Corporation or Municipal Council or a Town Panchayat or any other body notified by the Government from time to time as a local body for purposes of grant-in-aid under these Rules.

(i) 'Section' means a section of the Act.

(2) Words used but not defined in these rules shall have the meaning assigned to them

in the Act or as the case may be in the Karnataka Civil Services Rules or the rules made or deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990).

5. Qualification and conditions of service of employees : - (1) Subject to the other provisions in these rules :

(a) The categories of posts, the staffing pattern and the qualifications for recruitment to posts in an Institution shall be as specified in Annexure III, IV and V. In respect of employees other than teachers, the prescribed qualifications of recruitment, etc. in institutions shall be the same as those applicable for the corresponding category of employees in Government Educational Institutions. The procedure for selection of candidates to posts identified for recruitment shall be as specified in Annexure-I and the procedure for filling up of the post of Head Master and Head Mistrees schools shall be specified in Annexure VI.

(b) Subject to the financial capacity of the State Government the salary of employees in respect of posts admitted into aid in recognised private educational institutions receiving aid from the State Government shall generally be the same as those applicable for the corresponding category of employees in government educational institutions as per orders issued by the State Government in respect of this category of employees from time to time.

Provided that no employees of an aided Institution shall be entitled to the benefits enumerated in Annexure - II.

(c) Subject to the financial capacity of the State Government pensionary benefits is admissible to aided employees of aided institution as per the provisions of Tripple Benefit Scheme Rules and gratuity is admissible as per the orders issued by the government from time to time.

Provided that in respect of employees appointed prior to 1.1.86, pension and gratuity is admissible if management contribution of 3% is paid up to the period of 4.9.86.

(2) The State Government may vary the qualification, method of recruitment and conditions of service from time to time.

4. Age : No employee who is not within the age limit prescribed for recruitment to the corresponding posts in government educational institutions shall be eligible for appointment to any post in any Institution.

5. Schedule of employment : (a) Every private educational institution shall maintain a schedule of employment as per seniority indicating therein the name, qualification, scale of pay and other particulars in respect of each employees, in Form - 1.

(c) In case the management is running more than one institution the schedule of employment shall be maintained management wise also as per seniority and roster.

6. Constitution of Selection Committee : For the purpose of recruitment to teaching and non-teaching posts, other than the post of head of the institution, to an institution, the Managing Committee shall constitute a "selection committee" consisting of :-

(i) the president of the Head of the Managing Committee or his nominee;
(ii) the Competent Authority or his nominee other than in institutions to which minority status is given by the government.

(iii) The Head of the Institution

(iv) An educationist or an expert in the subject to which recruitment is to be made, selected by the Governing Council.

ANNEXURE – II

(See rule – 3)

List of benefits not admissible in respect of employees of aided institutions.

- (1) Benefits not available for service rendered during the unaided period for purpose fixation of pay, leave and pension or any other service benefits by the Government.
- (2) Weightage of five years to for calculation qualifying services of an employee who retires on voluntary basis.
- (3) Medical reimbursement facilities.
- (4) '[xxx]'¹ House Building Advance, House Purchase Advance or any type of Advance.

1. Deemed to have been omitted by Notification No. ED 80 VIVIDA 2002, dt. 20.6.2003 w.e.f. 12.12.2002

- (5) Transfer Travelling Allowance and Daily Allowance.
- (6) Invalid pension before the completion of qualifying service of fifteen years.
- (7) Such other conditions or benefits as may be specified by order of the State Government from time to time.
- (8) In respect of retirement benefits, no employee who has retired between 1-4-1995 to 31.3.1998 shall be entitled to merger of 90% DA to Basic Pay for calculation of DCRG. In respect of employees retiring after 31.3.1998, DCRG will be calculated as per specific orders issued by the Education Department in this behalf from time to time.