

WEST BENGAL SCHOOLS (RECRUITMENT OF NON TEACHING STAFF) RULES, 2005

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WEST BENGAL SCHOOLS (RECRUITMENT OF NON TEACHING STAFF) RULES, 2005

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1. Short title and commencement :-

(1) These rules may be called the West Bengal Schools (Recruitment of Non-teaching Staff) Rules, 2005.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

(1) In these rules, unless the context otherwise requires,

(a) "Act" means the West Bengal Schools (Control of Expenditure) Act, 2005 (West Ben. Act XIV of 2005);

(b) "Director", in relation to an act, means the Director of School Education, West Bengal, or an officer, not below the rank of the Additional District Inspector of Schools (Secondary Education), duly authorised by him to do the act;

(c) "District Inspector of Schools", in relation to a school, means the

District Inspector of Schools (Secondary Education) exercising jurisdiction in respect of the school;

(d) "Employment exchange", in relation to a school, means the employment exchange, under the Labour Department of the Government of West Bengal, having jurisdiction over the place where the school is situated;

(e) "Government Order" means a Government Order made in writing by the Government of West Bengal;

(f) "Headmaster", in relation to a school, means the approved Headmaster, Headmistress or Teacher-in-Charge of the school;

(g) "Member of the family", in relation to a deceased teacher or non-teaching staff, means

(i) the unemployed spouse.

(ii) an unemployed son, or;

(iii) an unemployed and unmarried daughter, of the deceased teacher or non-teaching staff,

(h) "Municipal Corporation", in relation to a school or to the family of a deceased teacher or non-teaching staff, means the Municipal Corporation having jurisdiction over the area where the school is situated or, as the case may be, where the family of the deceased teacher or non-teaching staff is residing;

(i) "Municipality", in relation to a school or to the family of a deceased teacher or non-teaching staff, means the Municipality having jurisdiction over the area where the school is situated or, as the case may be, where the family of the deceased teacher or non-teaching staff is residing;

(j) "Notified Area Authority", in relation to a school or to the family of a deceased teacher or non-teaching staff, means the Notified Area Authority having jurisdiction over the area where the school is situated or, as the case may be, where the family, of the deceased teacher or non-teaching staff is residing:

(k) "Panchayat Samiti" in relation to a school or to the family of a deceased teacher or non-teaching staff, means the Panchayat Samiti which is having jurisdiction over the area where the school is situated or, as the case may be, where the family of the deceased teacher or non-teaching staff is residing;

- (l) "Panel" means a list, prepared by a selection committee, of names of the candidates selected for the post of a non-teaching staff;
- (m) "Post" means a post of a whole-time non-teaching staff duly sanctioned under section 4 ;
- (n) "Rule" means a rule of these rules;
- (o) "School" means a school as defined in clause (m) of section 2 of the Act, but does not include a Primary Teachers" Training Institution;
- (p) "Secretary of the school authority", in relation to a school, means the secretary of governing body, managing committee, ad hoc committee or any other body, by whatever name it is called, which is charged with the management of the affairs of the school and includes the Administrator of the school;
- (q) "Section" means a section to the Act;
- (r) "Selection committee" means the selection committee referred to in rule 6 for selection of a candidate for the post of Librarian or Clerk or Group D staff in the school;
- (s) "Short-term vacancy" means a vacancy which is to continue for a period not more than one hundred thirty-five days;
- (t) "Sub-rule" means a sub-rule of the rule in which the word occurs;
- (u) "Temporary vacancy" means a vacancy caused by
- (i) extra-ordinary leave, or
 - (ii) lien, of more than one hundred thirty-five days but not more than two years;
- (v) "Vacancy" means a vacancy in the post of a non-teaching staff caused by
- (i) creation of a new post by the State Government;
 - (ii) superannuation of a non-teaching staff;
 - (iii) death of a non-teaching staff;
 - (iv) acceptance by the appointing authority of the resignation tendered by a non-teaching staff;

(v) removal or dismissal of anon-teaching staff;

(vi) extra-ordinary leave or lien granted to a non-teaching staff, or

(vii) any other reason;

(w) "Zilla Parishad", in relation to a school, means the Zilla Parishad having jurisdiction over the area where the school is situated.

(2) The words and expressions used, but not defined, in these rules and defined in the Act shall respectively have the same meanings as assigned to them in the Act.

3. Appointing authority :-

(1) In relation to the appointment of a non teaching staff, the school authority shall be the appointing authority.

(2) Nothing in sub-rule (1) shall be construed as holding the Drawing and Disbursing Officer of a school as the appointing authority.

4. Qualifications :-

(1) No person shall be appointed by a school authority as a Librarian or Clerk or a Group D staff in the school, unless the person

(a) is a citizen of India;

(b) has completed the age of eighteen years and has not completed the age of thirty-seven years on the first January of the year in which the requisition is made to the employment exchange for sponsoring by the employment exchange names of the candidates: Provided that for a candidate belonging to a reserved category or a candidate who is a member of the family of a deceased teacher or non-teaching staff, the upper age-limit shall be such as is specified for such a candidate in the relevant Government Order.

(c) possesses the qualifications as specified in sub-rule (2).

(2)

(a) The qualifications for appointment of a Librarian in a school shall be as follows-

(i) a Bachelor's Degree from a recognised University;

(ii) a Certificate, Diploma or Degree in Library Science from a .

recognised institute or University; and

(iii) ability to read and write Bengali (or Nepali in case of hill areas).

(b) The qualifications for appointment of a Clerk in a school shall be as follows:

(i) a Certificate of passing Madhyamik Examination (or equivalent) from a recognised Board or Council:

Provided that a Certificate in Typewriting shall be a desirable qualification for the post; and

(ii) ability to read and write Bengali (or Nepali in case of hill areas);

(c) The qualifications for appointment of a Group D staff in a school shall be as follows:

(i) a Certificate of passing class VIII from a recognised school; and

(ii) ability to read and write Bengali (or Nepali in case of hill areas).

Explanation. For the purposes of this sub-rule, "recognised" means recognised by or under law or recognised by a body established by or under law.

5. Method of recruitment :-

(1) The recruitment of a Librarian or Clerk or a Group D staff of a school shall be made on the basis of selection (direct recruitment).

(2) There shall be a selection committee for selection of a candidate for the post of Librarian or Clerk or Group D staff in a school, as the case may be, whenever an occasion for recruitment to the post of Librarian or Clerk or Group D staff in the school, as the case may be, arises.

6. Selection committee :-

(1)(a) For selection of a Librarian in a school, the selection committee shall consist of the following:

(i) Headmaster

(ii) Secretary of the school authority:

Provided that if the Headmaster and the Secretary of the school authority are one and same person, the President of the school authority shall be the member of the selection committee:

Provided further that nothing in the last preceding proviso shall be

applicable in case there is an Administrator of the school,

(iii) Headmaster of a school situated in the same sub-division as the school for which the Librarian is to be selected is situated,

(iv) an expert who is a Librarian or Teacher of Library Science of a Government or Government sponsored institute or recognised institution or University situated in the same sub-division or, if a suitable expert as such is not so available, in the same district as the school for which the Librarian is to be selected is situated:

Provided that no Librarian or Teacher of Library Science shall be called in as the expert unless he has a Diploma or Degree from a recognised institute or University and five years' experience as such, and

(v) (a) nominee of the Panchayat Samiti or, in absence of the Panchayat Samiti a member of the school authority: Provided that no person who is a staff of a school shall be nominated as the nominee;

(b) for the selection of a Clerk or a Group D staff in a school, the selection committee shall consist of the following:

(i) Headmaster,

(ii) Secretary of the school authority:

Provided that if the Headmaster and the Secretary of the school authority are one and same person, the President of the school authority shall be the member of the selection committee:

Provided further that nothing in the last preceding proviso shall be applicable in case there is an Administrator of the school.

(iii) Headmaster of a school in the same sub-division as the school for which the Clerk or the Group D staff is to be selected is situated, and

(iv) a nominee of the Panchayat Samiti or, in absence of the Panchayat Samiti a member of the school authority:

Provided that no person who is a staff of a school shall be nominated as the nominee.

Explanation. For the purposes of this sub-rule, "recognised" means recognised or established by or under law or recognised by a body established by or under law.

(2) The Headmaster referred to in sub-clause (iii) of clause (a) of sub rule (1) and in sub-clause (iii) of clause (b) of sub-rule (1) shall be selected by the school authority.

(3) The expert referred to in sub-clause (iv) of clause (a) of sub-rule(1) shall be called in by the school authority.

(4)The nominee referred to in sub-clause (v) of clause (a) of sub rule(l) and in sub-clause (iv) of clause (b) of sub-rule (1) shall be nominated by the Sabhapati of the Panchayat Samiti and the member referred to in sub-clause (v) of clause (a) of sub-rule (1) and in sub-clause (iv) of clause (b) of sub-rule (1) shall be selected by the school authority.

(5)

(a) No person who is related, by blood, marriage or adoption, to a candidate to be interviewed by a selection committee shall act as a member of the selection committee.

(b) The selection committee shall, along with every panel, submit to the District Inspector of Schools a certificate indicating the actual position to that effect.

7. Selection committee in case of newly set up school :-

(1) In case of a newly set up school,

(a)for selection of a Librarian, the selection committee shall consist of the following:

(i) Secretary of the school authority,

(ii) Headmaster of a school situated in the same sub-division as the school for which the Librarian is to be selected is situated,

(iii) an expert who is a Librarian or Teacher of Library Science of a Government or Government sponsored institute or recognised institution or University situated in the same sub-division or, if a suitable expert as such is not so available, in the same district as the school for which the Librarian is to be selected is situated:

Provided that no Librarian or Teacher of Library Science shall be called in as the expert unless he has a Diploma or Degree from a recognised institute or University and five years' experience as such

(iv) a nominee of the Panchayat Samity or in absence of the Panchayat Samiti, a member of the school authority other than the

Secretary thereof Provided that no person who is a staff of a school shall be nominated as the nominee, and

(v) a nominee of the District Inspector of Schools:

(b) for selection of a Clerk or a Group D staff, the selection committee shall consist of the following:

(i) Secretary of the school authority;

(ii) Headmaster of a school situated in the same sub-division as the school for which the Librarian is to be selected is situated;

(iii) a nominee of the Panchayat Samity or, in absence of the Panchayat Samiti, a member of the school authority other than the Secretary thereof:

Provided that no person who is a staff of a school shall be nominated as the nominee, and

(iv) a nominee of the District Inspector of Schools.

Explanation. For the purposes of this sub-rule, "recognised" means recognised or established by or under law or recognised by a body established by or under law.

(2) The Headmaster referred to in sub-clause (ii) of clause (a) of sub-rule (1) and in sub-clause (ii) of clause (b) of sub-rule (1) shall be selected by the school authority.

(3) The expert referred to in sub-clause (iii) of clause (a) of sub-rule (1) shall be called in by the school authority.

(4) The nominee referred to in sub-clause (iv) of clause (a) of sub-rule (1) and in sub-clause (iii) of clause (b) of sub-rule (1) shall be nominated by the Sabhapati of the Panchayat Samiti and the member referred to in sub-clause (iv) of clause (a) of sub-rule (1) and in sub-clause (iii) of clause (b) of sub-rule (1) shall be selected by the School authority.

(5)

(a) No person who is related, by blood, marriage or adoption, to a candidate to be interviewed by a selection committee shall act as a member of the selection committee.

(b) The selection committee shall, along with every panel, submit to the District Inspector of Schools a certificate indicating the actual

position to that effect.

8. General procedure :-

(1)

(a) No appointment of a non-teaching staff shall be made unless there is a post for the same.

Provided that no sanction shall be necessary for appointment against a short-term vacancy.

(2)

(a) Each District Inspector of Schools shall maintain a roster wherein he shall enter, after examination of all relevant records, name of a member of the family of a teacher or non-teaching staff who died in harness leaving his family in extreme financial hardship and the family is in need of immediate financial assistance.

(b) For appointment in the death-in-harness category, the preference shall be given to the unemployed spouse of the deceased teacher or non-teaching staff over his unemployed sons and unemployed and unmarried daughters and, in absence of the unemployed spouse of the deceased teacher or non-teaching staff, to the unemployed sons of the deceased teacher or non-teaching staff over unemployed and unmarried daughters of the deceased teacher or non-teaching staff:

Provided that, on request of the family of the deceased teacher or non-teaching staff, the preference may, in exceptional circumstances, with the prior permission of the Director, be changed.

(c) Only one member of the family of the deceased teacher or non-teaching staff shall, subject to fulfillment of the conditions specified in these rules, or any order issued by the State Government in this behalf for the time being in force, be eligible for appointment in the death-in-harness category.

(d) A certificate from the Sabhapati of the Panchayat Samiti or the Chairman of the Municipality, Notified Area Authority or, as the case may be, Municipal Corporation to the effect that the family of a deceased teacher or non-teaching staff is in extreme financial hardship and is in need of immediate financial assistance shall be a relevant document for considering the appointment in the death-in-

harness category of a member of the family.

(3)

(a) When a vacancy in a post occurs, the school authority shall make an application with relevant papers to the District Inspector of Schools.

(b) The District Inspector of Schools shall, on receipt of the application from the school authority, sponsor, in accordance with the seniority from the date of entry of names of the candidates in the roster, as many candidates as may be available in the roster; but the total candidates so sponsored shall not be more than three:

Provided that in case of a vacancy in a post in a school where a deceased teacher or non-teaching staff had been working at the time of his death, name of a member of the family of the deceased teacher or non-teaching staff who suits the qualifications for the post, shall, irrespective of the seniority in the roster, be sponsored by the District Inspector of Schools:

Provided further that, even if a permission for change of the preference is given, the seniority shall be reckoned from the date of entry of the original name in the roster:

Provided also that the District Inspector of Schools shall not sponsor the name of a candidate, unless there is a Government Order, for the time being in force, authorising an appointment in the death-in-harness category.

(c) The selection committee shall, within thirty days from the date of receipt of names of the candidates sponsored by the District Inspector of Schools, consider in the death-in-harness category the candidates and, within fifteen days of the date of interview, prepare a panel and submit the same to the District Inspector of Schools.

(d) A one-man panel may be prepared in case there is only one candidate in the death-in-harness category.

(e) If the District Inspector of Schools finds, on receipt of the application from the school authority, that no name of a candidate is to be sponsored for appointment in the death-in-harness category, he shall accord sanction to requisition names of the candidates from the employment exchange.

(4)

(a) For appointment against a short-term vacancy, the selection committee shall invite applications through a notice which shall be displayed in the notice board of the school and the District Inspector of Schools and of the Panchayat Samity, Municipality, Notified Area Authority or, as the case may be. Municipal Corporation and of the Zilla Parishad, allowing not less than fifteen days for submission of the applications from the date of displaying the notice.

(b) For appointment against a temporary vacancy, an advertisement with complete postal address of the school and other relevant particulars shall be made in a daily newspaper having circulation throughout the State.

(5)

(a) On receipt of the sanction from the District Inspector of Schools, the school authority shall make a requisition to the employment exchange for sponsoring, within forty-five days, names of the candidates.

(b) In case of receipt of a non-availability certificate from the employment exchange, the school authority shall, under intimation to the District Inspector of Schools, make an advertisement with complete postal address of the school and other relevant particulars in a daily newspaper having circulation throughout the State.

(6)

(a) Every District Inspector of Schools shall maintain a roster to record names of the approved non-teaching staff and forward names of the eligible candidates from among those non-teaching staff for interview along with the candidates who have been sponsored by the employment exchange or have applied following the notice or advertisement.

(b) The candidature of a staff of a school shall not be considered if he, at the time of interview, fails to produce a no-objection certificate from the Secretary of the school authority.

(7)

(a) In case of the candidates sponsored by the employment exchange, all the candidates shall be called for interview.

(b) In case of the applications received following the notice or advertisement, if the number of applications received by the selection committee is more than ten, a preliminary screening and a short list may be made by the selection committee on the basis of the marks obtained in the relevant examination or examinations and all the shortlisted candidates shall be called for interview.

(c) The candidates shall be called for interview by registered letters with acknowledgement due.

(d) A record of the receipt of names through employment exchange or of applications following the notice or advertisement shall be preserved by the school authority.

(8)

(a) Once the date of interview has been fixed up and communicated to any of the candidates, the interview shall not be postponed except for the reason of a severe emergency or natural calamity.

(b) If the interview is postponed, the selection committee shall forthwith communicate the fact to the District Inspector of Schools and shall obtain his approval (but not his sanction afresh) for holding the interview on any other date.

(9)

(a) All the candidates who turn up for the interview shall, before the interview, be required by the selection committee to record their attendance on a sheet of paper.

(b) The selection committee shall sign on the call letter of every candidate who appeared at the interview and shall, along with every panel, submit to the District Inspector of Schools a certificate to that effect.

9. Allotment of marks :-

(1)

(a) For selection of a Librarian in a school,

(i) full marks for possessing the qualifications shall be as follows:

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(A)	Certificate of passing <small>Madhyamik</small> Examination (or equivalent)	10 marks
(B)	Certificate of passing Higher Secondary Examination [or equivalent including old Higher Secondary Examination (class XI)]	10 marks
(C)	Bachelor's Degree	10 marks

(D)	Certificate in Library Science or	10 marks
	Diploma in Library Science or	15 marks
	Degree in Library Science	20 marks

(ii) full marks for the interview shall be 5 marks.

(b) The marks to be awarded to a candidate for each qualification shall be computed by multiplying the full marks for possessing that qualification by the percentage of marks obtained by the candidate in the respective examination.

(2)

(a) For selection of a Clerk in a school,

(i) full marks for possessing the Certificate of passing Madhyamik Examination (or equivalent) shall be 10 marks;

(ii) full marks for possessing the skill of typewriting shall be 5 marks:

(iii) full marks for the interview shall be 5 marks.

(b) The marks to be awarded to a candidate for possessing the Certificate of passing Madhyamik Examination (or equivalent) shall be computed by multiplying full marks for possessing that Certificate by the percentage of marks obtained by the candidate in the Madhyamik Examination (or equivalent).

(3) For selection of a Group D staff in a school,

(a) full marks for possessing the skill of reading shall be 5 marks;

(b) full marks for possessing the skill of writing shall be 5 marks;

(c) full marks for the interview shall be 5 marks.

(4) Each member of the selection committee shall record separately in his itemwise score sheet the marks awarded for that item to each candidate by him.

(5)

(a) The total marks awarded to each candidate by each member of the selection committee shall be computed and then the average of all the total marks awarded to each candidate by all the members of the selection committee shall be computed and finally a panel of three candidates who has scored the highest total marks in average shall, with names of such candidates arranged in order of the merit, be prepared.

(b) If two or more candidates score equal total marks in average, such of those candidates who is senior most in age shall be preferred over the others.

(c) A panel of less than three candidates may be prepared for only a post reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes or other backward classes, if only less than three suitable candidates belonging to that category are available.

Explanation. For the purposes of this sub-rule, "total marks", in relation to a candidate, means the total marks awarded for all the items to the candidate.

(6) No second list of names of the candidates shall be obtained from the employment exchange.

(7)

(a) The selection committee shall, within fifteen days from the date of the interview, prepare a panel and submit the same to the appointing authority.

(b) The appointing authority shall, within fifteen days from the date of submission of the panel by the selection committee, examine the panel and, along with all relevant papers, submit the same to the District Inspector of Schools for his approval.

(c) The District Inspector of Schools shall, within one month from the date of receipt of the panel, convey his decision thereon.

(8) A panel of short-term vacancy or temporary vacancy shall be prepared and got approved in the manner as specified in sub-rule(7).

(9) Noting in this rule shall be construed as authorising a selection committee, in selecting a candidate for the post of Librarian or Clerk or Group D staff in a school, to award extra marks to the candidate for possessing a qualification higher than a qualification specified in sub rule (2) of rule 4.

10. Validity of panel :-

A panel shall remain valid for two years from the date of approval of the panel by the District Inspector of Schools.

11. Appointment :-

(1)

(a) On getting approval of a panel from the District Inspector of Schools, the appointing authority shall, within fifteen days from the date of getting the approval, issue appointment letter on an inland letter to the first empanelled candidate and send the same to the candidate by registered post with acknowledgement due.

(b) If any candidate fails to join the service within three months from the date of receipt of the appointment letter or abandons the offer of the appointment, the next empanelled candidate shall, if the validity period of the panel has not expired, be offered the appointment.

(c) Name of each candidate who does not join the service within three months from the date of receipt of the appointment letter shall be struck off from the panel.

(2) Before letting a candidate who has been a staff of a school to

join the service, the appointing authority shall ensure that the candidate has duly been released from that school.

(3)

(a) The appointing authority shall, within fifteen days of joining of the service by a candidate, submit papers to the District Inspector of Schools for approval of the appointment and the District Inspector of Schools shall, within one month, convey his decision thereon.

(b) In the letter of approval. District Inspector of Schools shall mention the name and qualifications of the candidate, the scale of pay and the nature of vacancy against which the appointment has been approved.

12. Interpretation :-

(1) If any question arises regarding any decision of the District Inspector of Schools, the school authority may refer the question, through the District Inspector of Schools, to the Director for his decision thereon: and the decision taken by the Director shall be final.

(2) In regard to interpretation of any expression in or provision of these rules, the decision of Director shall be final.