

HARYANA VIDHAN SABHA

Bill No. 25 — HLA OF 2024

**THE HARYANA TECHNICAL EDUCATION GUEST FACULTY
(SECURITY OF SERVICE) BILL, 2024**

(Bill as passed by the Haryana Vidhan Sabha)

The following Bill was passed by the Haryana Vidhan Sabha :-

A

BILL

to provide security of service to guest faculty/guest Instructors and for the matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Technical Education Guest Faculty (Security of Service) Act, 2024. Short title, commencement and extent.
- (2) It shall come into force on such date, as the Government may, by notification in the Official Gazette, appoint.
- (3) It shall extend to the whole of the State of Haryana.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "appellate authority" means the appellate authority, as the Government may, by notification in the Official Gazette, specify for the Directorate;
 - (b) "appointed date" means the 15th August, 2024;
 - (c) "appropriate authority" means appointing authority, as the Government may, by notification in the Official Gazette, specify for the Directorate;
 - (d) "Directorate" means the Directorate of Technical Education, Haryana;
 - (e) "Government" means the Government of the State of Haryana in the administrative department;
 - (f) "guest faculty" means a person engaged as Lecturer, Instructor or Assistant Professor in the institution on the appointed date;
 - (g) "institution" means the Government Polytechnics, Government Society Polytechnics, State Institute of Engineering and Technology under the Directorate;
 - (h) "prescribed" means prescribed by the rules made under this Act;
 - (i) "Schedule" means the Schedule appended to this Act;
 - (j) "Superannuation" means fifty-eight years of age.
3. The eligible guest faculty shall be a person who- Eligibility conditions.
 - (i) was engaged on or before the 12th November, 2019, as per the qualifications prescribed in the Haryana Technical Education Department (Group-B) Service Rules, 2001; or

- (ii) was engaged after the 12th November, 2019 as per the qualifications prescribed in the Haryana Technical Education Department (Group-B) Service Rules, 2019; or
- (iii) was engaged in such branches for which no service rules were in force at the time of their engagement but was engaged as per the minimum qualifications mentioned in the advertisement; or
- (iv) was engaged as Instructor as per the qualifications prescribed in the Haryana State Technical Education Department, Technical Field Staff (Group-C) Service Rules, 1998; or
- (v) was engaged as Instructor in such branches for which no service rules were in force at the time of their engagement but was engaged as per the minimum qualifications mentioned in the advertisement; or
- (vi) was engaged as Lecturer, Instructor or Assistant Professor as guest faculty in the institution and are in the service on the appointed date at the remuneration of Rs. 53,100/- for Lecturer (Guest Faculty), Rs. 35,400/- for Instructor (Guest Instructor) and Rs. 55,500/- for Assistant Professor (Guest Faculty) respectively per month; and
- (vii) has completed at least five years engagement in the institution on the specified workload as on the appointed date.

Explanation.- For the purposes of calculation of the number of years of engagement, a guest faculty who has worked for at least 240 days in a calendar year shall be deemed to have worked for the entire year, but shall not include an employee who,-

- (a) has attained the age of fifty-eight years on the appointed date; or
- (b) has been terminated or removed by the appropriate authority or resigned on or before the appointed date.

Tenure of engagement.

4. The guest faculty shall continue to work as such in the institution till he attains the age of superannuation.

Remuneration.

5. (1) The guest faculty shall be entitled to such remuneration, as per the guidelines of the Government plus enhancement (non-compounding) as per the percentage of Dearness Allowance announced by the Government, with effect from the first day of January and the first day of July every year.

(2) The guest faculty shall also receive the additional benefits, as specified in the Schedule.

(3) The Government may grant an increment on the consolidated monthly remuneration on the completion of the first year from the date of commencement of this Act and every year thereafter.

6. (1) The Government may, by notification in the Official Gazette, amend the Schedule. Power to amend Schedule.

(2) Every notification issued under sub-section (1) shall, as soon as may be after it is issued, be laid before the State Legislature.

7. In the matters relating to discipline, penalties, appeals and other matters not specifically provided under this Act, the guest faculty shall be governed by such rules, as may be prescribed. Discipline, penalties, appeals and other matters.

8. No suit, prosecution or other legal proceeding shall lie against the Government or any officer or employee of the Government or any other person or authority authorized by the Government for anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder. Protection of action taken in good faith.

9. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force. Act not to be in derogation of any other law.

10. (1) The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act. Power to make rules.

(2) Every rule made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

11. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing the difficulty: Power to remove difficulty.

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

SCHEDULE

[see section 5]

1.	Health care benefits as notified under the Pradhan Mantri Jan Arogya Yojana (PM-JAY) CHIRAYU Extension Scheme or as revised by the Government.
2.	Death-cum-Retirement Gratuity at equivalent rates specified in the Code on Social Security, 2020 (Central Act 36 of 2020).
3.	Maternity Benefit as per the provisions of the Code on Social Security, 2020 (Central Act 36 of 2020).
4.	Benefit of ex-gratia compassionate financial assistance, as may be notified by the Government.

Chandigarh :
The 26th November, 2024.

Dr. Satish Kumar,
Secretary.