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CHAPTER – X
DISCIPLINE

Rule No	Old Rule Book	New Rule Book (Including Correction / Addition / Deletion)	Authority	Remarks
10.01	<u>PENALTIES</u> The penalties, given underneath in ascending order of severity may for good and sufficient reasons to be recorded in writing after carrying out such inquiries as deemed fit according to the circumstances of each case be imposed by the Principal on any member of the staff. The Principal may also in his discretion issue a written warning or reprimand to any employee of the school, if he is satisfied that the merits of the case do not justify imposition of any of the prescribed penalties and merely a written warning or a reprimand would be adequate and have the salutary effect. (a) <u>Minor Penalties</u> (i) Censure (ii) Withholding of promotion for a specified period, where applicable; (iii) Recovery from pay, of the whole or a part of any pecuniary loss caused to the school by negligence or breach of orders; (iv) Withholding of increments of pay. (b) <u>Major Penalties</u> (i) Reduction to a lower stage in the time-scale of pay for a specified period with further directions as to whether or not the employee will earn increments of pay during their period of such reduction whether on the expiry of such period the reduction will or will not have the effect of postponing the future increments of his post;	<u>PENALTIES</u> The penalties, given underneath in ascending order of severity may for good and sufficient reasons will be recorded in writing after carrying out such inquiries as deemed fit according to the circumstances of each case and imposed by the Principal on any member of the staff. The Principal may also in his discretion issue a written warning or reprimand to any employee of the school, if he is satisfied that the merits of the case do not justify imposition of any of the prescribed penalties and merely a written warning or a reprimand would be adequate and have the salutary effect. The Principal being the appointing authority is empowered to authorize enquiry as stipulated u/s 17A - enquiry or inquiry or investigation of offences relatable to recommendations made or decision taken by public servant in discharge of official functions or duties under Prevention of corruption (Amendment) Act, 2018 against the employees of concerned Sainik School”. (a) <u>Minor Penalties.</u> (i) Censure. (ii) Withholding of promotion for a specified period, where applicable; (iii) Recovery from pay, of the whole or a part of any pecuniary loss caused to the school by negligence or breach of orders; (iv) Withholding of increments of pay. (b) <u>Major Penalties.</u> (i) Reduction to a lower stage in the time-scale of pay for a specified period with further directions as to whether or not the employee will earn increments of pay during their period of such reduction whether on the expiry of such period the reduction will or will not have the effect of postponing the future increments of his post;	No 32(20)/2018/D(SSC) Pt-II dated 05.09.2019	Authority of Principal for authorizing enquiry / inquiry specified

Rule No	Old Rule Book	New Rule Book (Including Correction / Addition / Deletion)	Authority	Remarks
	(ii) Reduction to a lower grade of pay or post or time scale of pay which shall ordinarily be a bar to his/her promotion to the grade, post or time scale of pay from which he was reduced with or without further directions regarding condition of restoration to the grade, post or time scale of pay from which reduced and his seniority on such restoration; (iii) Compulsory Retirement; (iv) Removal from service, which will not ordinarily be a disqualification for future employment in Sainik Schools. (v) Dismissal from service, which will be disqualification for future employment in Sainik Schools.	(ii) Reduction to a lower grade of pay or post or time scale of pay which shall ordinarily be a bar to his/her promotion to the grade, post or time scale of pay from which he/she was reduced with or without further directions regarding condition of restoration to the grade, post or time scale of pay from which reduced and his/her seniority on such restoration; (iii) Compulsory Retirement; (iv) Removal from service, which will not ordinarily be a disqualification for future employment in Sainik Schools. (v) Dismissal from service, which will be disqualification for future employment in Sainik Schools.		
10.02	The member of staff so punished shall have the right to appeal against any of the penalties imposed on him. Appeals against penalties listed in sub-paragraphs (a) (i) to (a) (iv) and (b) (i) and (b) (ii) above shall be addressed to the Chairman of the Local Board of Administration, whereas those against penalties at (b) (iii) to (v) shall be addressed to the Chairman, Board of Governors. All appeals shall, however, be forwarded through proper channel i.e. the Principal and the Chairman, L.B.A. who will record their own views as on such appeals.	10.02 The staff so punished shall have the right to appeal against any of the penalties imposed on him. Appeals against penalties listed in sub-paragraphs (a) (i) to (a) (iv) and (b) (i) and (b) (ii) above shall be addressed to the Chairperson of the Local Board of Administration, whereas those against penalties at (b) (iii) to (v) shall be addressed to the Chairman, Board of Governors/ Nominee. All appeals shall, however, be forwarded through proper channel i.e. the Principal and the Chairperson, LBA who will record their own views as on such appeals.		D(SSC) Input: Second appeal authority clarified as Honorary Secretary in line with the change proposed for Rule 7.06 and 7.09. Delegating the authority of deciding Second Appeal to Honorary Secretary will fast track all such pending cases and reduce the work load on the highest office of Chairman BoG (Hon'ble RM)

10.03	Before imposing the penalties of removal or dismissal from service, the Principal will obtain prior written approval for the proposed action from the Chairman, L.B.A. and for this purpose submit full facts of the case together with the justification for his recommended action against the errant employee. An employee on probation will not, however, have the right to appeal against the orders terminating his services, because such an action is not in the nature of a recognised penalty and successful completion of probation period to the satisfaction of the Principal is obligatory.	10.03 Before imposing the penalties of removal or dismissal from service, the Principal will obtain prior written approval for the proposed action from the Chairperson , LBA and for this purpose submit full facts of the case together with the justification for his recommended action against the errant employee. An employee on probation will not, however, have the right to appeal against the orders terminating his services, because such an action is not in the nature of a recognised penalty and successful completion of probation period to the satisfaction of the Principal is obligatory.		
10.04	<u>PROCEDURE FOR AWARDING MINOR PENALTIES</u> A statement of misconduct, misbehaviour, or indiscipline for which action is proposed to be taken against him, shall be drawn up as a charge sheet and served on the employee in the form of a show cause notice. The employee will be given reasonable time of not less than 10 clear days from the date on which such a notice is served, within which he may submit his defence, if any. The employee shall also be asked to name one of the school employees as Defence Assistant, if he so chooses.	<u>PROCEDURE FOR AWARDING MINOR PENALTIES</u> 10.04 A statement of misconduct, misbehaviour, or indiscipline for which action is proposed to be taken against him/her, shall be drawn up as a charge sheet and served on the employee in the form of a show cause notice. The employee will be given reasonable time of not less than 10 clear days from the date on which such a notice is served, within which he may submit his defence, if any. The employee shall also be asked to name one of the school employees as Defence Assistant, if he / she so chooses.		
10.05	Based on the reply of the charge sheet served, and other evidence brought to his notice, the Principal will decide whether the employee is guilty or not, and impose the penalty that he may deem fit. Orders in this regard shall be communicated to the employee in writing and entries to that effect made in his service records.	10.05 Based on the reply of the charge sheet served, and other evidence brought to his notice, the Principal will decide whether the employee is guilty or not, and impose the penalty that he may deem fit. Orders in this regard shall be communicated to the employee in writing and entries to that effect made in his/her service records.		
10.06	For minor offences, no formal inquiry will be normally necessary. However, after considering the employee's reply to the charge sheet, if the Principal is of the opinion that the matter should be investigated further, or feels that the offence actually committed is more serious than that stated in the charge sheet, he will take further appropriate action envisaged for imposing major penalties.	10.06 For minor offences, no formal inquiry will be normally necessary. However, after considering the employee's reply to the charge sheet, if the Principal is of the opinion that the matter should be investigated further, or feels that the offence actually committed is more serious than that stated in the charge sheet, he/she will take further appropriate action envisaged for imposing major penalties.		

10.07	<u>PROCEDURE FOR AWARDING MAJOR PENALTIES</u> (a) No penalty specified in sub rules 10.01 (b) (iii) (iv) and (v) shall be made except after an inquiry, held as far as possible, in the manner provided in this rule. (b) Where the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may appoint, under this rule, an authority to inquire into the truth thereof.	<u>10.07 PROCEDURE FOR AWARDING MAJOR PENALTIES</u> (a) No penalty specified in sub rules 10.01 (b) (iii) (iv) and (v) shall be made except after an inquiry, held as far as possible, in the manner provided in this rule. (b) Where the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may appoint, under this rule, an authority to inquire into the truth thereof.		
	(c) Where it proposes to hold an inquiry, the disciplinary authority shall draw up or cause to be drawn up - (i) the substance of imputation of misconduct or misbehaviour into definite and distinct articles of charge, and (ii) a statement of imputations of misconduct or misbehaviour in support of each article of charge, which shall contain. (aa) statement of relevant facts including any admission of confession made by the employee, and (bb) a list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained (d) the disciplinary authority shall deliver or cause to be delivered to the employee, a copy of articles of charge, the statement of imputations of misconduct and misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the employee to submit within such time as may be specified, a written statement of defence and state whether he desires to be heard in person.	(c) Where it proposes to hold an inquiry, the disciplinary authority shall draw up or cause to be drawn up - (i) The substance of imputation of misconduct or misbehaviour into definite and distinct articles of charge, and (ii) A statement of imputations of misconduct or misbehaviour in support of each article of charge, which shall contain. (aa) Statement of relevant facts including any admission of confession made by the employee, and (ab) A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained. (d) The disciplinary authority shall deliver or cause to be delivered to the employee, a copy of articles of charge, the statement of imputations of misconduct and misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the employee to submit within such time as may be specified, a written statement of defence and state whether he/ she desires to be heard in person. (e) On receipt of the written statement of defence, the disciplinary authority, if considered necessary, may appoint an inquiring authority for this purpose. Where all the articles of charge have been admitted by the school employee in his written statement, the disciplinary authority shall record its findings on each charge taking into consideration such evidence as it may think fit and pass orders as regards the penalty proposed to be imposed.		

	(e) On receipt of the written statement of defence, the disciplinary authority, if considered necessary, may appoint an inquiring authority for this purpose. Where all the articles of charge have been admitted by the government servant in his written statement, the disciplinary authority shall record its findings on each charge taking into consideration such evidence as it may think fit and pass orders as regards the penalty proposed to be imposed.			Term Government servant changed to Sainik Schools Society employee
	(f) If no written statement is received or it is considered necessary to appoint an inquiring authority, the disciplinary authority may appoint such an authority and make available the following documents to the inquiring authority:- (i) a copy of articles of charge and statement of imputations of misconduct and misbehaviour. (ii) a copy of the written statement of defence submitted by the employee, if any. (iii) a copy of statement of witnesses, if any and (iv) evidence of having delivered the above documents to the employee. (g) The employee may be permitted to take assistance of another employee, who is not a legal practitioner. At the time of the inquiry, the concerned employees shall be required to be present throughout and will be given an opportunity to cross examine the witnesses and also inspect the documents on which articles of charge or imputations of misconduct or misbehaviour are based. If he declines to do so, this shall be recorded in the proceedings. After conclusion of the inquiry, a report shall be prepared and forwarded by the inquiring authority to the disciplinary authority, alongwith the complete proceedings of the inquiry.	(f) If no written statement is received or it is considered necessary to appoint an inquiring authority, the disciplinary authority may appoint such an authority and make available the following documents to the inquiring authority:- (i) A copy of articles of charge and statement of imputations of misconduct and misbehaviour. (ii) A copy of the written statement of defence submitted by the employee, if any. (iii) A copy of statement of witnesses, if any and (iv) Evidence of having delivered the above documents to the employee. (g) The employee may be permitted to take assistance of another employee, who is not a legal practitioner. At the time of the inquiry, the concerned employees shall be required to be present throughout and will be given an opportunity to cross examine the witnesses and also inspect the documents on which articles of charge or imputations of misconduct or misbehaviour are based. If he declines to do so, this shall be recorded in the proceedings. After conclusion of the inquiry, a report shall be prepared and forwarded by the inquiring authority to the disciplinary authority, alongwith the complete proceedings of the inquiry.		
10.08	The employee shall have no right to request for inquiry into his conduct by an officer other than the Presiding Officer of the Inquiry but members of the inquiry so constituted can be changed by the Principal on receipt of a representation from the employee if he feels that such a change is necessary to obtain unbiased findings	10.08 The employee shall have no right to request for inquiry into his/ her conduct by an officer other than the Presiding Officer of the Inquiry but members of the inquiry so constituted can be changed by the Principal on receipt of a representation from the employee if he feels that such a change is necessary to obtain unbiased findings.		

10.09	On receipt of the inquiry report, the Principal shall record his agreement or disagreement with the findings of the inquiry on each articles of the charges referred to the inquiry, giving reasons wherever he disagrees with the findings. The Principal can remit the case again to the inquiry for further inquiry, if in his opinion such further inquiry is necessary in certain aspects not unrevealed during the inquiry already held.	10.09 On receipt of the inquiry report, the Principal shall record his agreement or disagreement with the findings of the inquiry on each articles of the charges referred to the inquiry, giving reasons wherever he/ she disagrees with the findings. The Principal can remit the case again to the inquiry for further inquiry, if in his/ her opinion such further inquiry is necessary in certain aspects not unrevealed during the inquiry already held.		
10.10	Based on the opinion of the inquiry as accepted by the Principal, the employee shall be given one more chance to submit a written statement of defence by serving him with a show cause notice containing the statement of findings of the inquiry. He will be required to submit a reply within a specified time which shall not be less than 10 days	10.10 Based on the opinion of the inquiry as accepted by the Principal, the employee shall be given one more chance to submit a written statement of defence by serving him/her with a show cause notice containing the statement of findings of the inquiry. He / she will be required to submit a reply within a specified time which shall not be less than 10 days.		
10.11	After considering the written reply from the employee and taking into account all other relevant evidence the Principal shall determine what penalty, if any, should be imposed on him. He may make the order as he deems fit, and serve it on the employee except the penalty of compulsory retirement, removal from service and dismissal from service and entries in respect of the penalty imposed will be made in the service records of the concerned employee. In case of compulsory retirement, removal from service or dismissal from service, the Principal shall take prior approval of the Chairman, L.B.A.	10.11 After considering the written reply from the employee and taking into account all other relevant evidence the Principal shall determine what penalty, if any, should be imposed on him. He may make the order as he deems fit, and serve it on the employee except the penalty of compulsory retirement, removal from service and dismissal from service and entries in respect of the penalty imposed will be made in the service records of the concerned employee. In case of compulsory retirement, removal from service or dismissal from service, the Principal shall take prior approval of the Chairperson , LBA.		
10.12	An error, or a technical defect in the procedure followed before imposing a penalty, may be disregarded by the appellate authority, if such authority considers that the error was not material and has neither caused injustice nor affected the decision in the case. The reasons for the above decision must, however, be recorded in writing.	10.12 An error, or a technical defect in the procedure followed before imposing a penalty, may be disregarded by the Appellate authority, if such authority considers that the error was not material and has neither caused injustice nor affected the decision in the case. The reasons for the above decision must, however, be recorded in writing.		
10.13	The Board of Governors or the Chairman, L.B.A. may call for any papers relating to disciplinary proceedings and final action in such a case will pend till directions from the higher authority are received by the Principal.	10.13 The Board of Governors or the Chairperson , LBA may call for any papers relating to disciplinary proceedings and final action in such a case will remain pending till directions from the higher authority are received by the Principal.		
10.14	<u>SUSPENSION</u> An employee of the school may be suspended by the Principal when: (a) An inquiry has been instituted against an employee on account of charges of a serious nature or is contemplated and	10.14 <u>SUSPENSION</u> An employee of the school may be suspended by the Principal when:-		

	the Principal holds the view that the employee if allowed to remain on duty is likely to tamper with evidence or documents; or (b) Criminal proceedings have been instituted against him in a court of law.	(a) An inquiry has been instituted against an employee on account of charges of a serious nature or is contemplated and the Principal holds the view that the employee if allowed to remain on duty is likely to tamper with evidence or documents; or (b) Criminal proceedings have been instituted against him in a court of law.		
10.15	This suspension will remain in force until the entire process of investigation/trial and award of penalty/punishment concludes or is revoked by a written order by the Principal on his own or a receipt of directions from superior authorities after review.	10.15 This suspension will remain in force until the entire process of investigation/ trial and award of penalty/ punishment concludes or is revoked by a written order by the Principal on his own or a receipt of directions from superior authorities after review.		
10.16	Entitlements of an employee under suspension are indicated in paragraph 10.24.	10.16 Entitlements of an employee under suspension are indicated in Rule 10.24.		
10.17	<u>REDRESSAL OF GRIEVANCES</u> The rules governing Sainik Schools do not recognise any association formed by the school employees. However, the Sainik Schools Society will always be ready to redress any genuine grievances received from any member of the staff individually.	<u>REDRESSAL OF GRIEVANCES</u> 10.17 The rules governing Sainik Schools do not recognise any association formed by the school employees. However, the Sainik Schools Society will always be ready to redress any genuine grievances received from any member of the staff individually.		
10.18	Any member of the staff may put up his grievances in writing to the Board of Governors, Sainik Schools Society, or to the Chairman of the L.B.A. as appropriate with regard to the nature of grievance. All communications must, however, be forwarded only through the Principal of the concerned Sainik School who shall not have the right to withhold such an appeal / representation. While forwarding such appeals, the Principal shall give his recommendations/comments. There is, however, no objection to sending advance copies of such appeals/representations to higher authorities if the matter is of urgent nature. Once such an appeal/representation is received by the Principal, final action against the appellant shall pend till receipt of directions from the authority to whom the appeal has been addressed, although in exceptional circumstances if there is good and sufficient reason to take immediate action against the appellant, failing which the interests of the Sainik School would be compromised, the Principal may at his own discretion and responsibility take such action, as deemed appropriate. If an	10.18 Any member of the staff may put up his grievances in writing to the Board of Governors, Sainik Schools Society, or to the Chairperson of the LBA as appropriate with regard to the nature of grievance. All communications must, however, be forwarded through the Principal of the concerned Sainik School who shall not have the right to withhold such an appeal / representation. While forwarding such appeals, the Principal shall give his recommendations/ comments. There is, however, no objection to sending advance copies of such appeals/representations to higher authorities if the matter is of urgent nature. Once such an appeal/representation is received by the Principal, final action in the matter shall remain pending till receipt of directions from the authority to whom the appeal has been addressed, although in exceptional circumstances if there is good and sufficient reason to take immediate action in the matter, failing which the interests of the Sainik School would be compromised, the Principal may at his own discretion and responsibility take such action, as deemed appropriate. If an employee wants to bring any of his grievances to the notice of a visiting officer (the Chairperson LBA or the Honorary Secretary, Sainik Schools Society), he will be afforded an opportunity to do so. The employee desirous of seeking an interview with the visiting officer must, however, communicate his		

	employee wants to bring any of his grievances to the notice of a visiting officer (the Chairman L.B.A. or the Honorary Secretary, Sainik Schools Society), he will be afforded an opportunity to do so. The employee desirous of seeking an interview with the visiting officer must, however, communicate his intention to the Principal, alongwith the details of his grievances in writing, at least 48 hours in advance and such a permission shall not be refused.	intention to the Principal, along-with the details of his grievances in writing, at least 48 hours in advance and such a permission shall not be denied.		
10.19	<u>COMPLAINTS/PETITIONS/REPRESENTATIONS/APPEALS</u> Every Sainik School employee has the right to submit complaints, petitions, representations and appeals to the superior authority viz, the Chairman, Local Board of administration, or the Chairman Board of Governors, Sainik Schools Society.	<u>10.19 COMPLAINTS/ PETITIONS/ REPRESENTATIONS/ APPEALS</u> Every Sainik School employee has the right to submit complaints, petitions, representations and appeals through proper channel to the superior authority i.e to the Chairperson, LBA, or the Chairman, Board of Governors/ Nominee.		
10.20	<u>PROCEDURE FOR APPEALS/REPRESENTATIONS/COMPLAINTS ETC</u> The following procedure will be followed for submitting, forwarding and disposing off the appeals, representations, complaints and petitions:- (a) All appeals and representations addressed appropriately to the superior authority, must be handed over to the Principal, who will give his comments on it and forward it to the authority addressed, as expeditiously as possible. For Sainik Schools employees "Superior Authority" would mean Chairman, L.B.A. of the concerned school or the Chairman, Board of Governors, Sainik Schools Society. (b) Appeals will be made through proper channel as under:- (i) Principal (ii) Chairman, L.B.A. of the concerned school (iii) Chairman, Board of Governors, Sainik Schools Society, who will be the final appellate authority. <u>Notes: -</u> In the case of penalties awarded by the Principal the following additional provisions will be applicable:-	<u>10.20 PROCEDURE FOR APPEALS/ REPRESENTATIONS/ COMPLAINTS, ETC</u> The following procedure will be followed for submitting, forwarding and disposing off the appeals, representations, complaints and petitions:- (a) All appeals and representations addressed appropriately to the superior authority, must be handed over to the Principal, who will give his comments on it and forward it to the authority addressed, as expeditiously as possible. For Sainik Schools employees "Superior Authority" would mean Chairperson, LBA of the concerned school or the Chairman, Board of Governors, Sainik Schools Society. (b) Appeals will be made through proper channel as under:- (i) Principal. (ii) Chairperson, LBA of the concerned school. (iii) Chairman, Board of Governors/ Nominee, who will be the final Appellate Authority. <u>Notes: -</u> In the case of penalties awarded by the Principal, following additional provisions will be applicable:-		

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	(a) An employee who considers himself aggrieved by an order passed against him, the findings of a Court of Inquiry, or a penalty imposed on him, has the right to submit a petition against such order, findings or penalty. The channel of submission of petition will be the same as already mentioned above. Unless the redressal asked for is granted by the Principal or by the Chairman, of the L.B.A, the petition will be forwarded to Chairman, Board of Governors with the comments/remarks of the Principal and the Chairman L.B.A. (b) The Appellate authorities shall take the following action on petitions:- (i) with or without conditions, which the person punished accepts, pardon or remit the whole or any part of the punishment awarded, (ii) mitigate the punishment awarded. (v) commute the said punishment to any punishment lower in the scale of punishments. (vi) Enhance the penalty imposed. (c) An appeal against the order of the disciplinary authority shall be made within 30 days from the date on which a copy of the order appealed against is delivered to the appellant. The appellate authority may entertain an appeal even after the expiry of the said period, if it is satisfied that the appellant has sufficient valid reason for not preferring the appeal in time. (d) If the Chairman, L.B.A or the Chairman Board of Governors, to whom the petition is forwarded, does not consider the petitioner entitled to any of the reliefs mentioned above, he will reject the petition. The order of the Chairman Board of Governors, who is the ultimate appellate authority shall be final.	(a) An employee who considers himself aggrieved by an order passed against him, the findings of a Court of Inquiry, or a penalty imposed on him, has the right to submit a petition against such order, findings or penalty. The channel of submission of petition will be the same as mentioned in Rule 10.20 (b) above. Unless the redressal asked for is granted by the Principal or by the Chairperson, of the LBA, the petition will be forwarded to Chairman, Board of Governors/ Nominee with the comments/remarks of the Principal and the Chairperson LBA. (b) The Appellate authorities shall take the following action on petitions:- (i) With or without conditions, which the person punished accepts, pardon or remit the whole or any part of the punishment awarded, (ii) Mitigate the punishment awarded. (vii) Commute the said punishment to any punishment lower in the scale of punishments. (viii) Enhance the penalty imposed. (c) An appeal against the order of the disciplinary authority shall be made within 30 days from the date on which a copy of the order appealed against is delivered to the appellant. The appellate authority may entertain an appeal even after the expiry of the said period, if it is satisfied that the appellant has sufficient valid reason for not preferring the appeal in time. (d) If the Chairperson, LBA or the Chairman, Board of Governors/ Nominee, to whom the petition is forwarded, does not consider the petitioner entitled to any of the reliefs mentioned above, he will reject the petition. The order of the Chairman, Board of Governors/ Nominee, who is the ultimate Appellate Authority, shall be final.		Para 10.20 (b) specified

	(e) The petition will be addressed by the aggrieved employee personally and not by his representative or a duly constituted attorney.	(e) The petition will be addressed by the aggrieved employee personally and not by his representative or a duly constituted attorney.		
10.21	<u>RETENTION OF ACCOMMODATION AFTER THE AWARD OF PENALTY</u> A Sainik School employee will not be allowed to retain accommodation allotted to him by the school, after the award of the following penalties:- (a) Removal from service. (b) Dismissal from service. He may, however, be allowed reasonable time to vacate the premises not exceeding 3 months after the order is served on him or within 15 days in case the order appealed against has been considered by the appellate authority by the Chairman, Board of Governors and the appeal is rejected.	<u>10.21 RETENTION OF ACCOMMODATION AFTER THE AWARD OF PENALTY</u> A Sainik School employee will not be allowed to retain accommodation allotted to him by the school, after the award of the following penalties:- (a) Removal from service. (b) Dismissal from service. He may, however, be allowed reasonable time to vacate the premises not exceeding 3 months after the order is served on him or within 15 days in case the order appealed against has been considered by the appellate authority by the Board of Governors/ Nominee and the appeal is rejected.		
10.22	To serve the interests of the school, without at the same time being unduly harsh to the employees who are awarded either of the penalties mentioned in paragraph 10.21 above, the following rules shall be followed strictly:- If the penalty awarded is 'Removal from Service' or 'Dismissal from Service' on charges of misconduct having been proved, the cases will be dealt with in the following manner:- (i) The members of staff will be entitled to free or rented accommodation for a period of 3 months or till such time as their appeals to the Chairman, Board of Governors, are disposed off, whichever is earlier.	10.22 To serve the interests of the school, without at the same time being unduly harsh to the employees who are awarded either of the penalties mentioned in paragraph 10.21 above, the following rules shall be followed strictly:- If the penalty awarded is 'Removal from Service' or 'Dismissal from Service' on charges of misconduct having been proved, the cases will be dealt with in the following manner:- (i) The members of staff will be entitled to free or rented accommodation for a period of 3 months or till such time as their appeals to the Chairman, Board of Governors/ Nominee, are disposed off, whichever is earlier.		

	(ii) For retention of accommodation beyond the period of 3 months or 15 days, as the case may be, the employee shall be required to pay penal rent at the rates fixed by the Principal which shall be at least twice the amount of assessed marked rent besides making him liable to such action as considered appropriate by the Principal for his eviction because his continuation in the premises will be deemed to be unauthorized occupation beyond the stipulated period.	(ii) For retention of accommodation beyond the period of 3 months or 15 days, as the case may be, the employee shall be required to pay penal rent at the rates fixed by the Principal which shall be at least twice the amount of assessed marked rent besides making him liable to such action as considered appropriate by the Principal for his eviction because his continuation in the premises will be deemed to be unauthorised occupation beyond the stipulated period.		
10.23	Employees in irregular occupation of quarters over and above the period, for which they were granted permission for retention of accommodation, will be charged penal rent amounting to twice the market rent. In addition, they will be liable to forcible eviction from the Premises by invoking the provisions of the Public Premises, (Eviction) Act through legal process and the cost of such action shall be recoverable from such employees.	10.23 Employees in irregular occupation of quarters over and above the period, for which they were granted permission for retention of accommodation, will be charged penal rent amounting to twice the market rent is to be charged on grounds of unauthorized occupation. In addition, they will be liable to forcible eviction from the Premises by invoking the provisions of the Public Premises, (Eviction of unauthorised occupants) Act, 1971 through legal process and the cost of such action shall be recoverable from such employees. Actions be taken against defaulting employees by the Estate Officer appointed by a duly constituted authority.	No 34(77)/10/D(SSC)- 08 Feb 2011	
10.24	<u>ENTITLEMENTS OF EMPLOYEES UNDER SUSPENSION</u> A school employee under suspension will be entitled to the following:- (a) A subsistence allowance equal to the leave salary, which the employees would have drawn if he had been on leave on half average pay. In addition, he will be paid the D.A. admissible on such leave salary. Where the period of suspension exceeds 6 months, the authority, which ordered or is deemed to have ordered this suspension, shall be competent to vary the amount of subsistence allowance for any period subsequent to the first six months as follows:-	10.24 <u>ENTITLEMENTS OF EMPLOYEES UNDER SUSPENSION</u> A school employee under suspension will be entitled to the following:- (a) A subsistence allowance equal to the leave salary, which the employees would have drawn if he had been on leave on half average pay. In addition, he will be paid the DA admissible on such leave salary. Where the period of suspension exceeds six months, the authority, which ordered or is deemed to have ordered this suspension, shall be competent to vary the amount of subsistence allowance for any period subsequent to the first six months as follows:-		

	(i) The amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during one first six months, if, in the opinion of the said authority the period of suspension has been prolonged for reasons (to be recorded in writing) not directly attributable to the school employee. (ii) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the first six months, if in the opinion of the said authority the period of suspension has been prolonged due to reasons (to be recorded in writing) directly attributable to the school employee. (iii) The rate of D.A. payable will be based on the increased or the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above. (b) Any other compensatory allowances, admissible from time to time on the basis of pay, which the school employee was in receipt of on the date of his suspension, subject to the conditions laid down for draw of such an allowance. (c) Benefit of free food furnished or un-furnished accommodation if he was entitled to it before suspension. (d) <u>Free Food and Electricity</u> An employee who is entitled to free food and certain units of free electricity will not be entitled to these benefits during the period of his suspension	(i) The amount of subsistence allowance may be increased by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during first six months, if, in the opinion of the said authority the period of suspension has been prolonged for reasons (to be recorded in writing) not directly attributable to the school employee. (ii) The amount of subsistence allowance may be reduced by a suitable amount, not exceeding 50 percent of the subsistence allowance admissible during the first six months, if in the opinion of the said authority the period of suspension has been prolonged due to reasons (to be recorded in writing) directly attributable to the school employee. (iii) The rate of DA payable will be based on the increased or the decreased amount of subsistence allowance admissible under sub-clauses (i) and (ii) above. (b) Any other compensatory allowances, admissible from time to time on the basis of pay, which the school employee was in receipt of on the date of his suspension, subject to the conditions laid down for draw of such an allowance. Benefit of free food and furnished or un-furnished accommodation if he was entitled to it before suspension.		
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	(e) <u>Restriction of movement</u> The Principal may, in the interest of the school, restrict the movements of an employee placed under suspension and prohibit him from entering any area or buildings of the school. The suspended employee will not leave the station without prior permission from the Principal in writing. (f) <u>Vacation</u> No employee will be entitled to any vacation during the period of his or her suspension. (g) In the event of revocation of suspension, which shall generally be at the stage of finalisation of the disciplinary case or earlier as a result of review of the case, the order imposing the penalty shall be on the nature of a speaking order, indicating as to how the period of suspension is to be treated for payment of full pay and allowances, taking this period as spent on duty or otherwise as the merits of the case warrant.	(e) <u>Restriction of movement</u> . The Principal may, in the interest of the school, restrict the movements of an employee placed under suspension and prohibit him from entering any area or buildings of the school. The suspended employee will not leave the station without prior permission from the Principal in writing. (f) <u>Vacation</u> No employee will be entitled to any vacation during the period of his or her suspension. (g) In the event of revocation of suspension, which shall generally be at the stage of finalisation of the disciplinary case or earlier as a result of review of the case, the order imposing the penalty shall be on the nature of a speaking order, indicating as to how the period of suspension is to be treated for payment of full pay and allowances, taking this period as spent on duty or otherwise as the merits of the case warrant.		
10.25	(h) All disciplinary cases shall be initiated and processed with urgency and the Principal shall be personally responsible to ensure that where there is need to enquire into the matter in detail, he orders a Court of Inquiry immediately which should complete its findings within a period of 30 days. All cases of defalcation in school money, funds or stores will be reported to the local police who shall be rendered full assistance to carry out their investigation. Simultaneously, a court of inquiry shall be ordered which shall apart from its findings suggest remedial measures, if any. All efforts shall be made to complete disciplinary action against the delinquent employee within a period of 3 months so that suspension of employees involved is not extended beyond 3 months.	(h) 10.25 All disciplinary cases shall be initiated and processed with urgency and the Principal shall be personally responsible to ensure that where there is need to enquire into the matter in detail, he orders a Court of Inquiry immediately which should complete its findings within a period of 30 days. All cases of defalcation in school money, funds or stores will be reported to the local police who shall be rendered full assistance to carry out their investigation. Simultaneously, a court of inquiry shall be ordered which shall apart from its findings suggest remedial measures, if any. All efforts shall be made to complete disciplinary action against the delinquent employee within a period of 3 months so that suspension of employees involved is not extended beyond 3 months.		