

PUNJAB AIDED SCHOOLS (SECURITY OF SERVICE) ACT, 1969

1969 : Pb. Act 19] AIDED SCHOOLS (SECURITY or SERVICE) THE PUNJAB AIDED SCHOOLS (SECURITY OF SERVICE) ACT, 1969 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH contents of title, extent and commencement Definitions 557 6 Procedure of punishing employees of aided schools Director's power to stop, reduce or suspend aid. Protection of action taken in good faith. Power to remove difficulties Power to make rules 1969 : Pb. Act 19] AIDED SCHOOLS (SECURITY OF SERVICE) THE PUNJAB AIDED SCHOOLS (SECURITY OF SERVICE) ACT 1969 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH PUNJAB ACT 19 OF 1969 Year 1969 Short title 19 4 affected by Extended to the Union Territory of Chandigarh by Government India. Ministry of Home Affairs NO. GSR 2214 dated 27th August. 1971 An Act to provide for the security of service to the employees of aided schools BE it enacted by the Legislature of the State of Punjab in the twentieth Year of the Republic of India as follows 1. (1) This Act may be called the Punjab Aided Schools (Security of Service) Act 1969. (2) It extends to the whole of the Union Territory of Chandigarh. (3) It shall come into force on such date, as the Administrator may, by notification in the Chandigarh Gazette appoint. 2. In this Act, unless the context otherwise requires- (a) "Administrator" means the Administrator of the Union Territory of Chandigarh appointed by the President under article 239 of the Constitution of India; (b) "Commissioner" means the Commissioner of Chandigarh Division and includes any other officer authorised by the Administrator to exercise the powers of the Commissioner under this Act; (c) "Deputy Commissioner" means the Deputy Commissioner of Chandigarh District and includes any other officer authorised by the Administrator to exercise the powers of the Deputy Commissioner under this Act; (d) "Director" means the Director of Public Instruction, Chandigarh, and includes any other officer authorised by the Administrator to exercise the powers of the Director under this Act; (e) "employee" means a person in whole-time employment of an aided school. 3. No employee shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges and where it is proposed, after such inquiry, to impose on him any such penalty, until he has been given reasonable opportunity of making representation on the penalty proposed, but only on the basis of the evidence adduced during such inquiry. (4) No order of dismissal or removal or reduction in rank of an employee shall take effect unless it has been confirmed by the Deputy Commissioner who may refuse to do so, if in his opinion, the provisions of sub-section (1) have not been complied with. (5) Nothing in sub-section (1) or sub-section (2) shall apply to an employee who is dismissed or removed or reduced in rank on the ground or conduct which has led to his conviction on a criminal charge. 4. An employee against whom an order of the nature specified in sub-section (1) is passed without or with the provisions of sub-section (1) or sub-section (2) may, within a period of thirty days of the date of communication of the order, make an application to the Deputy Commissioner challenging such an order on the ground that he is an employee to whom the provisions of sub-section (1) and sub-section (2) apply and the Deputy Commissioner may, after giving the parties an opportunity of being heard and after making such further inquiry as he may think fit, make an order reversing or modifying the order appealed against. 5. Any person aggrieved by any decision or order made by the Deputy Commissioner under this section may, within a period of thirty days from the date of communication to such person of the decision or order, refer an appeal to the Commissioner who may after giving the parties an opportunity of being heard, and after making such further inquiry, if any, as he may consider necessary, pass such order as he thinks fit, confirming, modifying or reversing his decision or order appealed against. (6) The order passed by the Commissioner under sub-section (5) and subject only to such an order as may be made by the Deputy Commissioner under sub-section (2) or sub-section (4) shall be final and binding on the parties. 5. The Director may, if he is satisfied that it is necessary, suspend the aid of an aided school for violation of any of the provisions of this Act or of any rules made or suspended thereunder or of any order passed under this Act, by the Managing Committee. 6. The Director shall give a reasonable opportunity to the Managing Committee to show cause against the action proposed to be taken.

5. No suit, prosecution or other legal proceedings shall lie against the Government or the Administrator in respect of any action taken in good faith. Any authority or officer appointed under this Act shall not be liable in respect of any action taken in good faith done or intended to be done in pursuance of this Act. If in giving effect to the provisions of this Act, the Administrator may, by order do anything not inconsistent with such provisions which appear to him to be necessary or expedient for the purpose of the Act. The Administrator may, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

