

>kj[k.M ljdkj }kjk izdkf'kr

1 / 8

- 3- $\frac{1}{4}3\frac{1}{2}$ ^^U;k;kf/kdj.k^^ ls vfHkizsr gS vf/kfu;e dh /kkjk 3 esa
ifjHkkf"kr >kj[k.M f'k{kk U;k;kf/kdj.k;
- 4- $\frac{1}{4}p\frac{1}{2}$ ^^vkosnd^^ ls vfHkizsr gS og i{kdkj tks vf/kfu;e dh /kkjk 9
viuh f'kdk;r ds ckjs esa vkosnu izLrqr djrk gS;
- 5- $\frac{1}{4}N\frac{1}{2}$ ^^izfroknh^^ ls vfHkizsr gS O;fDr tks vkosnu dh f'kdk;r dk
- 6- $\frac{1}{4}t\frac{1}{2}$ ^^oSf/kd O;olk;h^^ dk vFkZ ogh gksxk tks bls fy,
1961 $\frac{1}{4}1961$ dk $25\frac{1}{2}$ esa fofgr gS;
 $\frac{1}{4}>\frac{1}{2}$ ^^oSf/kd izfrfuf/k^^ ls vfHkizsr gS og O;fDr tks fof/k ds
ds tk;nkn dk izfrfuf/kRo djrk gS vkSj blesa og O;fDr Hkh
lfEefyr gS ftlesa vkfFkZd] lsokfuo`fUktU;] lsokUr vFkok
vU; ykHk vFkok ikfjokfjd isa'ku fufgr gS;
 $\frac{1}{4}'\frac{1}{2}$ ^^izi=^^ ls vfHkizsr gS fu;ekoyh dh vuqlwph & ^^[k^^ esa
 $\frac{1}{4}V\frac{1}{2}$ os 'kCn vkSj vfHkO;fDr;kj tks bl fu;ekoyh esa iz;qDr gqbZ
ifjHkkf"kr ugha dh xbZ gSa rFkkfir tks vf/kfu;e esa
ifjHkkf"kr gSa] mudk ogh vFkZ gksxk tks vf/kfu;e esa muds
fy, fu/kkZfjr gSa
U;k;kf/kdj.k ds dk;Z fnol ,oa dk;kZy; vof/k&
>kj[k.M f'k{kk U;k;kf/kdj.k ds dk;Z fnol ,oa dk;kZy;&vof/k
ogh gksxh tks >kj[k.M jkT; ljdkj ds dk;kZy;ksa dh gksxhA
eqgj ,oa izrhd fpUg &
U;k;kf/kdj.k dh dk;kZy; eqgj vkSj izrhd fpUg ogh gksaxs tks
jkT; ljdkj fofgr djsxhA
v/;{k dk osru ,oa HkÙks&
 $\frac{1}{4}d\frac{1}{2}$ mPp U;k;ky; ds U;k;k/kh'k dks vuqekU; osru] HkÙks rFkk
;fn v/;{k ekuuh; mPp U;k;ky; ds lsokfuo`Ùk U;k;k/kh'k gSa
 $\frac{1}{4}[k\frac{1}{2}$ og osrueku tks os viuh lsokfuo`fUk ds le; izklr dj jgs Fks
lsokfuo`Ùk lfpo Lrj ds inkf/kdkjh gSa]
ijarq ;fn v/;{k ds :i esa fu;qfDr ds le; lacaf/kr O;fDr
isa'ku] miknku] va'knk;h Hkfo"; fuf/k vFkok vU; jhfr ls
lsokfuo`fUk ds ykHk izklr dj jgs gSa vFkok mlds fy, vgZrk
izklr gSa rks fu;ekoyh esa fofufnZ"V osru esa ls isa'ku dh
;ksxjfk'k $\frac{1}{4}$ isa'ku ds mDr va'k lfgr tks fd :ikarfjr fd;k x;k
gksxk $\frac{1}{2}$,oa lsokfuo`fUk ykHk ds vU; izdkjksa ds lerqY; ;fn dksbZ
isa'ku gks rks mldh jkf'k ?kVk nh tk;sxhA
lnL;ksa ds osru ,oa HkÙks&
lnL;ksa dks fuEufyf[kr osru ,oa HkÙks rFkk vU; ifjyfC/k;kj
 $\frac{1}{4}d\frac{1}{2}$ og osrueku tks og lsokfuo`fUk ds le; izklr dj jgs Fks ;fn
lsokfuo`Ùk dqyifr vFkok izksQslj vFkok jkT; f'k{kk lsok
 $\frac{1}{4}[k\frac{1}{2}$ og osrueku tks og fu;qfDr ds le; izklr dj jgs Fks ;fn og ,d
lsokjr inkf/kdkjh gSaA
 $\frac{1}{4}x\frac{1}{2}$ jkT; ljdkj ds vij lfpo Js.kh ds inkf/kdkjh dks vuqekU;
vU; mnuq;i HkÙks rFkk ifjyfC/k;kj]
ijarq ;fn lnL; ds :i esa fu;qfDr ds le; lacaf/kr O;fDr
isa'ku] miknku] va'knk;h Hkfo"; fuf/k vFkok vU; jhfr ls
lsokfuo`fUk ds ykHk izklr dj jgs gSa vFkok mlds fy, vgZrk

izkIr gSa rks fu;ekoyh esa fofufnZ"V osru esa lsisa'ku dh
;ksxjfk'k ¼isa'ku ds mDr va'k lfgr tks fd :ikarfjr fd;k x;k
gksxk½ ,oa lsokfuo`fÜk ykHk ds vU; izdkjksa ds lerqY; ;fn
dksbZ isa'ku gks rks mldh jkf'k ?kVk nh tk;sxhA

7- U;k;kf/kdj.k ds deZpkjh &

8- >kj[k.M f'k{kk U;k;kf/kdj.k ds

9- inkf/kdkfj;ksa@deZpkfj;ksa dh dksfV] la[;k ,oa osrueku ogha

gksaxs tks jkT; ljdkj }kjk fofgr fd;s tk;saxsA

v/;{k dh foÜkh: 'kfDr;k; &

**¼i½ v/;{k dks jkT; ljdkj }kjk fof/kor~ vuqeksfnr ctVh; mica/k
jkf'k O;; djus dh iw.kZ foÜkh; 'kfDr;k; gksaxhA**

**¼ii½ v/;{k foÜk foHkkx }kjk le;≤ ij fofgr ,oa ifjHkkf"kr
fu;eksa dk vuqikyu djrs gq, jkf'k dk O;; djsaxsA**

¼iii v/;{k nSukuqfnu dk;ksZa ds fu"iknu ds fy, U;k;kf/kdj.k ds

lnL;@inkf/kdkjh dks viuh foÜkh; 'kfDr;k; izR;k;ksftr dj

ldasxsA vf/kfu;e ds varxZr vuqlj.kh; izfØ;k;&

**¼i½ vkosnu i= vuqlwfp ^^d^^ esa fofgr vkosnu&izi= esa
ds varxZr vaxzsth vFkok fgUnh esa lkQ lqFkjs <ax ls
vPNh xq.koÜkk ds ,d eksVs dkxt ij i "B ds ,d rjQ Vafdr ,oa
leFkZukRed 'kiFk&i= ds lkFk lefiZr fd;k tk;sxx]**

**ijarq ;fn vkosnu i= vaxzsth vFkok fgUnh ls fHkUu
fdlh vU; Hkk"kk esa gS rks mlds lkFk vaxzsth vFkok
fgUnh esa vuqokfnr izfr layXu dh tk;sxhA**

**¼ii½ tek fd, x, vkosnu&i= ds lkFk nks vfrfjDr izfr;k; rFkk izR;sd
izfroknh ds fy, ,d izfr ,oa lacaf/kr izfrokn;ksa ds iwjs irs ds
lkFk iw.kZ vkdkj ds viz;qDr fyQkQs Hkh vo'; gksaxsA**

**¼iii U;k;kf/kdj.k ds le{k vkosnd mUgha fo"k;ksa ls lacaf/kr
djsaxs tks vf/kfu;e dh /kkjk 8 esa fofufnZ"V gSaA vkosnu
i= vkosnd }kjk Lo;a vFkok fdllh izfrfuf/k vFkok fdllh
fof/kor~ izkf/kd`r oSf/kd O;olk;h ds ek;/e ls inukfer
fuca/kd@inkf/kdkjh vFkok mls izkIr djus ds fy, fuca/kd
}kjk fyf[kr :i ls izkf/kd`r fdllh vU; inkf/kdkjh ds le{k lefiZr
ikorh ds lkFk fucaf/kr Mkd ls Hkstk**

¼iv½ tk;sxxA U;k;kf/kdj.k dh Hkk"kk

**¼v½ mifu;e¼i½ls ysdj¼iv½ rd esa fofgr izko/kkuksa ds gksrs
U;k;kf/kdj.k izkfFkZr jkgr ds dkj.k ,oa izd`fr dks n`f"Vxr dj
bl fcUnq ij laru"V gS fd ,d ls vf/kd O;fDr;ksa ds fgr
fo"k;k/khu ekeys ls tqM+s gq, gSa rks mu O;fDr;ksa dks
djus dh vuqefr iznku dj ldrk gSA**

**¼vi½ vkosnu i= izkIr djus ds mijkar fuca/kd mls fof/kor~ iath
djsaxs] ml ij ,d Øfed la[;k nsaxs rFkk voyksdu ,oa Lohd**

ds fy, mls v/;{k dks izsf"kr djsaxsA

10- lwpuk dh rkehy&

11- $\frac{1}{4}i\frac{1}{2}$ U;k;kf/kdj.k fuEufyf[kr i)fr;ksa esa fdlh Hkh i)fr ls lwpuk fuxZr dj

$\frac{1}{4}d\frac{1}{2}$ i{kdkj ds ek/e ls

$\frac{1}{4}[k\frac{1}{2}$ gkFkksa gkFk

$\frac{1}{4}x\frac{1}{2}$ ikorh i=d ;qDr fucaf/kr Mkd ds }kjk

ijarq ;fn mi;qZDr i)fr;ksa ls lwpuk lacaf/kr O;fDr dks

izkIr ugha gksrh gS rks lacaf/kr i{kdkj dh lgeftr vkSj mlds

[kpsZa ij v/;{k lwpuk dks nks nSfud lekpkj&i=ksa esa

yxkrkj rhu fnu izdkf'kr djsaxs vkSj bls lacaf/kr izfrokfn;ksa

dks fof/kor ,oa ekU; jhfr ls izkIr dj;k h xbZ lwpuk ekuk

$\frac{1}{4}ii$;fn vU;Fkk vkns'k ugha fd;k x;k gks rks U;k;kf/kdj.k }kjk

lwpuk ds lkFk vkosnu i= rFkk fookfnr vkns'k dh ,d izfr

layXu gksxh] iarq terd vkosnu i= dh lwpuk ml

izkf/kdkjh dks ugha izkIr djkbZ tk;sxh ftUgksaus ml vkns'k

dks ikfjr fd;k gS ftlds fojks/k esa vkosnu i= lefiZr fd;k x;k

ugha dh tk;sxhA

$\frac{1}{4}iii$ v/;{k ds }kjk lkekU; vFkok fo'ks"k vkns'k }kjk fufnZ"V

U;k;kf/kdj.k lacaf/kr i{kdkjksa dks vkosnu i= dh lquokbZ

LFky lalwfpr djsxA

$\frac{1}{4}iv$ izR;sd vkosnu i= ;FkklaHko bls fuca/ku dh frfFk ds N%

lqu fy;k tk;sxk vkSj ml ij fu.kZ; ys fy;k tk;sxkA

$\frac{1}{4}v$ U;k;kf/kdj.k ds ikl LFkxu ?kksf'kr djus ,oa ekSf[kd cgl ds

lhfer djus dh 'kfDr gksxhA

vkosnu&i= dh lquokbZ ,oa fuLrkj&

,sls ekeys ftuesa lwpuk fof/kor~ fuxZr dh xbZ gks rFkk

v/;{k bl ckr ls larq"V gksa fd izfrokfnh tkucw>dj lquokbZ ds

vlg;ksxkRed joS;k viuk jgs gSa v/;{k vkosnu i= ij lquokbZ dj ,drjQk

vkns'k ikfjr dj ldsaxsA

12- dfBukbZ dks nwj djus dh 'kfDr&

;fn bu fu;eksa dks izHkkoh djus esa dksbZ dfBukbZ

mRiUu gks rks jkT; ljdkj dks bl ekeys esa dksbZ funsZ'k ikfjr

djus dh 'kfDr izkIr gksxh tks bl fu;e ds izko/kku ls vlaxr u gksA

>kj[k.M jkT;iky ds vkns'k ls

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vuqlwph ^^d^^

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1- vkosnd dk uke o iwjk irk %&

2- fojks/kh i{k dk uke o iwjk irk %&

- 3- vkjksi dk laf{kIr fooj.k %&
- 4- vkjksi ds laca/k esa lk{; %&
- 5- vkosnd dk gLrk{kj ,oa frfFk %&

vf/klwpuk

6 tqykbZ] 2006

la[;k 2@fo 1&193@05@1155&>kj[k.M f'k{k U;k;kf/kdj.k vf/kfu;e] 2005 dh /kkjk 20 ,oa 21 }kjk izn'Uk 'kfDr;ksa dk iz;ksx djrs gq, jkT; ljdkj }kjk ;Fkk vuqeksfnr fuEukafdr vaxzsth vuqokn bls }kjk izdkf'kr fd;k tkrk gS ftls Hkkjrh; lafo/kku ds vuqPNs 348 ds [k.M ¼3½ ds v/khu mDr fu;ekoyh dk vaxszth Hkk"kk esa izkf/kd`r ikB le>k tk,xkA

JHARKHAND EDUCATION TRIBUNAL RULES, 2006

In exercise of the powers conferred by Section 20 and 21 of the Jharkhand Education Tribunal Act, 2005 the Government hereby makes the following Rules, namely The Jharkhand Education Tribunal Rules, 2006.

1. **SHORT TITLE, EXTENT AND COMMENCEMENT :-**

- i) These Rules may be called “The Jharkhand Education Tribunal Rules, 2006”. ii) They shall come into force with effect from the day on which these rules are notified in the official Gazette.
- iii) These Rules shall be effective in whole of Jharkhand State.

2. **DEFINITIONS :-** In these rules, unless the context otherwise requires :-

- a) “Act” means the Jharkhand Education Tribunal Act, 2005 ;
- b) "State" means the Jharkhand State and State Government means the State of Jharkhand;
- c) "Section" means the section of the Act.; d) "Member" means member of the Jharkhand Education Tribunal including the "Chairman. ";
- e) "Tribunal " means Jharkhand Education Tribunal as defined in section 3 of the Act.
- f) Applicant means a party which makes an application regarding his grievances defined in Section 9 of the Act ;
- g) "Respondent" means the person who answers the complaint of the applicant; h) "Legal practitioner" shall have the same meaning as is assigned to it in the Advocates Act 1961. (25 of 1961);
- i) “Legal representative” means a person who in law represents the estate of a deceased person and includes person in Whom the right to receive pecuniary, retirement, terminal or other benefits or family persons vests ;
- j) "Form” means a form specified in Appendix ‘A’ to this rule;
- k) "Words" and "Expressions” used in the Rule and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

(3) WORKING DAYS AND OFFICE HOURS OF THE TRIBUNAL:-

The working days and office Hours of the Jharkhand Education Tribunal shall be the same as of the Jharkhand State Government offices.

(4) SEAL AND EMBLEM:-

The office “seal” and “emblem” of the Tribunal shall be such as prescribed by the State Government.

(5) PAY AND ALLOWANCES OF THE CHAIRMAN

The Chairman shall be entitled to such pay and allowances and other perks as admissible to :

(a) The High Court judge in case the Chairman is a retired judge of the Hon'ble High Court.

(b) The pay scale he was drawing at the time of his retirement in case the chairman is a retired secretary rank officer.

Provided that if at the time of appointment as Chairman, the concerned person was in receipt of or had become entitled to receive retirement benefits by way of pension, gratuity, contributory Provident fund or otherwise, the pay specified in the rules shall be reduced by the gross amount of pension (including any portion of the pension which may have been commuted) and the pension equivalent of other forms of retirement benefits, if any.

(6) PAY AND ALLOWANCES OF THE MEMBERS

The member shall be entitled to such pay and allowances and other perks as admissible to :

(a) the pay scale he was drawing at the time of his retirement in case the member is a retired Vice Chancellor or Professor or State Education service officer.

(b) the pay scale he was drawing at the time of appointment in case he is a serving officer.

(c) the scale and other corresponding allowances and perks admissible to an Additional Secretary rank officer in the State Government.

Provided that if at the time of appointment as member, the concerned person was in receipt of or had become entitled to receive retirement benefits by way of pension, gratuity, contributory Provident fund or otherwise, the pay specified in the rules shall be reduced by the gross amount of pension (including any portion of the pension which may have been commuted) and the pension equivalent of other forms of retirement benefits, if any.

(7) STAFF OF THE TRIBUNAL:

The Category, Number and pay scale of the officers/staff of the Jharkhand Education Tribunal will be as prescribed by the State Government.

(8) FINANCIAL POWERS OF THE CHAIRMAN :

(i) The Chairman shall have full financial powers to spend the money within the budgetary provision duly approved by the State Government.

(ii) The chairman shall spend the money following the financial rules prescribed and defined by the Finance department from time to time.

(iii) The Chairman may delegate his financial powers to any member/officer of the Tribunal for discharge of routine functions.

(9) PROCEDURES TO BE FOLLOWED UNDER THE ACT :

i) An application, neatly typed either in English or Hindi on one side of a thick paper of good quality and supported by an affidavit, shall be filed u/s 9 of the Act in the form of Application as prescribed in Appendix ‘A’ .

Provided that if the application is in a language other than English or Hindi a translated copy of application either in English or Hindi should be attached therewith.

- ii) An application so filed must be accompanied by two extra copies plus one copy for each respondent and together with unused full sized envelopes bearing the full addresses of the respondents concerned.
- iv) An application to the Tribunal shall be presented by applicant only regarding matters specified in section 8 of the Act in person or by an agent or by a duly authorized legal practitioner to the Registrar/officer designated or any other officer authorized in writing by the Registrar to receive the same or be sent by Registered Post with acknowledgment duly addressed to the Chairman of the Tribunal.
- v) The language of the Tribunal shall be English or Hindi.
- vi) Notwithstanding anything contained in sub rules (i) to (iv), the Tribunal may permit more than one person to join together and file a single application if the tribunal is satisfied, having regard to the cause and the nature of relief prayed for that they have a common interest in the matter.
- vii) On receipt of the application the Registrar will duly register it, give it a serial number and refer it to the chairman for perusal and order for admission.

(10) SERVICE OF NOTICES :-

- (i) Notices to be issued by the Tribunal may be served by any of the following modes- (a) Service by the party himself, (b) by hand delivery (c) by registered post with acknowledgement due.

Provided that, if the notice is not delivered by the aforesaid modes the chairman with the consent and at the cost of the party concerned shall publish it in two daily Newspapers for three consecutive days and it shall be deemed to be a notice duly and validly served on the respondents concerned.

- (ii) Every notice issued by the Tribunal shall unless otherwise ordered be accompanied by a copy of the application and a copy of the impugned order,

Provided that no application shall be heard unless the notice of the application has been served on the authority who has passed the order against which the application has been filed.

- (iii) The Tribunal shall notify to the parties the date and the place of hearing of the application in a manner as the Chairman may by general or special order direct.
- (iv) Every application shall be heard and decided as far as possible, within six months from the date of its registration.
- (v) The Tribunal shall have the power to declare an adjournment and also to limit the time for oral arguments.

(11) HEARING & DISPOSAL OF APPLICATION :-

Where the notice has been duly served and the Chairman is convinced and satisfied that the respondents are willfully not appearing/avoiding appearance or are adopting non-cooperative attitude, the Chairman may hear and dispose off the application ex parte .

(12) POWER TO REMOVE DIFFICULTY :

If any difficulty arises in giving effect to these rules, the state government shall in consistent with the provisions of these rules have power to issue any direction in the matter.

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dqyoar flag]
ljdkj ds fo'ks"k lfpoA

APPENDIX ‘A’
FORM OF APPLICATION

1. **Name and full address**
of the applicant
2. **Name and full address**
of Respondents
3. **Charges in brief**
4. **Evidence in support**
of Charges
5. **Applicant’s Signature**
and Date

