

**COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING**  
**BY-LAWS RELATING TO**  
**SERVICE, TERMS AND FACILITIES OF STAFF, 2069 (2012)**

**Emblem of CTEVT**

**COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING**  
**Sanothimi, Bhaktapur**

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Date of Approval of Council for Technical Education and Vocational Training: 2069/05/22 B.S. (September 7, 2012 A.D.)

Date of Approval of the Government of Nepal: 2069/09/03 B.S. (December 18, 2012 A.D.)

In exercise of the powers conferred by the Section 16 of the Council for Technical Education and Vocational Training Act, 2045 (1988), the Council for Technical Education and Vocational Training has made following By-Laws by acquiring approval of the Government of Nepal, Ministry of Education.

**CHAPTER-1**

**PRELIMINARY**

**1. Short Title and Commencement**

- (a) These Bylaws shall be called "**By-Laws Relating to Service, Terms and Facilities of Staff 2069 (2012) of Council for Technical Education and Vocational Training**".
- (b) These Bylaws shall come into force from the date of obtaining approval of the Government of Nepal.

**2. Definition**

Unless the subject or context otherwise requires, in these by-rules,–

- (a) "**Act**" means the Council for Technical Education and Vocational Training Act, 2045 (1988).
- (b) "**Rules**" means the Council for Technical Education and Vocational Training Rules, 2051 (1994).
- (c) "**Ministry**" means Ministry of Education.
- (d) "**Senate**" means Technical Education and Vocational Training Senate as referred in Section 2B of the Act.

- (e) "**Council**" means Council for Technical Education and Vocational Training as referred in Section 3 of the Act.
- (f) "**Council Office**" means Central office of the Council for Technical Education and Vocational Training.
- (g) "**Vice-Chairperson**" means vice-chairperson of the council.
- (h) "**Member-Secretary**" means member-secretary of the council.
- (i) "**Member**" means member of the council and this term also denotes member-secretary.
- (j) "**Recruitment and Promotion Committee**" means the Recruitment and Promotion Committee of the council formed pursuant to sub-law (1) of Bylaw 10.
- (k) "**Service**" means Council for Technical Education and Vocational Training Service formed pursuant to Bylaw 5.
- (l) "**Group**" means Group of posts of the service divided on the basis of work nature of the post arranged under the service.
- (m) "**Sub-Group**" means Sub-Group of group of posts of the service divided on the basis of work nature of the post arranged under the service.
- (n) "**Staff**" means the person who is permanently incumbent in the post of the service. This term doesn't denote the persons working in temporary, contract or wages basis.
- (o) "**Permanent Post**" means the post of the service as eligible to get gratuity and not having fixed period.
- (p) "**Class**" means classification of post existed in the officer level and the assistant level.
- (q) "**Level**" means division of the post of the service made pursuant to Bylaw 7.

- (r) "**Officer Level**" means the post of Officer Third Class or upper to that class or equivalent to the same class.
- (s) "**Assistant Level**" means the post below to the officer level and the post equivalent to the same.
- (t) "**Division**" means the body placed in the central office of the council as mentioned in the Annex 1.
- (u) "**Director**" means the staff of officer level first class working as head of the division placed under central office of the council.
- (v) "**Office**" means the Examination Control Office, National Skill Test Committee, Technical Training Academy, Regional Office, Polytechnic College, School, Training Center or other bodies established by the council. This term also denotes the central office of the council.
- (w) "**Office In-Charge**" means the staff of officer level working as office in-charge.
- (x) "**Acting**" means the situation of performing functions of post higher to the post of the staff by taking official responsibility thereof.
- (y) "**Authorized Officer**" means the officer having authority to appoint pursuant to Bylaw 34.
- (z) "**Family**" means jointly living husband, wife, son, unmarried daughter, adopted son, unmarried adopted daughter, father, mother of step mother of the staff as reared by the staff himself/herself and this term also denotes grandfather and grandmother of the male and unmarried female staff from their father's side and father-in-law and mother-in-law of the married female staff.
- (aa) "**Approved Doctor**" means doctor or panel of doctors prescribed the council in time to time.

- (bb) "**Fiscal year**" means a period beginning from the First day of Shrawan and ending on the Last day of Ashadh of the coming year.
- (cc) "**Staff Union/Organization**" means professional staff union/organization recognized pursuant to the prevailing Trade Union Act.
- (dd) "**Financial Bylaws**" means Bylaws Relating to Financial Administration of the Council for Technical Education and Vocational Training, 2062 (2005) (come into force from 2064/10/25 B.S. (February 8, 2008 A.D.) after acquiring approval of the Government of Nepal)
3. **Interpretation of Bylaws:** The council shall have right to interpret these bylaws.
4. **Bylaws to be kept as Informed:** (1) All staffs shall have duty to being informed about service terms as provisioned in these bylaws and ignorance of the same shall not be excused.
- (2) If any amendment is made in these bylaws, the Administration Division shall have to send circular thereof to all offices for information to the staffs.

## CHAPTER-2

### **FORMATION OF SERVICE AND ARRANGEMENT OF POSTS**

5. **Formation of the Service:** (1) A service namely Council for Technical Education and Vocational Training, Council Service has been formed from the incumbent staffs of the council.
- (2) The service formed pursuant to sub-by-law (1) shall comprise two services as administration service and technical and training service.
- (3) The working structure of the central office of the council shall be pursuant to Annex-1 and the council may, subject to these bylaws, reform organizational structure of central office, regional office, Examination Control Office, National Skill Test Committee, Technical

Training Academy or other office or school established by the council by making timely change.

6. **Group and Sub-Group of the Service:** (1) While forming service pursuant to Bylaw 5, the council may divide as required group and sub-groups on the basis of work nature of posts existed in the service and required minimum educational qualification for performing such works and work specialization.  
(2) The group and sub-groups of service as divided by the council pursuant to sub-bylaw (1) and names of post shall be as Annex-2.
7. **Level and Class Division of the Service:** (1) There shall be three levels as Officer, Assistant and Classless in the service.  
(2) The classes existed in the officer level and assistant level of the service shall be as Annex-3.
8. **Posts of the Service:** (1) There shall be posts of various classes in officer level, assistant level and classless in the service.  
(2) The posts existed pursuant to sub-bylaw (1) shall be as Annex-4.  
(3) The council shall prepare work description of every post of various classes in officer level, assistant level and classless in the format as referred to in Annex-5 and the functions, duties, responsibilities and powers of concerned post shall be mentioned in the said work description.
9. **Organizational Structure and Posting Arrangement:** (1) The organizational structure and posting- required to carry out performance of the council- shall be as approved by the Government of Nepal upon recommendation of the council.  
(2) In case establishment of office or increment in posting is required for implementation of new program of the council, the clear details thereof and probable annual financial burden to be borne by the Government of Nepal for additional staffs shall have to be approved from the Ministry of Finance.  
(3) No staff shall be recruited or appointed in the post of approved posting except as prescribed in these Bylaws.

- (4) The council may conduct recruitment through service contract pursuant to prevailing public procurement law until appointment of permanent staffs in the approved posting schedule of new office or additional programs established in accordance with annual program of the Government of Nepal.

### **CHAPTER-3**

#### **RECRUITMENT AND AUTHORITY**

- 10. Formation of Recruitment and Promotion Committee:** (1) The following Recruitment and Promotion Committee shall be formed for making recommendation of posting in vacant posts of the service to the council;
- (a) Member-Secretary (Council for Technical Education and Vocational Training) -Chairperson
  - (b) Joint-Secretary handling Administration Division of the Ministry of Education -Member
  - (C) Representative (Gazetted First Class), Public Service Commission - Member
  - (d) An expert nominated by the chairperson of the Recruitment and Promotion Committee -Member
  - (e) Director, Administration Division (Council for Technical Education and Vocational Training) -Member-Secretary
- (2) The Recruitment and Promotion Committee may invite expert of concern subject at its meeting as per necessity.
- (3) The Recruitment and Promotion Committee, itself shall determine procedure of its meeting.
- (4) The Recruitment and Promotion Committee may delegate its powers to the sub-committee as per necessity by forming the same.

- (5) While delegating powers as referred in sub-bylaw (4), the following sub-committee shall have to be formed;
- (a) In-charge of concerned office -Convener
  - (b) Officer Representative of the District Administration Office  
-Member
  - (d) Officer Representative of Office of Public Service Commission, if the same exists and if not exist said office, Officer Representative of District Education Office -Member
  - (e) An expert nominated by the convener -Member
  - (f) Senior Administrative Officer/Administrative Officer of the Office -Member-Secretary
- (6) While delegating powers pursuant to sub-bylaw (4), the Recruitment and Promotion Committee may give required direction to the Recruitment Sub-Committee. The Recruitment Sub-Committee shall have duty to comply such direction.

**11. Functions and Duties of Recruitment and Promotion Committee: (1)**

The functions and duties of the Recruitment and Promotion Committee shall be as follows;

- (a) To fix process of selection for recruiting in vacant posts under these Bylaws as prescribed by the council, to fix percentage of recruitment in vacant posts and to determine type of competition,
- (b) To publish advertisement for vacant post that to be fulfilled by the open competition, to conduct examination and and to recommend the candidate, selected after conducting interview, for appointment, and
- (c) To appraise potential candidates for the post to be fulfilled through promotion on the basis of promotion as provisioned in these Bylaws and to recommend for recruitment in accordance with the merit list.



- (2) The meeting of the Recruitment and Promotion Committee shall be held as per necessity.

Provided that the gap of such meetings shall not be more than three months.

12. **Demand for Permanent Staff:** In case any post of the service becomes vacant, the office shall have to send demand along with concerned required details of said post to the Recruitment and Promotion Committee within 7<sup>th</sup> day of Bhadra for the post become vacant till the last day of Aashadh and within 7<sup>th</sup> Fagun for the post become vacant till the last day of Paush.
13. **Secretariat of Recruitment and Promotion Committee:** A separate unit shall be established as the Secretariat of Recruitment and Promotion Committee subordinate to the director of Administration Division (Member-secretary of Recruitment and Promotion Committee) and under direct direction and control of the Member-Secretary in order to conduct all secret works relating to selection and promotion of staffs of the council. The staffs working at this unit and functions that to be performed by them shall be as follows;
- (a) The required staffs shall be placed at this unit from amongst the persons who are not able to be immediate candidate in the selection process under open or internal competition or promotion process.
- (b) Details of all candidates participating in the competition or promotion process and all matters that to be kept as secretly shall have to be kept systemically.
- (c) To prepare description list of experts, to nominate or cause to be nominated experts by the chairperson, to perform or cause to be performed prescribed works secretly from experts, to make arrangements for secretly keeping details received from the experts.

- (d) To perform or cause to be performed typing, printing, inspection, tabulation, correction of sealed confidential documents/details as prescribed.
- (e) To perform or cause to be performed works including conducting the examination by completing processes as determined by the Public Service Commission. In case of occurrence of any problem during performing any work, to settle the same by acquiring approval of the Recruitment and Promotion Committee.

**14. Number of Post to be determined on the basis of Recruitment Percentage:**

After receiving of details of demand for permanent staff pursuant to Bylaw 12, the Recruitment and Promotion Committee shall, subject to the Bylaw 15, have to determine percentage of number of post that to be recruited through open competition or promotion by working competency appraisal or promotion by internal competitive examination, within one month.

**15. Recruitment of the Service:** (1) The post becomes vacant pursuant to Bylaw 12 shall be recruited as follows;

S. No.	Level and Class	By Open Competition	By Promotion		
			Through Working Competency Appraisal	Through Internal Competitive Examination	Remarks
1	Assistant Second Class	100%	X	X	
2	Assistant First Class	60%	40%	--	
3	Officer Third Class	70%	10%	20%	
4	Officer Second Class	10%	60%	30%	
5	Officer First Class	10%	80%	20%	

- (2) The classless posts which are vacant at the time of commencement of these Bylaws and to be vacant after come into force of these Bylaws shall, *ipso facto*, be rescinded. The acts performed by these posts shall have to be performed through service contract after fixing minimum remuneration and by making contract with person or institution with complying procedures of the prevailing public procurement law.
- (3) Notwithstanding anything contained in sub-bylaw (1), forty five percent shall be reserved amongst the posts recruited through open competition on the basis of standard maintained by the Government of Nepal in order to make the service of the council inclusive and shall, by considering that percent as hundred percent, be recruited by conducting competition separately amongst following candidates;
- |     |                             |                      |
|-----|-----------------------------|----------------------|
| (a) | Women                       | Thirty Three Percent |
| (b) | Indigenous/tribes and casts | Twenty Seven Percent |
| (c) | Madheshi                    | Twenty Two Percent   |
| (d) | Dalit                       | Nine Percent         |
| (e) | Differently Able            | Five Percent         |
| (f) | Backward Region             | Four Percent         |

Clarification: (1) For the purpose of this sub-bylaw, "backward region" means Achham, Kalikot, Jajarkot, Jumla, Dolpa, Bajhang, Bajura, Mugu and Humla districts.

- (2) For the purpose of clause (a), (b), (c) and (d) of this sub-bylaw (3), "women, indigenous/tribes and casts, madeshi and dalit" means financially and socially back warded women, indigenous/tribes and casts, madeshi and dalit.
- (4) Notwithstanding anything contained in these Bylaws, the post- as percent determined pursuant to clause (e) of sub-bylaw (3)- shall be

recruited for any work of special nature through competitive examination.

- (5) In case of come out of fraction of less than one percent during determining percent pursuant to sub-bylaw (3), such fraction shall be shifted to the group which is immediately below to the group relating to such fraction.
- (6) If no suitable candidate is available in the post reserved pursuant to sub-bylaw (3) in the year of advertisement, such post shall have to be included in next year's advertisement and in case suitable candidate is not available even from such advertisement, such post shall have to be included in the post to be recruited in the same year through open competition.
- (7) The provision of recruitment through percent determined as referred to sub-bylaw (3) shall have to be reviewed in every ten years.
- (8) If any dispute is raised while determining number of post pursuant to the percent as referred in sub-bylaw (3), the decision of council shall be final.
- (9) The minimum educational qualification required for officer level second and officer level first class that to be recruited through open competition pursuant to sub-bylaw (1) shall be master's degree in concerned subject and having five years experience for officer second class and having seven years experience for officer first class in the post of officer level of any governmental service or institution of government undertaking or international institution/organization.

Provided that the period of experience shall be reduced by two years for person having acquired qualification of Ph.D.

- (10) Even if the incumbent staffs, who already entered in the council service with having minimum educational qualification required for entering into the service at the time of come into force of these Bylaws, do not

have educational qualification in the concerned subject higher to the same, they may submit application in recruitment made through open, internal competition and promotion through appraisal of working competency in the level or post higher to service and group of incumbent post and may secure marks for educational qualification.

(11) Even if the incumbent staffs of the council, who had taken training in homeland or in foreign country on the council's expenses and changed service in accordance with the decision of the council at the time of come into force by these Bylaws, do not have minimum educational qualification in concerned subject required for entering into the service, they may submit application in recruitment made through internal competition and promotion through appraisal of working competency in the level or post higher to service and group of incumbent post and may secure marks for minimum educational qualification. The period of such training shall be at least six months.

16. **Restriction on Recruitment Period:** The process of recruitment in vacant post shall have to be completed, within one year from the date of vacant of the post, for the post in which written examination is must and within generally six months in the post in which written examination is not required.

#### CHAPTER-4

#### **OPEN COMPETITION, RECOMMENDATION AND APPOINTMENT**

17. **Compulsiveness of Competition:** While making permanent appointment in the vacant post of the service through new recruitment, the same shall only be conducted through competitive examination.
18. **Types of Competition:** (1) The competition to be conducted pursuant to Bylaw 17 for any vacant post of the service shall be as follows;
- (a) Written      (b) Practical      (c) Interview

- (2) The Recruitment and Promotion Committee shall determine to conduct which type of competition and examination for which post on the basis of work nature of post and necessity.

Provided that the written examination shall be compulsorily conducted for all posts of the service and if practical test is required, the same shall also be conducted before conducting interview.

- (3) In the course of final selection, the following weightage shall be given for written examination, practical test and interview in following levels;

S. No.	Type of Examination	Weightage	
		Assistant Level	Officer Level
1	Written Examination	200	300
2	For post in which practical test is required	50	50
3	Interview	25	25

- (4) The notice of weightage as maintained pursuant to sub-bylaw (3) shall be published for information to all concerned.

**19. Curriculum:** The committee shall approve the curriculum prepared by the group of experts formed by the Recruitment and Promotion Committee in order to prepare curriculum of written examination with considering on nature of work as to be performed by the post.

**20. Advertisement:** (1) While recruiting the vacant post of the service through open competition, an advertisement shall have to be published in the Gorkhapatra national daily or other national level newspaper by giving at least 30 days period and the comprehensive details of such advertisement shall be also placed at the website of the council.

- (2) All required matters including number of recruiting post, service, group, sub-group, class, required minimum educational qualification, salary, allowance, facilities, type of job, type of examination, marking

weightage of examination, age limitation, citizenship, last day of application, application fee shall have to be clearly mentioned in the advertisement.

21. **Application Fee:** (1) The application fee charged for application of posts of the service recruited through open competition and internal competitive examination shall be as referred in the Financial Bylaw, 2062 (2005) of the council.

(2) The application fee paid pursuant to sub-bylaw (1) shall be reimbursed in the following conditions;

(a) If the application is not accepted,

(b) If the advertisement is cancelled.

(3) After expiry of application submission date, the application form can be submitted by paying double of application fee within seven days from the expiry date.

22. **Age Limitation:** (1) While recruiting vacant post of the service through new appointment, the minimum and maximum limitation of age shall be as follows;

(a) Officer Level: Having attained twenty one years and not crossed thirty five years of age.

(b) Assistant Level: Having attained eighteen years and not crossed thirty five years of age.

Provided that the maximum limitation of age for women candidate shall be as not crossed forty years.

(2) Forty five years of age shall not be crossed for being candidate in the open competition of officer level first and second class pursuant to Serial Number 4 and 5 of sub-bylaw (1) of Bylaw 15.

Provided that the age limitation of this Bylaw shall not be applicable for incumbent permanent staff of the council.

Clarification: For the purpose of this Bylaw, "age" means the age attained at the last day of application for any post.

23. **Minimum Educational Qualification:** The minimum educational qualification required for entering into the service while recruiting any post of service through open competitive shall be as referred in Annex-6.
24. **Disqualification for Appointment:** (1) The following persons shall be disqualified for appointing in any post of the service;
- (a) Non Nepalese Citizen,
  - (b) Not fall under the age limitation pursuant to Bylaw 22,
  - (c) Not have minimum educational qualification as prescribed in Bylaw 23,
  - (d) Having dismissed from any service with disqualified for service or for the Government of Nepal and any corporate body of the Government of Nepal undertaking in future,
  - (e) Having convicted on any criminal charge of moral turpitude from the court.
25. **Admission Card:** The council shall have to provide admission card to the candidates participating in the competitive examination in the format as referred in Annex-7.
26. **Result Publication:** (1) Generally result shall have to be published within three months from the date of completion of written examination and generally result shall have to be published within one week from the date of completion of practical test.
- (2) While selecting candidate for interview from the written examination, the name of candidates shall have to be published in alphabetic order from amongst the candidates having secured highest marks on the basis of vacant number of posts by conducting following process. While determining such number, the uncompleted number shall be considered as a whole number.



Vacant Number of Posts	Number of Candidates to be selected
If 1 to 5	To be added Number 2
If 6 to 10	To be added Number 3
If 11 to 15	To be added Number 4
If 16 to 20	To be added Number 5

If the vacant number of posts is whatsoever more than 21; the number of candidates shall have to be added at the rate of 20 percent.

- (3) While selecting pursuant sub-bylaw (2), the candidate shall have to obtain at least forty percent marks in each and every paper or subject of the written examination.
- (4) While selecting pursuant to sub-bylaw (2) and (3), if the highest marks securing candidates obtain equal total marks in the written examination; all candidates having secured equal marks shall have to be selected for interview.

**27. Practical and Interview:** The Recruitment and Promotion Committee shall have to conduct practical test, if required, generally within thirty days from the publishing of result of written examination and shall have to conduct interview after publishing result of the practical test. The pass mark of practical test shall be 60 percent. The forms as referred in Annex-8 and Annex-9 respectively shall be used for practical test and interview.

**28. Counting of Marks of Educational Qualification:** (1) While preparing merit list of open competitive examination, the following marks shall be provided for minimum educational qualification- acquired by the candidate- prescribed for the concerned post;

For First Division 3 Marks

For Second Division 2 Marks

For Third Division 1 Mark

- (2) The division of the education qualification- wherein division is not mentioned- shall be fixed on the basis of secured marks in accordance with the division determined by Tribhuvan University or other universities of Nepal or policy related thereto.
- (3) In case any candidate has submitted more than one certificates of the minimum educational qualification, the mark as referred in sub-bylaw (1) shall be given to any one education qualification mentioned highest marks amongst the same.
- (4) In case any candidate has passed the exam of any level and obtained additional educational qualification with taking any one subject of the same level, no marks shall be provided for such educational qualification and marks shall be only given as per division for previous educational qualification obtained with taking all subjects.
- (5) While preparing merit list of internal competitive examination/inter-service competitive examination and service group change examination, priority shall be given to the highest marks securing candidate. No marks for educational qualification and experience shall be given.

**29. Special Provision Related to Limited Open Competition:**

- (1) Notwithstanding anything contained in these By-Laws, the total vacant positions of assistant level second class to officer level third class shall be deemed as 100 percent for once only while publishing advertisement for permanent recruitment through the first open competition conducting after come into force of these By-Laws and 50 percent post shall be recruited through open competition and 50 percent post shall be recruited through limited open competition.
- (2) The permanent recruitment shall be done in the limited open competition to be held in accordance with sub-bylaw (1) by conducting competition amongst the persons working continuously at least 2 years

on temporary, contract or wage basis at the council office and subordinate offices till the date of publication of first advertisement.

- (3) In case any post remained vacant while recruiting the limited open competition as separated in accordance with sub-bylaw (1), that vacant post and the remaining post after separation of post for open competition and limited open competition shall, *ipso facto*, be retained for the open competition.
- (4) The age limitation shall not be applicable to the incumbent staff for being candidate in the competition as referred in sub-bylaw (2).
- (5) The provision of minimum educational qualification of Bylaw 23 and provision of Bylaw 24 of these Bylaws shall be applicable to the candidates in addition to the provisions mentioned in this Bylaw.
- (6) The staffs working on temporary, contract or wage basis- failed in the competition conducted pursuant to this Bylaw- shall, *ipso facto*, be dismissed from the service of the council.
- (7) The pass mark of the written examination to be conducted pursuant to this Bylaw shall be fifty.
- (8) The provision of this Bylaw 29 shall, *ipso facto*, be repealed after the first advertisement published after come into force of these Bylaws.

**30. Qualification and Recommendation:** (1) The Recruitment and Promotion shall have to publish recommendation list for appointment generally within five days from the date of completion of interview after determining order of merit on the basis of total marks obtained by the candidates in various examinations.

- (2) In case the secured marks of written examination, practical test and interview are equal; the higher order of merit shall be fixed up on the basis of having passed the educational qualification with obtaining higher marks in the certificate and in case those marks are also same, on

the basis service period of previous service, if done and in case lack of this situation, the same shall be fixed up on the basis of seniority of age.

(3) The candidate shall, within seven days from the date of recommendation as referred in sub-bylaw (1), have to be informed to attend for appointment within thirty five days by publishing notice in the national level newspaper with giving time of thirty five days.

**31. Waiting List:** (1) While publishing merit list pursuant to Bylaw 30, twenty five percent in proportionate to the vacant post if possible or at least name of two candidates shall be kept in the waiting list as per order of merit. The period of such list shall be subsisted till one year from the date of publishing the same.

(2) The candidates of waiting list shall only be appointed in following conditions;

(a) If the candidates- listed in the merit list- didn't come to receive appointment or didn't attend at the office within 15 days except the period required in route after receiving appointment letter.

(b) If the candidate- listed in the merit list- left the service or the service is breached due to any reason or he/she is fired or dismissed by the council within probation period.

**32. Certificate of Fitness to be submitted:** The permanent appointment-letter shall be provided to the candidate recommended for appointment only after submitting of the certificate of fitness in the format as referred in Annex-10 from approved doctor.

**33. Appointment:** (1) The authorized officer shall have to confer appointment letter to the candidate recommended in the vacant post of the service pursuant Bylaw 30 within seven days from the date of publication of notice of recommendation.

Provided that if the candidate didn't come to receive appointment letter within 35 days except the period required in route from the date of publication of

notice pursuant to sub-bylaw (3) of Bylaw 30 or didn't attend at the office within fifteen days from the date of receiving of appointment letter; the appointment shall, instead of him/her, be conferred to the candidate listed in the waiting list in accordance with the order of merit by publishing public notice of removing name of such candidate from the merit list.

(2) The staff having initially appointed in the post- recruited in the posting of school- shall not be transferred to other place without serving at least five years at the concerned school.

**34. Authorized Officer:** The member-secretary shall have right to appoint officer level staff pursuant to these Bylaws by obtaining approval of the council and the director of Administration Division shall have right to appoint assistant pursuant to these Bylaws level staff by obtaining approval of the member-secretary.

**35. Oath:** The staff having initially appointed in the service shall, prior to receive appointment letter, have to take oath in the format as referred in Annex-11 before the member-secretary in case of officer level staff and before the director of Personal Administration Division in case of assistant level staff.

**36. Probation Period:** While conferring new appointment in the permanent post of the service, the female staff shall be appointed in probation period of six months and the male staff shall be appointed in probation period of one year. If his/her performance is not satisfactory during probation period, his/her appointment may be revoked accordingly. The appointment of staff, whose appointment is not revoked, shall, *ipso facto*, be deemed as confirmed after completion of the probation period.

Provided that if the staff, having completed probation period in the permanent post of the service at once and appointed as maintaining such service continuously, shall not be placed again in probation period.

## CHAPTER-5

### PROVISION OF PROMOTION

37. **Promotion**: (1) The vacant posts as separated for promotion through appraisal of work competency or internal competitive examination as mentioned pursuant to Bylaw 15 shall be recruited by the promotion process.
- (2) The promotion shall be made in the post that to be recruited through promotion amongst vacant posts of the service upon recommendation of the Recruitment and Promotion Committee as prescribed in these Bylaws.
- (3) The promotion of staff has been made for which post and office, the staff shall have to work by being posted in the same post and office.
38. **Probable Candidate**: In order to being probable candidate of promotion of following classes, the following permanent service period shall have to be completed in the post of one class below of the service and group than the post of promotion and obtained education qualification prescribed for the post of one class below than the class of post of promotion.
- (a) For assistant level post three years,
  - (b) For promotion from assistant level to officer level four years, and
  - (c) For officer level post five years.

Provided that the staffs of account group and general administration group of the administration service shall not able to be probable candidate of promotion in vacant post of law group and staffs of law group shall not able to be probable candidate of promotion in the vacant post of account group.

- (2) Notwithstanding anything contained in sub-bylaw (1), no staff shall able to be probable candidate for promotion during following period in following conditions.
- (a) In case of suspension, during suspension period,
  - (b) In case of restriction on promotion, during restriction period,

- (c) In case of restriction on salary increment, during such restriction period,
  - (d) In case of receiving reprimand in the incumbent post for three times until one year from the date of last reprimand,
  - (e) If the service group was changed upon request of staff except service changed by the council, until completion of two years from the date of change of service group.
- (3) Notwithstanding anything contained in the sub-bylaw (1), even if the service period of woman, indigenous/tribes and castes, madheshi, dalit, differently able staff and staff having permanent resident in backward area is one year less than the stipulated period, he/she shall be able to be probable candidate for promotion.
- 39. Restriction on Promotion Appointment and Release:** If the staff has been recommended for promotion but has been suspended, restricted for promotion or salary increment until not receiving promotion appointment, his/her promotion appointment shall be held up for that period and if he/she got release from suspension or after completion of restriction period, he/she shall be appointed by maintaining seniority only as considering that he/she has not been suspended or restricted.
- 40. Minimum Educational Qualification for Internal Competition:** In order to be a candidate in the post separated for recruitment through internal competitive examination pursuant to Bylaw 15, one shall have to acquire minimum educational qualification prescribed for the same post. The qualification prescribed for entering in the service for the officer level third class shall be deemed as minimum educational qualification also for the officer level first class and second class.
- 41. Grounds of Promotion to be done on the basis of Work Competency:** (1) The Recruitment and Promotion Committee shall recommend to promote the staff of the service on the basis of total marks secured for work competency.

- (2) While evaluating work competency of incumbent staffs of the service, up most one hundred marks shall be provided as follows.
- |     |                               |           |
|-----|-------------------------------|-----------|
| (a) | For performance appraisal     | -40 marks |
| (b) | For Seniority                 | -30 marks |
| (c) | For Educational Qualification | -12 marks |
| (d) | For Geographical Area         | -16 marks |
| (e) | For Training                  | -2 marks  |
- (3) While counting marks of performance appraisal of the probable candidate, the same shall be conducted on the basis of the last day of Ashadh and for counting other marks, the same shall be conducted on the basis of mark obtained till last day of application for promotion.

**42. Performance Appraisal:** (1) The performance appraisal form as referred in Annex-12 shall be used for conducting performance appraisal of the staff of the service.

- (2) The total marks of performance appraisal of the staff of the service shall be divided as follows.
- |     |  |                   |
|-----|--|-------------------|
| (a) | Maximum to be provided by the supervisor       | Twenty five marks |
| (b) | Maximum to be provided by the reviewer         | Ten marks         |
| (c) | Maximum to be provided by the Review Committee | Five marks        |
- (3) The supervisor, reviewer and Review Committee shall have to provide marks for performance in line with the grounds mentioned in these Bylaws and performance appraisal form.
- (4) Every staff shall have to fill up performance appraisal form and submit to the supervisor by registering the same at the concerned office within 7<sup>th</sup> day of Shrawan of every year. The supervisor shall have to make appraisal on the received performance appraisal form and submit the same to the concerned reviewer within 15<sup>th</sup> day of Shrawan. The reviewer shall have to make appraisal on the received performance within fifteen days and send the same to the Review Committee. The Review Committee shall have to compulsorily complete appraisal



process on the received performance appraisal form within 15<sup>th</sup> day of Ashwin and submit the same in sealed form at the secretariat of the Recruitment and Promotion Committee.

- (5) If the staff fails to fill up his/her performance appraisal form and register within the time as stipulated in sub-bylaw (4) and submits application for extension of time with appropriate cause thereof and if the supervisor considers that the cause mentioned in the application is appropriate, he/she may extend the time up to fifteen days from the date of expiry of stipulated time. If the performance appraisal form is submitted within the same fiscal year after extension of such time, the Review Committee shall deduct one mark from total secured marks for registered performance appraisal form.

Provided that if the staff of any service shall have to go in duty assignment for foreign training, seminar or study visit in the time period of filling up of the performance appraisal form, in this condition, he/she shall have to fill up performance appraisal form and register the same at the concerned office before going. Such registered performance appraisal form shall be deemed as registered in stipulated time and shall have to be evaluated accordingly.

- (6) The departmental action shall be taken against the office bearer who failed to make appraisal of performance appraisal form timely registered by the staff within period as prescribed in sub-bylaw (4).
- (7) After completing of annual performance appraisal from the Review Committee, if the concerned staff requests to know about total marks of performance appraisal received in that year by submitting application, the secretary of the Review Committee shall have to inform the same.

Provided that the marks provided by the Review Committee shall not be informed.

- (8) If any staff dissatisfies on the appraisal of the supervisor and the reviewer after getting information pursuant to sub-bylaw (7), he/she may lodge complaint with solid basis and cause of dissatisfaction to the member-secretary of the Recruitment and Promotion Committee within seven days. In case of lodging of such complaint, the member-secretary shall conduct required investigation over such complaint by making consultation with the concerned supervisor and the reviewer and may make amendment on the secured marks if deemed necessary.
- (9) If the supervisor or the reviewer gives more than 95 percent marks or less than 75 percent marks for performance appraisal, he/she shall have to disclose the clear reason thereof and in case of giving less than 75 percent marks, the same shall have to be informed to the concerned staff and submit to the Review Committee along with the response of the staff, if any. If the Review Committee dissatisfies over performance appraisal of the supervisor or the reviewer or both, it may return by disclosing clear reason thereof. In case of return, the concerned appraiser shall have to make appraisal again or if there is no need to amend on previous appraisal, he/she shall have to send along with disclosing rational cause thereof.
- (10) While counting marks for the purpose of performance appraisal, calculation shall be conducted on average of performance appraisal form of latest years as required for being probable candidate of promotion.

Provided that,

- (a) In case of going for study or training or release of suspension after being suspended, the marks shall be counted for performance appraisal of the suspension period on average of performance appraisal of the same year made immediately before going in such study or training or suspension and in case of lack of such performance appraisal, on average of marks obtained in the performance appraisal filled up after attendance.

- (b) The calculation of probable candidacy shall be made only after deducting the period of extra-ordinary leave or any sort of non-stipendiary period and no performance appraisal form shall be filled up for such leave or non-stipendiary period. While counting marks for the purpose of performance appraisal of the staff on extra-ordinary leave or non-stipendiary period, the marks of performance appraisal shall be counted on the basis of period required for promotion either before or after of extra-ordinary leave or non-stipendiary period by deducting period of extra-ordinary leave or non-stipendiary period.
- (11) The staff shall have to fill up three copies of performance appraisal form. The concerned office shall have to send one copy of filled up performance appraisal form to the Administration Division of the council and another copy to the secretariat of the Recruitment and Promotion Committee.
- (12) The performance appraisal of following staffs shall be conducted by following officers.

Post of the Staff	Supervisor	Reviewer	Review Committee
Assistant level staff of other offices except of the central office	One level senior officer staff	Officer staff one level senior than the supervisor	Reviewer, office-in-charge and regional chief
Assistant level staff of the central office	One level senior officer staff	Officer staff one level senior than the supervisor	Reviewer, Chief of concerned division and the member-secretary

Officer level third and second class staff of other offices except of the central office	Office-in-charge	Concerned regional chief	Reviewer, Chief of division (Technical/ Administration) and the member-secretary
Officer level third and second class staff of the central office	One level senior officer staff of concerned division	Director of division	Supervisor, reviewer and the member-secretary
Office-in-charge except officer level first class	Concerned regional chief	Chief of Administration/ Technical/ Polytechnic Division	Supervisor, reviewer and the member-secretary
Officer level first class staff	The member-secretary	The member-secretary	In chairpersonship of the member-secretary and joint secretary of Administration Division of the Ministry

- (13) If the staff, as equivalent of the office-in-charge or higher post than the same, has been working at any office, the staff of concerned subject and

of higher than him/her shall make appraisal as the supervisor and the member-secretary shall make appraisal as the reviewer.

(14) In case anybody's performance appraisal form is left to fill up or left to make appraisal at the moment of come into force of these Bylaws, the same shall be conducted by the incumbent officers by providing last chance for one time. If the appraisal form is not filled up within that time and the performance appraisal form is registered within same fiscal year, the Review Committee shall deduct one mark from the total marks for such registered performance appraisal form. If the performance appraisal form is not filled up within such provided time, the Review Committee shall deduct at the rate of one mark per annum in the total marks.

(15) In case ambiguity of provision regarding to performance appraisal of this Bylaw creates any confusion on supervisor or reviewer or the Review Committee, the member-secretary may take required decision and such decision shall be deemed as the indivisible part of these Bylaws.

**43. Appraisal of Seniority:** (1) While providing marks for seniority to the staff of the service, maximum thirty marks shall be provided at the rate of two and half marks per annum for the incumbent post.

(2) While counting marks for seniority, marks of the month or day over to one year shall be provided on pro rata basis.

(3) For the purpose of this Bylaw, no marks shall be provided for the period of absence or of extra-ordinary leave or of non-stipendiary leave.

**44. Appraisal of Educational Qualification and Training:** (1) While providing marks of educational qualification to the staffs of the service, following marks up to twelve marks shall be provided for minimum educational qualification required for entering in any post and one additional educational qualification

of the subject related to service, group or sub-group, higher than the minimum educational qualification.

Educational Qualification (Degree)	First Division	Second Division	Third Division
(a) For minimum educational qualification prescribed for entering into the service	9	8.75	8.50
(b) For any one additional educational degree of concerned subject, higher than minimum educational qualification prescribed for entering into the service	3	2.75	2.50

- (2) The staff of the service shall have to obtain training of the subject related to his/her service or post. For in service training of one month or more than that period, 2 marks, 1.75 marks and 1.50 marks shall be provided for first division, second division and third division respectively.
- (3) While giving marks of training, the training shall be in service training of the subject related to the service and of more than 30 working days with separating single curriculum or subject matters operating by the Technical Training Academy or recognized body. While counting the marks of training, the same shall be counted only for the same class as the staff is nominated for training while serving at the class/post.
- (4) The staff shall have to submit certified copies of certificates of educational qualification and in service training; otherwise, no marks shall be given for the same.
- (5) The Equivalency Determination Committee as referred in Bylaw 45 shall decide that whether the educational qualification submitted along with application for the purpose of promotion is related to the service, group, sub-group or not? If the equivalency of educational qualification submitted along with application for the purpose of promotion is earlier

than the date of holding of meeting of the Promotion Committee, marks of such educational qualification shall be counted for promotion.

- (6) The minimum educational qualification fixed for entering service of officer level third class shall also be deemed as the minimum educational qualification for promotion in the post of higher than officer level second class through appraisal of work competency except the minimum educational qualification fixed for the post of the officer level second class and first class that to be recruited through open competition and internal competitive examination pursuant to clause (4) and (5) of sub-bylaw (1) of Bylaw 15.

**45. Equivalency Determination Committee:** (1) In case of confusion that whether the educational qualification and training obtained by the staff of the council is related with the concerned service, group or level, for the purpose of promotion or not? The same shall be determined as per decision of following committee.

- |     |  |                   |
|-----|--|-------------------|
| (a) | The member-secretary of the council  | -Chairperson      |
| (b) | The joint-secretary of the Ministry of Education<br>handling Administration Division | -Member           |
| (c) | Any one expert of concerned subject  | -Member           |
| (d) | A joint secretary of Public Service Commission<br>handling curriculum                | -Member           |
| (e) | Director, Administration Division  | -Member-Secretary |

(2) The committee may invite experts as per necessity.

**46. Division of Geographical Region:** (1) While providing marks for experience of working in various geographical regions to the staffs of the service, following marks up to 16 marks shall be provided for experience of working in following one or more categories.

- |     |                                       |            |
|-----|---------------------------------------|------------|
| (1) | For working in "A" category per annum | 4 marks    |
| (2) | For working in "B" category per annum | 3.25 marks |
| (3) | For working in "C" category per annum | 2.50 marks |
| (4) | For working in "D" category per annum | 2 marks    |

- (2) No marks of concerned geographical region shall be received without attending at least 233 days in any one geographical region. For period of more than 233 days, marks of same geographical region shall be provided on pro rata basis and for less than that period, only minimum marks shall be provided pursuant to sub-bylaw (1) irrespective to working in whichever geographical region. The marks to be obtained for working in geographical region shall be counted only if the same is obtained in the one level below to the post of promotion.
- (3) The half mark of marks prescribed for "D" category shall be provided to the staff gone in duty assignment in study leave and foreign training.
- (4) The details of geographical region for the purpose of providing marks of experience of working in various geographical regions to the staffs of the council shall be as referred in Annex-13.

**47. Special Provision of Promotion:** (1) Notwithstanding anything contained in these Bylaws, if any staff of assistant level third class to officer level third class has worked in the same post for twelve years and more the same after getting permanent appointment in the service of the council and has obtained minimum educational qualification fixed at the time of entering into the service, he/she shall be promoted in the one level higher post. The officer level second class staff shall have to obtain educational qualification in concerned subject higher than the minimum educational qualification and to complete twelve year's service period.

- (2) The following terms and conditions shall have to be fulfilled for being promoted pursuant to sub-bylaw (1).
  - (a) No existence of situation as referred in sub-bylaw (2) of Bylaw 38, and
  - (b) Ninety percent or more than the same marks was obtained in average in latest three year's performance.
- (3) For making promotion pursuant to sub-bylaw (1), a special post of one level higher shall, *ipso facto*, be created at the office where such staff has been incumbent and the staff, promoted in such post, is retired due



to whatever cause or promoted in the higher post, such post shall, *ipso facto*, be revoked and the immediate previous post prior to the promotion made pursuant to this Bylaw shall, *ipso facto*, be retained accordingly. There shall not be any obstacle in giving responsibilities to the promoted staff as per job description related to the promoted post.

- (4) The promotion pursuant to sub-bylaw (1) shall be conducted at once only in entire service period.
- (5) While counting period as referred to in sub-bylaw (1), if any staff had taken extra-ordinary leave or non- stipendiary leave, the period of such leave shall not be counted.
- (6) The staff having completed service period as referred to in sub-bylaw (1) shall have to submit application for promotion to the Recruitment and Promotion Committee.
- (7) After receiving of application as referred to in sub-bylaw (6), if the Recruitment and Promotion Committee finds that the staff has completed service period and obtained educational qualification after conduct required investigation, it shall have to send correspondence to the authority for publication of notice of promotion recommendation and for appointment by maintaining seniority by the date of decision.
- (8) The staff, promoted pursuant to this Bylaw, shall compulsorily have to work for at least two years at the place as deputed by the council.
- (9) The staff, promoted pursuant to this Bylaw, shall able to compete in all sorts of promotion to be conducted for the post of higher level than his/her post. Provided that such staff shall have to obtain minimum educational qualification required for post of promotion.
- (10) If any alternation is made in the special provision of promotion in the civil service, the same shall be applicable in the service of the council after the date of alternation.

**48. Provision of Uplifting Level of Classless Staffs:** The level of classless posts shall be as follows.

- (a) First level

- (b) Second level
  - (c) Third level
  - (d) Fourth level
  - (e) Fifth level
- (2) The first level shall be maintained for the staff having initial appointment in the classless post in the service. The office-in-charge shall make following increment of level of the classless staff not having record of any departmental action.
- (a) The Second level for the staff having five years or more than the same but less than ten years service period,
  - (b) The Third level for the staff having ten years or more than the same but less than fifteen years service period,
  - (c) The Fourth level for the staff having fifteen years or more than the same but less than twenty years service period,
  - (d) The Fifth level for the staff having twenty years or more than the same service period.
- (3) The salary scale shall also be increased as per the level as referred to in sub-bylaw (2).

**49. Publication of Notice of Promotion:** (1) The Recruitment and Promotion Committee shall have to publish notice in the Gorkhapatra National Daily or other national daily newspaper in order to recruit through promotion by means of appraisal of work competency or internal competitive examination in line with percent fixed pursuant to Bylaw 15 and for information of the concerned probable candidates by giving at least thirty days time. The number and details of posts to be promoted, required educational qualification and service period, last day of application and place to submit application shall have to be disclosed in such advertisement.

- (2) If any staff of the service, who become probable candidate of promotion, fails to submit application form due to living in abroad in the course of governmental works, study or duty assignment or due to natural catastrophe or other circumstances beyond control, the concerned office-

in-charge shall have to send details of such staff to the secretariat of the Recruitment and Promotion Committee within the time of promotion notice. The Recruitment and Promotion Committee shall finalize the promotion process on the basis of such details.

**50. Information of Secured Marks to be given:** (1) If the probable candidate of promotion wants to know marks obtained from grounds except performance appraisal amongst grounds of promotion of these Bylaws, the same shall have to be provided accordingly.

(2) If the candidate dissatisfies on the marks obtained pursuant to sub-bylaw (1), he/she shall have to submit application along with evidence of dissatisfaction at the Administration Division within seven days from the date of receiving information.

(3) The information of submitting of application pursuant to sub-bylaw (2) shall have to be given immediately to the Recruitment and Promotion Committee and information of result shall have to be given to the concerned staff by conducting investigation within seven days from the date of submitting of application.

**51. Publication Promotion List:** After the Recruitment and Promotion Committee has submitted the recommendation of names of promoted staffs to the council, the name list of such promoted staffs shall have to be published in the Gorkhapatra National Daily or other national daily newspaper. The marks obtained by the lowest marks securing staff shall also be disclosed in such name list.

**52. Procedure of Complaint and Decision on Promotion:** (1) The concerned staff, having dissatisfaction on the name list of promotion recommended pursuant to Bylaw 51, may lodge complaint to the member-secretary in case of assistant level staff and to the council through the member-secretary in case of officer level staff within thirty five days from the date of publication of such notice of promotion name list. The staffs, who lodge the complaint, shall have to disclose clear grounds of their promotion. The council shall have to finalize

such complaints within 60 days from the date of expiry of the time of complaint.

- (2) In case the council finds that appraisal has deliberately been conducted in wrong way while investigating on the complaint pursuant to sub-bylaw (1), it may warn the appraiser.
- (3) If the council finds the causes for amendment to be made in the notice of recommendation of promotion while taking action on the complaint lodged pursuant to sub-bylaw (1), it shall make investigation and prepare amended name list and send the same to the Recruitment and Promotion Committee. The Recruitment Committee shall publish such amended name list for information of all.
- (4) If it is found that the complaint lodged pursuant to sub-bylaw (1) is baseless or false, information thereof shall have to be given to the concerned complainer and two marks, in case of first time complaint and three marks in case of second time complaint, of such complainer shall be deducted in the promotion conducted recently after such complaint.
- (5) The council shall designate any one member of the council for submitting reports with recommendation by conducting investigation on the complaint lodged pursuant to these Bylaws.

**53. Date of Promotion and Promotion Appointment:** (1) After publication of promotion name list pursuant to Bylaw 35, the candidates recommended for promotion shall be kept in the waiting list until 35 days from the date of publication of such name list for purpose of complaint on promotion. If no complaint is lodged on such recommendation of promotion, appointment shall have to be given by maintaining seniority in the promoted post from the thirty sixth day of publishing of such name list (next day of expiry of the complaint time).

- (2) In case complaint is made on recommendation of promotion pursuant to Bylaw 52, appointment shall have to be given by maintaining seniority as follows.

- (a) If the decision of amending recommendation of promotion is made pursuant to sub-by-law (2) of Bylaw 52, from the date of publication of such amended name list accordingly, and
- (b) If the complaint is quashed or the first recommendation of promotion is retained as it is, from the thirty sixth days of the publication of recommendation of promotion at the first time.

**54. Promotion on the basis of Work Competency:** The appraisal of work competency of the staff shall be conducted as mentioned in the Bylaw 40 and the staff having secured highest marks shall be promoted firstly.

Provided that in case of having secured equal marks in the work competency appraisal, promotion shall be conducted on the basis of seniority and the seniority of such staff shall be determined on following grounds.

- (a) On the basis of date of appointment or promotion in the incumbent post,
- (b) In case seniority cannot be determined pursuant to clause (a), on the basis of date of appointment or promotion in the post of one level below to the same,
- (c) In case seniority cannot be determined by any basis as mentioned in the clause (a) and (b), on the basis of seniority of age.

**55. Recruitment and Promotion Committee may conduct required arrangement:** (1) While performing works as determination of percentage and curriculum related to the recruitment, application fee, conducting examination, formulation of question paper, checking of answer sheet, the Recruitment Committee shall have to apply the principle and process adopted by the Public Service Commission with required alternation in the context of the council.

- (2) In case any unexpected difficulty is taken place in the matters regarding to the promotion as not mentioned in this chapter or even the matters is mentioned in the same but these Bylaws didn't certainly indicate what to do, the Recruitment and Promotion Committee shall, while conducting promotion process, have to submit this matter to the council for

interpretation. The interpretation made by the council shall be direction to the Recruitment and Promotion Committee.

56. **Alteration in the Terms of Promotion:** Any amendment or change made in the provision of promotion of these Bylaws such as minimum service period and educational qualification required for being candidate of promotion, the situations to be disqualified for being candidate of promotion, grounds for promotion made on the basis of work competency, provisions related to performance appraisal, appraisal of seniority, details of classified regions and marks of educational qualification and training shall be come into force from after one year of the such amendment or change.
57. **No Age Limitation:** No age limitation shall be applicable to the staffs for being candidate of promotion.
58. **Restriction on Recruitment:** No recruitment shall be made in the service of the council by any mean except in accordance with provisions mentioned in these Bylaws.

## CHAPTER-6

### **PROVISIONS RELATING TO ACTING, FOR AND DUTY ASSIGNMENT**

59. **Acting:** (1) If the post of office-in-charge is vacant, the office-in-charge takes leave for more than one month's period or goes in duty assignment or he/she is unable to come at the office due to any reason, the member-secretary may designate senior most staff to perform as acting in that post in order to carry on immediate functions for up to six months.
- (2) No staff shall be designated as acting in the post higher than one class.
- (3) The staff, performing as acting pursuant to sub-by-law (1), shall have to take charge of higher post by receiving cash balance, seal, documents and goods required for operating daily functions of the concerned office.
- (4) In case the staff, performing as acting pursuant to sub-by-law (1), is on duty assignment for official work, he/she shall be remained as acting.
60. **To be performed as for:** (1) If the member-secretary or the office-in-charge takes leave for period of one month or less or goes in duty assignment or is unable to attend at the office for complying his/her official responsibility,

the most aged staff of highest post of the same office shall have to perform daily functions by mentioning *for* in that post in order to perform immediate daily functions.

- (2) The aged staff as referred to in sub-bylaw (1) shall have to perform functions of the office-in-charge as *for* by receiving cash balance, seal, documents and goods required for operating daily functions of the concerned office until taken place of other arrangement.
- (3) While performing as *for* pursuant to this Bylaw, the details of the same shall have to be informed promptly to the Administration Division.
- (4) In case any staff has performed functions of any post by mentioning *for* to the same, he/she shall bear responsibility of all acts and actions performed during that period.
- (5) In the situation of need to perform functions of the member-secretary by mentioning *for* to that post for more than fifteen days, information thereof shall have to be given to the ministry.

**61. Exercise of Powers of Office-In-Charge and Responsibility:** (1) If any staff is designated as acting, he/she shall have all powers exercised by the post, as he/she designated as acting, in the operation of daily functions.

- (2) In any staff performs functions as acting or *for* of any post, he/she shall have also responsibility to maintain account of the period as he/she performed.
- (3) In case any staff has performed functions of any post as acting, he/she shall bear responsibility of all acts and actions performed during that period.

**62. Salary and Allowance for the Period Performed as Acting or *For*:** If any staff performs as acting of any post or as *for* for more than 15 days, he/she shall receive initial salary, allowance and facilities of the said post from the date of such performing.

Provided that the receivable salary of the staff performing as acting shall not be less than his/her current salary. In case of less, facility shall be provided by adding grades.

**63. Provision Relating to Duty Assignment:** (1) The office-in-charge may assign any staff on duty assignment as per necessity. The member-secretary or the officer designated by him/her shall assign such duty assignment in case of the council office and the concerned office-in-charge shall assign the same in case of other offices. Only the member-secretary shall have exclusive power to assign the office-in-charge on duty assignment for more than seven days.

(2) The staff assigned on duty assignment pursuant to sub-bylaw (1) shall only have half (1/2) daily allowance from the eighth day if assigned for more than seven days.

Provided that the member-secretary has assigned any staff in any task such as conducting examination, internal auditing, monitoring and evaluation of schools, study and research as per work nature of such task for period of more than seven days by mentioning remarks, he/she shall get full daily allowance during duty assignment period.

(3) The staff assigned on duty assignment shall get daily allowance, travel allowance and hotel expenses at the prevailing rate of the Government of Nepal- prescribed for staff of same class of civil service- during the period of duty assignment.

(4) In case any staff is compelled to stay in the place of duty assignment due to being sick in the period of duty assignment, he/she shall get daily allowance and hotel expenses for up to seven days. The information of sick shall have to be given immediately to the office. The evidence of sickness shall have to be submitted by certifying from the approved doctor.

(5) The member-secretary may assign any staff on duty assignment at the body not having post of the council service, approved temporary posting of the newly established office, project and polytechnic school without providing duty assignment allowance. The period of such duty assignment shall not be more than one year at once.



Provided that the staff serving in the post of office-in-charge shall not be assigned on duty assignment in other project or body with lean in that post.

- (6) Notwithstanding anything contained in this Bylaw, the staff- assigned on duty assignment by submitting application for the same on his/her free will- shall not get duty assignment allowance pursuant to this Bylaw. The duty assignment approving officer shall have to disclose the matter of assigned on duty assignment without receiving duty assignment allowance in the travel order.
- (7) The staff, assigned for travel duty assignment pursuant to this Bylaw, shall have to submit travel report.

## **CHAPTER-7**

### **PROVISION RELATING TO TRANSFER**

64. **Authority to Transfer:** The member-secretary or the officer designated by him/her shall have authority to transfer the staff of the service.
65. **Basis for Transfer:**
  - (1) The staffs of council service may be transferred in the division and offices for providing experience of various divisions and offices- subordinated to the council- to them.
  - (2) While conducting transfer pursuant to sub-bylaw (1), transfer shall be conducted with fixing two year's period. Provided that generally transfer shall not be conducted in middle of educational session.
  - (3) Notwithstanding anything contained in the sub-bylaw (2), the staff may be transferred before completing said period in following conditions.
    - (a) In case of sickness of the staff and the group of expert doctors comprising at least three expert doctors has proved that his/her treatment is not possible in that place,
    - (b) In case of taking departmental action against any staff, or
    - (c) If placement of any staff at the division/ office/ academy/ college/school/center, where he/she has been serving, is not seemed suitable.

- (4) The staff desires to be transferred pursuant to sub-bylaw (1), shall have to submit application before the concerned office-in-charge. The member-secretary shall transfer staffs upon recommendation of concerned office and regional office.
- (5) If any staff procrastinates in attending at the place as posted or transferred pursuant to sub-bylaw (1), only minimum marks shall be provided in the performance appraisal of such staff for concerned fiscal year.
- (6) While conducting transfer of any staff on the basis of unsuitable for placed in any division or office pursuant to clause (c) of sub-bylaw (3), the decision thereof shall be taken with mentioning evident basis and cause.

Clarification: For the purpose of this Bylaw, generally unsuitable means having grounds as follows.

- (a) Unable to perform acts within time,
  - (b) Unable to bear responsibility in the expedient level,
  - (c) Not diligent towards works, or
  - (d) Fit for another type of responsibility due to inadequate skill, competency and vision required for assigned responsibility.
- (7) While transferring the staffs of the service, priority shall be given in posting at the convenient place as much as possible.
  - (8) If both husband and wife are in the council service, transfer may be conducted by arranging posting of them in the same district as per availability of vacant post.
  - (9) This Bylaw shall not deemed to have been restricted on not to transfer any staff who has to perform act of special nature or has been working at the specific project until completion of such work/project.
  - (10) While conducting transfer of staff working in any one geographical region of "a" or "b" category on proportionate basis to the extent of attuned with his/her official responsibility, transfer shall be conducted to

"c" or "d" category by making proportionate of marks to be earned in the geographical region as much as possible.

66. **Details of Transfer:** The officer authorized to transfer shall have to prepare the details of staff transfer pursuant to Annex-14.
67. **Procedures of Transfer:** Generally following procedures shall be applied in transfer of staffs.
- (a) The officer authorized to transfer shall have to up to date the details as referred to in Annex-15.
  - (b) While conducting transfer pursuant to this Bylaw, the cause of transfer shall have to be mentioned in written.
68. **Obligated for Transfer:** (1) The concerned staff shall have duty to attend at the transferred place within the time limit as prescribed in the letter to depart.
- (2) The authorized officer shall issue the letter to depart to the concerned staff for attending at the transferred place within the time limit. The departmental action shall be taken against the staffs who don't attend within prescribed time limit.
  - (3) The staff shall not be transferred in other place without taking charge at the transferred place.
69. **Time for Taking Charge:** (1) No time for preparation shall be provided in case of merely change of division/section in transfer and within valley or transfer from one office to another office of the same district.
- (2) The staff transferred to another district shall get seven day's preparation time except the period required in route. During preparation period, he/she may not attend at the office.
  - (3) While transferring staff from one place to another place, the officer-issuing the letter to depart- shall have to issue the letter to depart as referred to in Annex-16 by mentioning details of his/her current salary and allowance, received advance amount and leave.
70. **Handover:** (1) Any staff shall get 21 days time for handover of cash, goods or documents of his/her hold at the time of transfer and change in the responsibility.

- (2) While conducting handover, the same shall have to be conducted at the concerned office with presence of both recipient and giver.
- (3) The handover shall be deemed to have been completed after certification of the concerned office-in-charge or the officer designated by him/her in the list of official documents prepared after completing act of handover by joint signature of both handover recipient and giver.
- (4) Any staff shall not get release from handover until handover of cash, goods or documents and all other things that to be handover in reality. If the staff fails to handover within time limit as prescribed by this Bylaw, the departmental action shall be taken against such staff.
- (5) The recipient staff shall not procrastinate in taking handover of all cash, goods or documents and all other things that to be received by him/her, if he/she does, departmental action shall be taken.
- (6) Every staff shall have to inform about the date of taking charge to the previous staff as soon as possible and the previous staff shall also have to be prepared for handover on the same day.
- (7) In case of need of more than 21 days for handover, the member-secretary may extend the time limit for upmost 1 month by disclosing evident cause thereof.
- (8) Any staff may arrange handover by appointing his/her brother, son or any trustful person in order to conduct handover of payable or receivable financial dealing.

## **CHAPTER-8**

### **SALARY, ALLOWANCE AND OTHER FACILITIES**

71. **Salary and Allowance:** (1) The staff shall get salary and allowance from the date of joining in the post of the service.
  - (2) The salary, allowance and salary scale of the staff shall be as similar to the same level staff of the Government of Nepal's civil service.
72. **Earned Salary and Allowance to be received:** (1) The salary and allowance of the staff earned by performing functions shall not be deducted except in the

condition as mentioned in these Bylaws and the Bylaws Relating to Financial Administration or as the council has decided to be recovered or settled.

(2) Any staff shall receive all his/her earned salary and allowance due on the severance of his/her service for whatsoever reason.

**73. Salary Scale:** (1) The staff, newly appointed in the post of receiving salary of fixed salary scale, shall get initial salary scale fixed in such salary scale. The salary including salary increment (grade) shall be deemed as the initial salary for the staff, whose salary is fixed by making increment in the salary additional to the initial salary at the time of appointment.

(2) The staff, having promoted in any post of higher salary scale, shall get initial salary prescribed in such salary scale.

Provided that if his/her currently receiving salary is equal to or more than minimum salary of such higher salary scale, his/her salary shall be prescribed in such higher salary scale as follows.

(a) If his/her currently receiving salary is only equal to the initial salary of higher salary scale, that salary shall be fixed by adding one salary increment (grade).

(b) If the previously receiving salary is more than initial salary of the promoted post, salary increment (grade) shall be provided until reaching at the level of currently receiving salary and shall also be provided salary increment (grade) of higher post while fixing salary of higher post in this condition.

**74. Salary Increment (Grade):** Every staff shall get one salary increment (grade) after completion of one year service term except in the condition of impediment on salary increment or suspension done pursuant to these Bylaws. The amount of salary increment (grade) shall be as prescribed by the Government of Nepal for same level of civil service.

**75. Salary, Allowance and Facilities During Suspension:** (1) If any staff is suspended in connection of the functions of the council or as result of department action taken by the council, he/she shall only get half of his/her salary till such suspension period.

Provided that, if he/she gets acquittal due to not proving of charge, he/she shall be entitled to receive salary after deducting half salary if he/she has received in the suspension period or in case he/she hasn't received half salary in the same period, entitled to receive full salary (including increment if any). In case of proving as convict, he/she shall not be able to receive remaining salary from the date of suspension.

(2) If any staff is suspended due to any reason except the reason mentioned in sub-by-law (1), he/she shall not be able to receive salary of such suspension period.

**76. Reinstate in the Service:** (1) If the order of removing or dismissing any staff from the service of the council is revoked pursuant to these Bylaws or he/she gets acquittal by the decision of the court and if the concerned person attends at the office within fifteen days from the date of receiving notice of such decision, he/she shall be reinstated in the same post from which he/she was removed or dismissed.

(2) The staff, as not attended within the period as referred to in sub-by-law (1), shall not be reinstated in the service.

(3) The staff, reinstated in the service pursuant to sub-by-law (1), shall receive full salary (including salary increment) and allowance, if receivable, from the date of removal or dismissal to the date of reinstatement.

**77. Marks of Geographical Region to be Received after Reinstate:** If the staff, retired from the service, is reinstated, the marks of geographical region shall have to be provided for that category from which he/she was retired while providing marks for working in the geographical region in the years of retirement to him/her. Provided that for remaining period, the marks shall have to be provided as similar to "d" category.

**78. Facilities:** The facilities including gratuity, provident fund, medical treatment facility, credit and loan, insurance shall be provided to staffs as referred to in the Bylaws Relating to Financial Administration of the Council for Technical Education and Vocational Training, 2062 (2005) (come into

force from 2064/10/25 B.S. (February 8, 2008 A.D.) after acquiring approval of the Government of Nepal).

## **CHAPTER-9**

### **ATTENDANCE AND LEAVE**

- 79. All time of Staff is under of the Council:** (1) All time of staff is under of the council except otherwise mentioned in these Bylaws and the council may able to assign him/her at any time for council's works.
- (2) No staff shall be absent at his/her office without sanctioning leave except otherwise mentioned in these Bylaws.
- 80. Office Hour, Punctuality and Attendance:** (1) The office hour of the council shall be as prescribed by the council in time to time on the basis of nature of works. Every staff shall have to mark attendance in the attendance book maintained at the office.
- (2) The office-in-charge may give warning to the staff for not coming office at stipulated time, repeatedly coming as belated, coming early and for leaving office at the office hour without obtaining approval except in connection to official works and may deduct salary for the same.
- Provided that the office-in-charge may allow the staff, coming as belated for up to fifteen minutes from stipulated time and up to three times in a month, to mark attendance.
- 81. Permission to be obtained for Leaving Office:** (1) No staff shall leave office at the office hour without obtaining prior approval thereof.
- (2) The staff, having left office at the office hour by infringing sub-bylaw (1), shall be marked as absent and his/her salary and allowance of that day shall be deducted accordingly.
- 82. Surprise Checking:** The council may conduct surprise checking in order to check whether staffs are attended at the office or not. While conducting such surprise checking, if it is found that any staff has come at the office as belated or left office except in connection to the official works and he/she is unable to give appropriate cause thereof, he/she shall be marked as absent.
- 83. Types of Leave:** (1) The staffs of council may get following leaves.

- (a) Casual Leave and Festival Leave
  - (b) Household Leave
  - (c) Sick Leave
  - (d) Maternity Leave
  - (e) Maternity Care Leave
  - (f) Kriya Leave
  - (g) Study Leave
  - (h) Extra-ordinary Leave
  - (i) Monsoon/Winter Leave
  - (j) Substitute Leave
- (2) While counting leave, the period starts from the first day of Baishakh and ends on the last day of Chaitra shall be deemed as one year.
- (3) The leaves, provided pursuant to clause (a), (b) and (c) of sub-bylaw (1) of the staff, having not completed one year's service period, shall be counted on pro rata basis.
- (4) The public holidays- occurred in middle of period of utilized leaves as referred to in clause (a), (b), (c), (d), (e) and (f) of sub-bylaw (1)- shall not be counted in the leave period.

**84. Public Holiday:** The public holiday shall be provided to the staffs on the public holidays as provided by the Government of Nepal.

**85. Casual Leave and Festival Leave:** (1) The staff of the council shall be entitled to get total twelve days' leave in a year as six days' casual leave and six days' festival leave in every year.

- (2) The casual leave and festival leave may be taken for half day but may not be taken in next year by cumulating the same.

Clarification: For purpose of this sub-bylaw, "half day" means half time period of daily office hour.

- (3) The staff, taking casual leave and festival leave, shall be entitled to receive full receiving salary and allowance.
- (4) The leave sanctioning office may approve casual leave and festival leave to be taken pursuant to this Bylaw upon verbal request also.



**86. Household Leave:** (1) The staff shall be entitled to get household leave at the rate of one days for twelve days of worked period. Provided that the staffs, who receive winter and monsoon leave, shall not be entitled to get household leave pursuant to this Bylaw.

Clarification: For the purpose of this Bylaw, "worked period" means the period worked by the staff at the office and casual leave, festival leave, sick leave, maternity leave, maternity care leave, kriya leave and public holidays taken within that period.

(2) The household leave may be cumulated for up to one hundred eighty days in whole service period.

(3) The staff, taking household leave, shall be entitled to receive full receiving salary and allowance.

(4) In case of severance from service, the staff shall be entitled to receive amount as equal to receivable salary of his/her incumbent post at once for his/her cumulated household leave.

(5) While going house by taking at least seven days' household leave at once in a year and returning office from house after completing household leave, the staff shall get period required in route of days at the rate of one day for eight *kosh* (a distance of two miles) for walking way and of days required for motor, rail and air way.

(6) The staff, taking household leave, study leave or extra-ordinary leave, shall not be entitled to get household leave for that period.

(7) In case the household leave is cumulated as more than one hundred eighty days pursuant to sub-bylaw (2), the amount as equal to the salary receiving by the concerned staff shall be paid for such cumulated leave at the end of year.

**87. Sick Leave:** (1) The staff shall be entitled to get 12 days' sick leave in every year. Such sick leave of concerned year may be provided in advance before completion of year.

(2) The staff, taking sick leave, shall be entitled to receive full receiving salary and allowance.

- (3) The sick leave earned by the staff shall be cumulated.
- (4) In case of severance from service, , the staff shall be entitled to receive amount as equal to receivable salary of his/her incumbent post at once for his/her cumulated sick leave.
- (5) Notwithstanding anything contained in sub-bylaw (1), if the cumulated sick leave and household leave is not also sufficient for taking leave for treatment of any immense or severe disease, additional sick leave of up most fifty five days may be provided to such staff in advance.
- (6) The staff, requesting for sick leave of more than seven days, shall have to submit certificate of approved doctor. If the leave sanctioning office believes that generally submission of such certificate is not possible, he/she may approve leave by mentioning such details.
- (7) If additional leave to be taken since the leave as referred to in sub-bylaw (5) is not sufficient, the leave as determined by the council upon recommendation of the Medical Board of the Government of Nepal.
- (8) If the staff, taken advance sick leave pursuant to sub-bylaw (5), dies, the taken advance sick leave shall, *ipso facto*, be exempted.
- (9) The staff shall be entitled to get sick leave during the period of taking other leaves except extra-ordinary leave.
- (10) The expenses accrued for treatment of injury- received due to accident occurred during works of office- at the governmental hospital shall be reimbursed in hundred percent. The treatment period shall be considered as leave without deducting from any leave as to be received by the staff.

**88. Maternity Leave:** (1) The pregnant female staff shall be entitled to get maternity leave of up to total sixty days before and after travail.

- (2) If the female staff, taking maternity leave pursuant to sub-bylaw (1), she may take additional non-stipendiary maternity leave of up to six months without deducting from any leave.

Provided that the leaves as referred to in sub-bylaw (1) and (2) shall have to be taken continuously.

- (3) The maternity leave shall be provided for twice during service period.

- (4) The child care allowance of five thousand rupees for caring of child shall be provided for each child at once to the staff, taking maternity leave or maternity care leave for up to two children,
- (5) The concerned office shall have to maintain up to date record of the maternity leave.
- (6) The staff, taking maternity leave, shall be entitled to receive full receiving salary and allowance.

**89. Maternity Care Leave:** (1) If wife of any male staff is to be in travail, such staff shall be entitled to get maternity care leave maternity leave of fifteen days before and after travail.

- (2) The staff, taking maternity care leave, shall be entitled to receive full receiving salary and allowance.
- (3) The maternity care leave shall only be provided twice in the whole service period.
- (4) The staff, who takes maternity care leave, shall have to submit the birth registration certificate of child at the office within three months of taking such leave.
- (5) In case the staff fails to submit such certificate within the period as referred to in sub-by-law (4), the period of such leave shall be deducted from his receivable sick leave.
- (6) The concerned office shall have to maintain up to date record of the maternity care leave.

**90. Kriya Leave:** (1) In case any staff has to perform kriya by himself/herself as per his/her religion and custom or his/her father, mother, grandfather, grandmother, son, daughter, mother-in-law, father-in-law was died or in case of male staff, his wife was died, such staff shall be entitled to get Kriya leave of fifteen days. In case the husband of female staff has to perform kriya, she shall be entitled to get kriya leave for same days.

- (2) The staff, taking kriya leave, shall be entitled to receive full receiving salary and allowance.

- (3) The staff, who takes leave pursuant to sub-bylaw (1), shall have to submit the death registration certificate of deceased person and relationship certificate with the deceased person within fifteen days from the date of attending at the office after such leave.
- (4) In case the staff fails to submit such certificate within the period as referred to in sub-bylaw (3), the period of such leave shall be deducted from his receivable sick leave.

**91. Study Leave:** (1) The study leave may be provided for study period to the staff selected and nominated as candidate for study after conducting competition amongst staffs in the domestic or foreign scholarship received to the council in the subject useful and necessary to the council service.

- (2) The council may, with not crossing prescribed annual quota of the council, provide study leave to the staff wishing to study on personal endeavor in Nepal and abroad in the subject useful and necessary to the planning or program operated by the council. The staff, who doesn't fall under prescribed quota of the council, may take study leave without receiving salary and allowance.
- (3) The study leave shall only be provided to staffs completing three years service period in the council service.
- (4) The staff may get study leave of upmost three years within service period at once or in various times. Provided that if the council deems required, it can extend the period of study leave for up to two years.
- (5) The staff, taking study leave, shall not get study leave for pursuing degree in the subject other than the subject for which the approval is received and the extra-ordinary leave shall not also be provided.
- (6) The staff acquired approval of study leave shall be entitled to receive full receiving salary.
- (7) The council office shall take a bond from the staff acquired approval of study leave as referred to in terms of this Bylaw and Annex-17 and the concerned staff shall have duty to comply terms of such bond.

- (8) Initially the study leave shall be given for one year. If the result of the staff, gone for study, received from the concerned educational institution is found satisfactory after evaluating the same, then only the study leave may be extended for further.
- (9) The staff, taken study leave to study in an educational institutional, shall not be entitled to change such institution without advance permission of the council. In case of changing of educational institution and not studying in such educational institution, such study leave shall, *ipso facto*, be cancelled.
- (10) If the council assigns the staff to acquire training essential for implementation of any planning and program by nominating her/him, he/she shall be sent as duty assignment for such training period and full salary shall be provided to her/him for such period.  
 Provided that such duty assignment shall be for training only and no training duty assignment shall be provided to any staff while sending for pursuing educational qualification.
- (11) No study leave shall be approved to any staff for studying in the subject not matched with the service and group related to her/his post.
- (12) The staff, going for study after being nominated pursuant to this Bylaw, shall, mandatorily, have to perform duty for following minimum period in the council after completion of such study.

Period of study, training or study visit	Mandatory minimum service period
(a) Up to 3 months	1 Year
(b) 3 to 6 months	1 Year 6 Months
(c) 6-9 months	2 Years
(d) 9 months to 1 Year	3 Years
(e) 1-2 Years	4 Years
(f) 2-3 Years	5 Years
(g) 3-4 Years	7 Years
(h) 4-5 Years	8 Years

- (13) If any staff, taken study leave, doesn't complete service period as referred to in sub-bylaw (12) after completing of study or leave the study in middle without taking approval of the council, such staff shall have to reimburse salary, amount and other facilities as well as all amount received for study from the council during study period, along with interest of annual ten percent to the council.
- (14) If the staff, taken study leave, leaves the service without performing service as referred to in sub-bylaw (12) after completing of study, the period of her/his study leave shall not be counted in the service.

**92. Extra-Ordinary Leave:** (1) The staff of the council shall have to submit application for extra-ordinary leave with mentioning cause thereof and if the cause seems appropriate, the extra-ordinary leave may be provided upmost one year for one time and upmost three years during entire service period.

- (2) The staff, who hasn't completed five years of permanent service of the council, shall not be entitled to get such extra-ordinary leave.
- (3) The staff shall not be entitled to get other leave as referred to in these Bylaws during the period of extra-ordinary leave.
- (4) The staff, taking extra-ordinary leave, shall not be entitled to get salary and allowance.
- (5) The extra-ordinary leave of the staff involved in teaching and training shall not be approved in the middle of educational session.
- (6) The period of extra-ordinary leave taken by the staff of the council shall not be counted in her/his service period.
- (7) In case of existence of cumulated household leave, the extra-ordinary leave shall not be approved.

**93. Winter/Monsoon Leave:** (1) The staff serving at the office- operating teaching and training program and being closed in winter and monsoon season- may get up to total 45 days' leave in a fiscal year including winter and monsoon leave.

- (2) The staff, taking winter/monsoon leave, shall be entitled to get full salary.

- (3) The staff, taking winter/monsoon leave shall not be entitled to get household leave.
  - (4) This leave shall not be cumulated and taken in next year.
- 94. Substitute Leave:** In case staffs worked in public holidays due to any reason, they shall be entitled to get substitute leave for working in public holidays and such leave shall have to taken within one year by arranging queue.
- 95. Process for Request and Approval of Leave:** (1) The staff shall have to submit application for approval of leaves other than pursuant to Bylaw 85 by disclosing desirable period of leave, cause thereof or in case of going abroad the same also in the format as referred to in Annex-18 before the leave sanctioning authority and the leave sanctioning authority shall also have to inform about approval and disapproval of leave to the concerned staff.
- (2) While sanctioning leave to the staff, the leave sanctioning authority shall have to arrange continuation of works performed by such staff before sanctioning leave.
  - (3) If the leave sanctioning authority satisfies on following matters, he/she may sanction leave from the date prior to the date of application.
    - (a) If there is lack of possibility to acquire prior approval of the leave sanctioning authority,
    - (b) If the applicant has made enough efforts for acquiring prior approval.
  - (4) While submitting for study leave, mainly following matters shall have to be mentioned as additional to other matters.
    - (a) Details about subject wanted to study,
    - (b) Details about having permission to enter in the university, institution or training center of study and duration thereof.
    - (c) Other required details supportive to the council in considering on such leave.
  - (5) The following leave amongst the leave requested by the staff shall have to be approved or disapproved within following period.
    - (a) In case of household leave and sick leave within seven days.

- (b) In case of extra-ordinary leave and study leave sixty days.
- (6) In case information of approval and disapproval of leave has not given within the period as referred to in sub-bylaw (5); that leave shall be deemed to have been approved.
96. **One may Attend Before Completing Leave:** The staff, having taken leave, may attend and perform duty at the office before completing leave by acquiring permission of the leave sanctioning authority.
97. **Authority to Approve Leave:** (1) The power to approve leave of staff shall be pursuant to clause (h) of Rule 6.
- (2) The member-secretary may delegate power as referred to in sub-bylaw (1) to the concerned office-in-charge or to the staff of officer level as designated by the member-secretary.
98. **Leave is not Matter of Right:** The staffs of council shall not be entitled to claim leave as their right. The leave sanctioning authority may or may not sanction leave on his/her will with considering on calibration of works.
99. **Record of Leave:** (1) The Personnel Administration Division/Section of the office shall have to maintain record of leave of all staffs pursuant to Annex-20.
- (2) The record as referred to in sub-bylaw (1) shall be provided to every staff in every fiscal year.
100. **The Amount of Cumulated Leave to be Paid:** (1) The amount of cumulated household leave and sick leave shall be paid to the staff, having retired from the service of the council by whatsoever cause, by deducting any amount as payable by her/him to the office, if any.
- (2) In case of death of staff, the amount of leave cumulated pursuant to sub-bylaw (1) shall be provided to her/his heir.
101. **In case of Non-attendance After Completing Leave, One Shall be *ipso facto* Retired:** (1) The staff, taken extra-ordinary leave, study leave, non-stipendiary leave or gone for study or duty assignment, shall have to attend at the office within thirty days from the date of completing approved period of leave or duty assignment.



- (2) In case any staff doesn't attend within the period as referred to in sub-bylaw (1), he/she shall be deemed to have, *ipso facto*, been dismissed from the service.
- (3) The council shall recover its receivable amount from the staff, having *ipso facto* dismissed pursuant to sub-bylaw (2), by deducting any type of cumulated amount payable to her/him by the council. In case of shortage while recovering this manner, the remaining shall be recovered as the governmental due.

## **CHAPTER-10**

### **PROVISION RELATING TO STUDY, TRAINING OR STUDY VISIT**

**102. The Grounds for Nominating for Study, Training and Study Visit: (1)**

While nominating for study, training or study visit amongst staffs of the council service, the same shall be conducted mainly on following grounds.

- (a) The subject of study, training or study visit has been useful and necessary to the concerned service.
- (b) In case of scholarship received to the council for study or training, by giving priority on need of the council and subject, to the staff, having secured highest marks for educational qualification, seniority and performance appraisal and completed three years' permanent service period.
- (c) Not crossed the age of fifty years in case of study of higher educational degree

Clarification: For the purpose of this Chapter:

- (1) "Study" means higher study to be pursued in the subject related to the service.
- (2) "Training" means instruction, training and program to be conducted within fixed period in accordance with fixed curriculum by any organized institution except providing educational degree.
- (3) "Study Visit" means symposium, seminar or observation visit of up to six weeks except study and training.

- (d) While sending in symposium, seminar or study visit conducting for up to six weeks, the appropriate staff shall be sent with considering objective and scope of the program.
- (2) A following committee shall be formed in order to recommend for study, training or study visit as referred to in this Chapter-10 and study leave, extra-ordinary leave and career development of staff pursuant to this Bylaw.
    - (a) Director of Administration Division -Convener
    - (b) Director of Planning and Policy Making Division -Member
    - (c) Director of Technical Division -Member
    - (d) Chief Legal Officer -Member
    - (e) Deputy Director of Administrative Division -Member- Secretary
  - (3) The committee as referred to in sub-bylaw (2) shall, every year, prepare details for sending the staff of the council for study, training or study visit and recommend for approval.
  - (4) The information of opportunities of study, training or study visit directly offered from donor agencies shall have to be given to the committee as referred to in sub-bylaw (2). In case any nomination is made without giving such information, the amount equal to salary and allowance received or to be received by the nominated staff for period of nomination shall be recovered from the nominated staff or officer having authority to nominate. The officer, who doesn't inform such information or does nominate in this manner, shall be recommended for departmental action before concerned body.
  - (5) The committee as referred to in sub-bylaw (2) shall also perform as Human Resource Development Secretariat. That secretariat shall have to maintain updated factual details of situation of human resource development of staffs of the council service, required human resource development planning, staffing having obtained training and study.

(6) Notwithstanding anything contained in this Bylaw, no staff of first class and above that class shall be nominated for training, seminar of long period of more than 2 months.

**103. Priority to be Given While Nominating:** (1) While nominating staff for foreign study, training or study visit, priority shall, subject to the Bylaw 102, be given to the staff not having obtained opportunity of foreign study, training and study visit in past.

(2) If the invitation to participate in training or study visit that to be nominated by the council is came in the name of any particular staff of the council, that invitation shall be deemed to have been come to the council and the council shall have to nominate in line with sub-bylaw (1).

Provided that nomination may, for the seat related to the particular project, be conducted pursuant to sub-bylaw (1) within such project.

**104. The Certificate of Additional Educational Qualification Acquired by the Staff to be Submitted:** If the staff working in the service has acquired any educational qualification and training other than the educational qualification submitted at the time of entering into the service, he/she shall have to submit all details of his/her educational qualification to the Administration Division through concerned office within three months from the date of come into force of these Bylaws or within six months from the date of acquiring such qualification.

**105. Nomination:** The member-secretary shall have right to nominate for study, training or study visit pursuant to this Bylaw.

**106. Restriction on Nomination:** Notwithstanding anything contained in this Chapter, no staff shall be nominated for study, training or study visit during the period as restricted for being probable candidate of promotion pursuant to sub-bylaw (2) of Bylaw 38.

**107. Facilities to be Obtained by the Staff during Duty Assignment for Training and Study Visit:** The allowance and other facilities shall be provided to the

staff going in duty assignment for training and study visit as prescribed by the council.

## **CHAPTER-11**

### **CODE OF CONDUCTS**

**108. Punctuality and Regularity:** (1) All time of the staff shall be subject of the council and the office-in-charge may assign him/her to perform function of the council at any time.

(2) The staff shall have to perform function by attending at his/her office regularly at fixed time and shall not be absent at the office without obtaining prior sanction of leave, if possible.

**109. Discipline and Compliance of Order:** 1) The staff shall have to comply his/her duty with hard working and attention.

(2) The staff shall promptly have to accomplish orders given by the staff senior than him/her in the matters of functions of the office.

(3) The staff shall have to behave all his/her seniors with due respect and shall have to behave justly, friendly and courteously behavior to the lower level staff.

(4) The staff shall have to behave the person having contact with the council politely and courteously.

(5) The staff shall, eagerly, have to go at any place within the state of Nepal and abroad as assigned or transferred by the council within time as prescribed in these Bylaws.

(6) The staff shall have to comply with Act, Rules, Bylaws, circulars and arrangements enforced from time to time for conducting functions of the council and obey order and directives of the council.

(7) The staff of the council shall dignifiedly have to bear responsibility that to be borne as per his/her office and post and perform functions impartially, cleanly, honestly, thriftily and promptly.

- (8) The staff shall not be able to consume or be caused to be consumed or persuaded to consume alcohol or narcotic drugs during office hours at the office premises or to scold or misbehave toward his/her seniors or any staff by consuming or not consuming alcohol or narcotic drugs. If done, departmental action shall be taken against such staff.
110. **Honesty**: The staff shall, at all times, have to discharge duties of his/her responsibilities with utmost integrity and honesty with consideration of the interests of the council.
111. **No Torture to be Given**: (1) The staff of the council shall not give mental or physical torture to anybody.
- (2) The staff of the council shall not conduct sexual harassment and use words of gender and class discrimination.
112. **Behavior with Clients**: (1) The staff of the council shall have to behave respectfully with clients relating to his/her functions.
- (2) The clear information about matter, process relating to works of the client and time required to complete works shall have to be given to the client at due time.
113. **No Political or Inappropriate Influence to be Made**: The staff shall not, with aim of fulfilling interests in the matters related to his/her service, have to make or try to make any political or inappropriate influence on other staffs.
114. **Not Participation in Politics**: The staff of the council shall not participate in any type of politics.
115. **Secrecy**: No staff shall, without permission of the member-secretary, indicate or express directly or indirectly any matter known during compliance of his/her duty or any document or information received from the council or other medium, written or collected by him/her to the unauthorized staff of the council or person of outside of the council, press, radio or television. The

provision shall also be applicable in the condition of severance from the service of the council.

Provided that this Bylaw shall not be deemed to have been restricted on publishing notice, news and interview of true and factual matters relating to acts and activities of the council in time to time on the capacity of spoke-person of the council without making harm on interest of the council.

- 116. Criticize of the Government of Nepal and the Council:** No staff shall, by his/her real or pseudo name, write, make publicity or publish or broadcast from any communication medium against policy adopted or accepted by the Government of Nepal and the council in any newspaper by making blame on the Government of Nepal or the council.

Provided that the staff may able to write article on research subjects including subjects of finance, law, literature, art, history and science or make or cause to be made publicity of the same.

- 117. Restriction on Obtaining Bequeath, Gift, Donation etc. and on Receiving Loan:** (1) No staff shall, without obtaining permission of the council, request for or accept any type of bequeath, present, gift or cause to be accepted from any family member by making any effect probably to the functions of the council.

(2) No staff shall, without prior approval of the council, request for donation or accept any type of financial assist.

(3) No staff shall acquire loan from or make financial transaction with any person or staff having relation with function of the council that to be performed by himself/herself.

- 118. Establishment and Operation of the Company and Business:** (1) No staff shall establish, register or operate company with objectives to operate technical education and vocational training or involve directly or indirectly in operation of such institution by conducting operation of institution by other's name.

- (2) The staff shall, by obtaining permission of the council, provide professional service, conduct any trade or business or accept any type of employment without performing anything contrary to objectives and policy of the council. The member-secretary shall confer such permission.
- (3) Notwithstanding anything contained in sub-bylaw (1) and (2), the staff may perform literature, artistic, historical and scientific works without performing anything contrary to the governmental policy and policy of the council.

- 119. Not Participation in the Election:** No staff shall involve in the election conducted for any political post or request to vote or make any influence for anybody.

Provided that it shall not restrict on use of voting right- conferred by the prevailing law- without expressing as he/she has casted vote to whom or thinking to cast vote.

- 120. Restriction on Demonstration and Strike:** No staff shall involve in demonstration and strike of disrespecting sovereignty and integrity of the state of Nepal, law and order, foreign relationship, public decency of the nation and verdict of the court, creating enmity amongst various castes, tribes, religions, classes, regions and communities or spreading communal bad disposition and supporting of any crime or incite other persons with aim to do the same.

- 121. Restriction on Strike, Custody and Blockade:** No staff of the council shall do strike or pen-down and make pressure with physical or mental oppression or incite other person with aim to do the same by making obstacle in complying lawful duty of any office or staff.

Provided that the matters mentioned in the prevailing trade union law shall be pursuant to the same.

- 122. Restriction on Representation:** No staff shall make representation through other staff or group of staffs except submitting his/her application on the matter

of his/her trouble to the concerned body or authority by himself/herself or his/her representative.

Provided that this Bylaw shall not be deemed to have been restricted in representation from the professional institution/organization recognized by the prevailing law or authorized trade union.

**123. Membership of Staff's Organization:** (1) No officer level first class, officer office-in-charge and officer staff having managerial responsibilities shall acquire membership of any professional institution/organization of the staffs or represent from such institution/organization by any mean.

(2) Notwithstanding anything contained in sub-bylaw (1), the staff may acquire membership of professional institution/organization such as Medical Association, Engineers' Association, Bar Association, Chartered Accountants' Association and social and religious institution/organization.

**124. Details of Assets and Liabilities:** (1) The staff shall have to submit details of his/her assets and financial liabilities before the council in sealed form pursuant to Annex-20 within three months from the date of entering in the service. Even then after, in case of increase and decrease of assets of such staff and significant change in his/her financial capacity; notice along with details thereof in sealed form shall have to be given to the council office within every fiscal year.

(2) Every staff shall have to submit his/her details of assets at the prescribed office or his/her office within time period prescribed in the prevailing law.

(3) The office shall have to send the details received pursuant to sub-bylaw (1) and (2) to the concerned body.

**125. Restriction on Polygamy and Child-Marriage:** No staff shall perform or cause to be performed polygamy and child-marriage with contrary to the prevailing law.



**126. Information of Business and Profession of Family Members to be Given:**

- (1) Every staff shall have to submit information about business and profession of his/her family members before the council in the format as referred to in Annex-21 within thirty days from the date of entering in the service and in time to time till being incumbent in the service.
- (2) If the staff had operated business related to technical education and vocational training as alone or in partnership before entering into the service, he/she shall have to submit the details about to whom he/she has transferred ownership of such business to the council.

**127. Duty to be Performed at the Assigned Place:** The staff shall have to perform his/her duty as per job description of his/her post by attending at the assigned place.

**128. To be Punished:** If any staff breaches anything contained in these Bylaws, he/she shall be punished pursuant to chapter 14 of these Bylaws.

**129. Warning may be Given:** If any staff fails to be punctual, doesn't comply with order of staff higher level to him/her in connection to the functions of the council or makes negligence and delay in acts and activities of the office, the supervisor may give warning to such staff with mentioning cause thereof and the record of the same shall have to be attached in the personal detail file of such staff.

## **CHAPTER-12**

### **RETIREMENT AND GRATUINITY**

**130. Compulsory Retirement:** (1) The staff completing 58 years of age shall be retired compulsory from the service.

- (2) While the staff, obtained permanent appointment in the council service at the time when the age of compulsory retirement was 60 years in the Bylaws Relating to Service Terms of Staff of the council, gets, *ipso facto*, compulsory retirement pursuant to sub-bylaw (1), his/her total service period shall be fixed by adding two years as remaining to attain

his/her age to sixty years only for purpose of counting his/her gratuity and other service facilities.

- (3) If the staff- except officer level first class- is being retired from his/her post after not having promoted in fifteen years in his/her incumbent post, one post as higher than his/her incumbent post shall be created before one month of his/her retirement and he/she shall be retired by promoting in that post. After retirement, that created post shall, *ipso facto*, be cancelled.

**131. Special Provision Relating to Retirement:** If the medical board formed by the Government of Nepal recommends that the staff is incapable to serve due to physical or mental illness; gratuity shall be provided to such staff by adding five years in his/her service period subject to not crossing the age limit of his/her compulsory retirement.

**132. Regarding to Retirement Date of Staff:** The staff himself/herself shall have to get information about his/her date of compulsory retirement. If any staff receives salary, allowance and facilities by working even after his/her date of compulsory retirement, the same shall be recovered by deducting from any amount receivable to him/her from the council.

**133. Retirement Fund:** (1) The council shall make agreement with the agency having authority to establish retirement fund pursuant to prevailing Income Tax Act and deposit gratuity amount receivable to staffs of the council after retirement in the same.

(2) Such gratuity amount shall be deposited by opening account in the name of every staff.

(3) The council shall formulate and implement directives for other provisions of operation of fund.

(4) The amount, as referred to in the Bylaws Relating to Financial Administration of the council, shall be deposited in the fund.

- (5) The permanent staff, having served five years and more, shall receive gratuity pursuant to the Bylaws Relating to Financial Administration of the Council for Technical Education and Vocational Training, 2062 (2005) (come into force from 2064/10/25 B.S. (February 8, 2008 A.D.) on his/her retirement or severance from the service by making approval of resignation.
- (6) Notwithstanding anything contained in sub-bylaw (5), no staff shall receive gratuity in following conditions.
  - (a) In case proving of lying citizenship, age or qualification with aim to enter in service or continue the service or convicted on offence against Bylaw 118(1).
  - (b) In case dismissed from the service by being declared unfit for service of the council in future.
- (7) In case the staff, eligible to receive gratuity, dies during the service, the gratuity amount receivable by him/her pursuant to this Bylaw shall be given to the person, if he/she had designated and if not designated, to his/her nearest heir.
- (8) In case the incumbent dies, the gratuity amount shall be provided to his/her family members by adding maximum 5 year's service period in his/her service period subject to not exceeding service period of 20 years.

**134. Disability Allowance and Treatment Expenses:** (1) If any permanent staff incumbent in the service becomes unfit for service due to being injured in the accident occurred during the works of the office, the monthly salary disability allowance shall be provided to such staff until attained fifty eight years of age.

- (2) After attaining age as referred to in sub-bylaw (1), the gratuity amount shall be provided to him/her by upholding his/her service period as whichever lower period between the service period after attaining fifty eight years pursuant to these Bylaws or twenty year's service period.

- (3) The concerned staff shall receive hundred percent amount of treatment expenses while having treatment after being injured pursuant to sub-bylaw (1). Receiving of such treatment expenses shall not make any obstacle in receiving treatment expenses pursuant to Bylaws Relating to Financial Administration of the Council for Technical Education and Vocational Training, 2062 (2005) (come into force from 2064/10/25 B.S. (February 8, 2008 A.D.) by such staff.

**135. Calculation of Staff's Age:** The council shall calculate staff's age as follows.

- (a) Age based on the date of birth mentioned in the certificate of the educational institution submitted while entering in the council service.
- (b) In case of the staff, not obtained certificate as referred to in sub-bylaw (a), age based on the date whichever higher between the date of birth of the citizenship certificate submitted by him/her or as the date of birth mentioned by him/her at time of entering in the council service.

**136. Gratuity may be Stopped in case of not Handover:** (1) The gratuity of staff retired from the service may be stopped until handover of cash, goods or document by him/her. The staff, who has to take handover of such cash, goods or documents, shall also have to take handover within the prescribed time.

- (2) If the staff has taken loan upon surety of the council, the gratuity shall be stopped until settlement of the same.

## **CHAPTER-13**

### **SECURITY OF SERVICE**

**137. Security of Service of the Staff:** No staff shall be removed or dismissed from the service without giving appropriate opportunity of explanation except following staffs.

- (1) If the staff is convicted by the court on a criminal charge of moral turpitude.

- (2) If the incumbent is serving in any tenure or contract based post.
- (3) If there is sufficient ground of not found after absconding or impossible to establish contact, and
- (4) If the staff is convicted by the court in the charge of corruption.

**138. Saving of Staff:** (1) If any staff of the council service performs any act with considering the same as his/her official duty, no case relating to such act shall be sued without fulfilling process as referred to in sub-bylaw (2).

(2) For suing case against any staff pursuant to sub-bylaw (1), permission of the member-secretary shall have to be obtained in case of criminal case and in case of civil case; following processes shall have to be fulfilled.

(a) The written notice mentioning cause of suing case and name and address of the plaintiff and his/her representative, if any, has been submitted before the member-secretary or concerned staff or sent through registered mail and two month's period has been exceeded of submitting copy thereof at the council.

(b) The case has been sued within eight months from the date of occurring of the cause to sue case.

(3) Even after severance from the service, no case shall be sued against any staff for any act performed in the course of compliance official duty at the time of incumbent in service without obtaining permission of the member-secretary.

(4) In case of providing permission of suing case pursuant to sub-bylaw (3), the council shall arrange appropriate defense thereof and accrued expenses of the same.

(5) Any staff charged by any person on the matter of his/her official duty, may take support of the court personally or by obtaining permission of the member-secretary for acquittal from such charge. If the member-secretary

provides permission for such support, the council shall arrange his/her appropriate defense and accrued expenses thereof.

- (6) If the staff gets final acquittal from the court while defending any case charged by any person or body on the matter of his/her official duty personally or by obtaining permission of the member-secretary for acquittal from such charge, the council shall reimburse suitable expenses spent on legal defense.

139. **Security of Service Terms:** Salary, allowance, gratuity, other facilities and terms of service of any staff as existed in the time of his/her appointment shall not be altered to his/her disadvantage without his/her consent.

## **CHAPTER-14**

### **PUNISHMENT AND APPEAL**

140. **Types of Punishment:** The staff may be punished as follows upon existence of appropriate and sufficient cause;

(a) **General Punishment:**

- (1) Reprimand,
- (2) Restriction on promotion until 2 years or Restriction of maximum two salary increments (grades),
- (3) Restriction on promotion from two to five years or Restriction of two to five salary increments (grades),

(b) **Special Punishment:**

- (1) Removal from the service with declaring not unfit for the council service in future,
- (2) Dismiss from the service with declaring unfit for the council service in future.

141. **Reprimand, Restriction on Promotion until Two Years or Restriction on Maximum Two Salary Increments:** The staff of the council may be punished

as reprimand, restriction on maximum two salary increments or restriction on promotion until two years in any of following conditions;

- (a) If his/her performance is not satisfactory,
- (b) If handover is not made pursuant to the Act, Rules and Bylaws or not received such handover,
- (c) If got two written warnings pursuant to Bylaw 129 in a year,
- (d) If failed to perform official duty responsibly,
- (e) If failed to comply the directions of officer of higher level than him/her in connection to repeatedly ignoring of grievance and complaint of customers,
- (f) If the office bearer having obligation to implement job description failed to do so.

**142. Restriction on Promotion from Two Years to Five Years or Restriction on From Two to Five Salary Increments:** The staff may be punished as restriction on promotion from two Years to five Years or restriction on from two to five salary increments in any of following conditions;

- (a) If performed undisciplined act,
- (b) If gone abroad by showing false cause for leave,
- (c) If consumed alcohol or narcotic drugs within premise of office at the office hour,
- (d) If not attended at the transferred office within given time,
- (e) If repeatedly absence at the office without obtaining permission,
- (f) If repeatedly not gave handover or not taken handover of cash, goods and other documents within time period as prescribed by the council,
- (g) If failed to comply functions and duties relating to post or done negligence in the same,

- (h) If breached Bylaws related to conduct and discipline,
- (i) If failed to settle advance pursuant to prevailing law,
- (j) If failed to comply direction given in connection to irregularities known during managerial supervision,
- (k) If deliberately performed act of making loss and damage of cash and goods of the office,
- (l) If failed to comply Act, Rules, Bylaws and Order.

**143. Remove or Dismissal From Service:** (1) The staff may be punished as removal and dismissal from service by declaring not unfit for the service of council in future in any of following conditions;

- (a) If the staff failed to fulfill functions and responsibilities of his/her post due to disqualification,
- (b) If repeatedly breached the code of conducts except as referred to in Bylaw 118 (1),
- (c) If repeatedly consumed or come with consuming alcohol or narcotic drugs at office hours,
- (d) If repeatedly performed undisciplined acts,
- (e) If breached secrecy of post,
- (f) If participated in politics,
- (g) If repeatedly ignored responsibilities of post,
- (h) If absence for continuously thirty days or ninety days within a year without obtain sanction of leave,
- (i) If received residential visa of foreign country,
- (j) If any staff is convicted for giving or for attempting to give secret governmental documents, papers or information of under custody of his/her or his/her family members or obtained by him/her by any mean to any unauthorized person or body,



- (k) If any staff is convicted for conducting irresponsible behavior against the dignity of his/her post by making undue contact with any foreign nation, institution or citizen against the national interest.
- (2) The staff may be punished as dismissal from service by declaring unfit for the service of council in future in any of following conditions;
  - (a) If convicted on any criminal charge of moral turpitude from the court.
  - (b) If convicted on breaching of code of conduct as referred to in Bylaw 118 (1).

**144. Special Provision on Departmental Action and Punishment:**

- (1) Notwithstanding anything contained in these Bylaws, if the Commission for the Investigation for Abuse of Authority or the concerned body pursuant to the prevailing law sends correspondence for taking departmental action against the staff, the departmental action shall be taken accordingly by complying required processes.
- (2) No staff, absence for continuously 30 days or 90 days within a year without obtaining permission, shall be sustained as attended by deducting salary. If such staff is permitted to attend, the departmental action shall be taken against such attendance permitting office bearer pursuant to No. (3) of Clause (a) of Bylaw 141 and the salary and allowance received by such staff shall also be recovered as due of the council from such attendance permitting office bearer.

**145. Suspension and Opportunity for Clarification:** (1) In case of need to investigate any charge as mentioned in Bylaw 143 in connection to any staff, the officer having authority to punish may suspend that staff until completion of inquiry. The officer having authority to issue order of the departmental action shall have to provide suspension letter and letter offering opportunity of defense as referred to in Bylaw 148 to the concerned staff.

Provided that generally no staff shall be suspended without existence of following conditions;

- (a) There is possibility of collecting false evidence or of vanishing adverse evidences if permitted to perform duty without placing under suspension, or
  - (b) There is possibility of loss and damage of the council, if permitted to perform duty without placing under suspension.
- (2) The staff detained in the criminal charge shall, *ipso facto*, be deemed to have been suspended for such detained period.
  - (3) Generally no staff shall, pursuant to sub-bylaw (1), be suspended for more than two months. The action against the staff shall have to be finalized within such period. In case of need to extend suspension period since action cannot be finalized within such period due to any extra-ordinary situation, the officer issuing suspension order may extend suspension period for up to one month by disclosing appropriate and sufficient causes thereof.
  - (4) If any staff reinstated in his/her post or removed or dismissed from the service or his/her suspension period is ended, his/her suspension shall be ended accordingly.

**146. Inquiry:** (1) The officer having authority to issue order of the departmental punishment, himself/herself, may conduct inquiry of any charge pursuant to Bylaw 145 or may cause to be conducted the same through any other officer. The inquiry officer shall have to submit report along with recommendation of appropriate punishment after studying contextual evidences.

- (2) The inquiry officer as referred to in sub-bylaw (1) shall have power to conduct acts of inquiry by adopting following processes;
  - (a) To use power of taking statement, issuing order to submit documentary evidence and issuing summon in the name of witnesses as similar to a law court.
  - (b) To examine evidence in front of accused staff.

- (c) To provide opportunity of cross examination of witnesses and of submitting evidence against accusation to the accused staff.
- (3) After completing of acts of inquiry as referred to in sub-bylaw (2), the inquiry officer shall have to submit report before the office having authority to issue order of punishment. He/she shall have to attach his/her concrete opinion along with cause of punishment and received evidences.
- 147. No Need to Inquiry:** The officer, having authority to issue order of punishment, shall not, in following conditions, have to conduct inquiry in connection to following departmental action;
- (a) In case of doing simple punishment as referred to in clause (a) of Bylaw 140,
  - (b) In case of doing departmental punishment against the staff as not found after absconding or impossible to establish contact,
  - (c) In case of doing department punishment against any staff on the basis of being convicted on criminal charge of moral turpitude by the court.
  - (d) In case of doing department punishment against staff convicted on corruption charge by the court.
- 148. Opportunity for defense to be provided:** Before issuing order of punishment of any staff, the officer, having authority to issue order of the departmental punishment, shall have to provide opportunity for defense by giving upmost seven days' time to that staff with clearly mentioning cause of taking action. While providing such opportunity, the accusation charged against him/her shall be clearly mentioned and the grounds of each and every accusation shall also be disclosed. The concerned staff shall also have to submit his/her defense within given time and the concerned officer shall have to make duly consideration on such defense.

149. **Punishment to be Proposed Before Issuing of Special Punishment:** Before issuing order of the special punishment, the officer, having authority to issue order of the department punishment, shall, in case of not submitting defense within given time pursuant to Bylaw 148 or the submitted defense seems dissatisfactory, have to ask clarification of whether the concerned staff shall not be punished by the proposed punishment by giving appropriate time.
150. **The Cause of not Satisfactoriness of Clarification to be disclosed:** While asking clarification from any staff pursuant to Bylaw 149, the officer, having authority to issue order of punishment, shall have to disclose cause of dissatisfaction, if any, over the defense submitted previously pursuant to Bylaw 148. If inquiry has been conducted in connection to such staff pursuant to Bylaw 146, the justification of the proposed punishment shall also be disclosed by mentioning result of such inquiry.
151. **Punishing Authority:** (1) The member-secretary shall have authority to issue order of punishment as referred to in clause (a) and (b) of Bylaw 140 to the officer level staff of the service. Before issuing order of punishment as referred to in clause (b) of Bylaw 140, the member-secretary may, if he/she deems necessary, conduct inquiry through director of the Administration Division or any other officer staff in case of staff of the council office and through the office-in-charge or any other officer staff in case of staff of other offices and take report along with opinion.
- (2) The member-secretary or the officer staff as designated by him/her shall have authority to issue order of punishment as referred to in clause (a) and (b) of Bylaw 140 to the assistant level staff of the council office and in case of assistant level staff of other offices; the office-in-charge shall have that authority. Before issuing order to punishment as referred to in clause (b) of Bylaw 140, the officer, having authority to issue punishment order, may, if he/she deems necessary, conduct inquiry.

152. **No Effect on Decision**: The minor mistake, not having significant effect on the action taken against any staff by the authorized officer pursuant to this Bylaw, shall not affect on the decision.

153. **Order of Punishment and Process of Getting Duplicate Copy**: (1) The officer, having authority to issue order of the departmental punishment pursuant to these Bylaws, shall have to make decision by considering on whether the enough opportunity of submitting defense or clarification was given to the concerned staff or not and by appropriately evaluating defense and clarification submitted by such staff and all available evidences and with unveiling evident cause of decision. Such officer, having authority to issue order to punishment, shall have to make decision in the format as referred to in Annex-22 with his/her clear opinion on the punishment order.

(2) After asking of clarification from any staff by proposing a punishment, no other decision shall be made by doing punishment greater than proposed punishment. In case of need to do punishment greater than proposed punishment due to any cause, the processes as referred to in this chapter shall have to be completed.

(3) The officer, having authority to issue order of punishment, shall not have to make decision by giving retrospective effect than the date of decision, while deciding to do departmental punishment against any staff.

Provided that while doing punishment in the accusation as referred to in clause (h) of sub-bylaw (1) of Bylaw 143, the decision shall have to be made as applicable from the next day of completing thirty days or ninety days and while doing punishment in the accusation as referred to in clause (a) and (b) of sub-bylaw (2) of the same Bylaw, the decision shall have to be made as applicable from the date of declared as convicted by the court.

(4) The officer, having authority to issue order of punishment, shall have to provide a copy of order of the departmental punishment made in

connection to any staff pursuant to sub-bylaw (1) to the concerned staff without any fee.

**154. Appeal Hearing Authority:** (1) The staff, having dissatisfied over the order of departmental punishment issued by the officer, having authority to issue order of punishment, may submit appeal within thirty five days from the date of knowing about such order as follows;

(a) At the council against the order of punishment issued by the member-secretary, and

(b) Before the member-secretary against the order issued by any officer other than the member-secretary.

(2) The council may designate the Education Secretary or any other member from amongst the members to make decision after hearing of appeal submitted pursuant to sub-bylaw (1).

**155. Process of Appeal:** The staff, submitting appeal pursuant to Bylaw 154, shall have to follow following processes;

(a) The appeal submitting staff shall have to submit appeal by his/her name,

(b) The appeal submitting staff shall have to submit appeal in appropriate and respectful language along with evidence of his/her defense and the copy of order- against which the appeal is submitted- shall have to be attached with the appeal,

(c) The appeal submitting staff shall have to mention his/her pleadings clearly in the appeal.

**156. Processes to be followed by Appeal Hearing Authority:** The appeal hearing authority shall have to consider on following matters in the registered appeals except application of appeal denied pursuant to Bylaw 159;

(a) Whether the accusation, upon which punishment was given, is proved or not?

- (b) Whether the submitted evidences are sufficient for punishment or not?
- (c) Whether the punishment is appropriate or not?

**157. Quashing of Appeal:** (1) The appeal hearing authority may quash the appeal in case the same has not followed processes as referred to in Bylaw 155.

(2) In case of quashing of any appeal pursuant to sub-bylaw (1), the quashing authority shall have to inform the appellant about the cause for quashing.

**158. Decision on Appeal:** (1) The appeal hearing authority shall, generally, have to give decision within sixty (60) days from the date of submitting appeal.

(2) The appeal hearing authority may able to uphold or decrease or overturn the order of punishment.

(3) The decision of appeal hearing authority shall be final.

**159. Appeal may be denied:** (1) In case the appeal submitted by any staff against the order of the departmental punishment hasn't fulfilled processes as referred to in Bylaw 155, the appeal hearing authority may deny to accept such appeal.

(2) The following matters shall have to considered pursuant to sub-bylaw (1);

- (a) Whether the reality of the matters taken as grounds in the order of the punishment is verified or not?
- (b) Whether verified matters are sufficient for punishment or not?
- (c) Is the punishment appropriate, sufficient, insufficient or excessive?

(3) After considering pursuant to sub-bylaw (2), the appeal hearing officer may issue final order to upholding, overturning or decreasing punishment given to the appellant.

## CHAPTER-15

### MISCELLANEOUS

160. **Change of Service Group or Sub-Group:** (1) The council shall, upon recommendation of the Recruitment and Promotion Committee, shall change service, group or sub-group of any staff into other service, group or sub-group by taking his/her consent.
- (2) While changing service, group or sub-group of any staff by the council pursuant to sub-bylaw (1), the concerned staff shall have to acquire minimum educational qualification required for concerned post of the changed service, group or sub-group. While recommending for changing service, group or sub-group, the Recruitment and Promotion Committee may conduct qualification test if required.
- (3) If the change of service, group or sub-group was made upon request of the staff himself/herself pursuant to this Bylaw, he/she shall not be able to become probable candidate for promotion until completing of two years of such change of service, group or sub-group.
161. **To be performed In case of Cancelling of Posting:** If the council decides to cancel any service, group, sub-group of the council service or any post contained in the same and the posting is cancelled accordingly; the staff, working in the post of such cancelled posting, shall be adjusted in other service, group or sub-group or posting of under the same on the basis of his/her educational qualification to the extent of possibility.
162. **Result Oriented Working Schedule to be made:** (1) Every office-in-charge shall have to prepare annual working schedule on the basis of functions, duties and responsibilities prescribed for every post by clearly mentioning job division of all staffs subordinated to him/her.
- (2) While preparing working schedule pursuant to sub-bylaw (1), comprehensive job description shall be mentioned to the extent of



possibility with the point of view of making performance of concerned staff as result oriented.

**163. Provision Relating to Performance Appraisal Form:** (1) The member-secretary of the Recruitment and Promotion Committee shall have to maintain secrecy of the performance appraisal form of the staff.

(2) If the secrecy of the performance appraisal form as referred to in sub-bylaw (1) is breached except providing to the secretariat of the Recruitment and Promotion Committee at the time of necessity; the concerned staff having custody on such documents shall be responsible thereof and in case of breaching of secrecy, it shall be deemed to have been infringed of provision of code of conducts and the action of departmental punishment shall be taken against him/her.

**164. Determination of Seniority:** (1) While preparing seniority on the basis of date of appointment or promotion in the level of incumbent post and in case the date is same, seniority list shall be prepared on the following grounds;

(a) On the basis of merit list recommended at the time of permanent appointment or promotion in the incumbent post,

(b) In case recommendation of promotion of similar post and recommendation of open competitive examination was made on same day, on the basis of recommendation of promotion,

(c) In case of occurrence of situation except mentioned in above (a) and (b), on the basis of Bylaw 54.

(2) While preparing seniority list pursuant to sub-bylaw (1), the period of extra-ordinary leave or non-stipendiary leave or absence shall not be counted.

**165. Service Record:** (1) The Administration Division shall have to maintain record of staffs appointed in the service by mentioning date of appointment, date of promotion, details of educational qualification, details of training, date of retirement , details of departmental punishment, if have any.

(2) The Administration Division shall have to maintain the details of the staff dismissed from the service by being declared unfit for the service in future along with name of three generation and identification marks.

**166. Clothing Allowance:** The clothing allowance shall be provided to the staffs of the council service as similar to the civil servants of the Government of Nepal.

**167. Festivals and Other Facilities:** The amount equal to one month's receiving salary shall be provided to the staffs of the council as festival expenses in every year for celebrating festival as per his/her religion, culture and custom. The staff shall be able to obtain such amount at once in a fiscal year on the occasion of main festival celebrated as per his/her religion, culture and custom.

**168. Calculation of Previous Service:** The previous service period of the staff shall be calculated for the purpose of all types of facilities as follows;

(a) The 66 percent service period amongst the temporary service period of the staff, who had served in the temporary service of the council service for period of one year or more and had been appointed in permanent appointment by maintaining continuation of the temporary service, shall be calculated by adding in the permanent service for the purpose of gratuity.

(b) If the service period of staff, who had served in the council service from the civil service or other temporary/permanent governmental service at the time of establishment of the council and had been appointed in permanent appointment in the council service by maintaining continuation of the such service, was added in the permanent service of the council before come into force of this Bylaw, that service shall be calculated for the purpose of gratuity.

(c) While calculating service period after permanently appointed in any post of the council service, the calculation shall be made by

deducting the period of absence, breach in service at middle and extra-ordinary leave.

- (d) The staff, desiring to add service by reimbursing facilities of previous permanent service period pursuant to this Bylaw, shall have to initiate process of adding service within one year of entering into the council service. Such staff, desiring to add service, shall have to attach evidence of not taking any facility for such service in accordance with concerned law relating to the service.

**169. Council Service Prize:** (1) The council shall confer the most excellent service prize to a staff and excellent service prize to four staffs amongst staffs having special contribution on enhancing prestige and dignity of the council.

- (2) The prize as referred to in sub-bylaw (1) shall be conferred as Rs. 50,000.00 (Fifty Thousand) cash to the staff selected as most excellent staff and as Rs. 25,000.00 (Twenty Five Thousand) cash to the staffs selected as excellent staff along with the certificate of appreciation as referred to in Annex-23 on the occasion of annual day of the council.

- (3) There shall be following committee in order to recommend the prize as referred to in sub-bylaw (1).

- |     |  |                   |
|-----|--|-------------------|
| (a) | Vice-Chairperson   | -Convener         |
| (b) | Member-Secretary   | -Member           |
| (c) | The Gazetted First Class Representative designated by<br>the Ministry of Education | -Member           |
| (d) | Director, Technical Division   | -Member           |
| (e) | Director, Administration Division  | -Member-Secretary |

- (4) The committee as referred to in sub-bylaw (2) shall select and recommend staffs for conferring prize as referred to in sub-bylaw (1) on following grounds;

- (a) Recommendation of concerned division/office,
  - (b) Performance appraisal of past four years,
  - (c) Seniority, diligence, dutifulness and professional competency,
  - (d) Having served in remote area, and
  - (e) Other grounds as deemed appropriate by the committee.
- (5) The prize shall not be conferred again to the staff, having recommended for conferring prize at once pursuant to this Bylaw, until at least three years from the date of conferring such prize.
- (6) The works of secretariat of the committee as referred to in sub-bylaw (3) shall be performed by the Administration Division.
- (7) The establishment day of council shall be celebrated as annual day. The council shall determine the day of celebration annual day. On the annual day, holiday shall be provided in the council and offices subordinated to the council.

**170. Authority of the Post to be remained as Same:** The authority of post of the staff shall be remained as same in following conditions;

- (a) Until served in the post,
- (b) Until the period of journey available for attending to discharge duty of other post after transfer,
- (c) During the period of leave,
- (d) During the period of suspension,
- (e) During the period of assignment as assigned by the council for functions of office or any other function or during the period of working as acting to any other post.

**171. Personal Details Form:** (1) The authorized officer shall have to make arrangement for preparation of personal details of every staff in the format as

referred to in Annex-24 and make arrangement to keep the same at the Administration Division/ Section.

(2) In case, the staff wants to change in his/her personal details, he/she shall have to send application in written at the Administration Division and the concerned staff shall have duty to make his/her personal details up to dated.

**172. Authority Relating to Lawsuit:** (1) The member-secretary shall have power to submit complaint, rejoinder, appeal, writ petition or other documents on the behalf of the council at any judicial, quasi-judicial or administrative bodies as being plaintiff or defendant of lawsuits containing right, benefit or concerns of the council and other subordinated offices or power to appoint law practitioners.

(2) If the legal officer, having obtained license of advocate, prepares documents such as written rejoinder, complaint, rejoinder, appeal, writ petition that to be submitted at any judicial, quasi-judicial or administrative bodies and pleads on the behalf of the council or other subordinated offices; the twenty percent amount of his/her monthly receiving salary shall be provided to him/her for every case.

**173. Appointment of Director:** (1) The council shall, upon recommendation of the member-secretary, designate the officer level first class staff in the post of director. While making such designation, the responsibilities of the post shall also have to be disclosed. Such designation shall, generally, be for four years.

(2) If the staff fails to fulfill responsibilities given pursuant to sub-bylaw (1), the council may, upon recommendation of the member-secretary, transfer such staff at other place from such post.

(3) The member-secretary shall, subject to these Bylaws, confer responsibilities to any officer level first class staff to perform as chief of any section or unit of the council office. The member-secretary shall designate staff of any service from amongst officer level first class

officers in the post of controller of examinations on the basis of his/her seniority, working competency and working proficiency.

- (4) The director shall have responsibility to make complete the prescribed works of concerned division upon his/her accountability and duty to perform or cause to be performed other functions as prescribed by the member-secretary.

**174. Power to Alter and Modify in the Annex:** The council may alter and modify the annex and provision of the annex listed in these Bylaws in time to time.

**175. Governed Pursuant to the Prevailing Law:** The matters of staff service terms to the extent of mentioned in these Bylaws shall be governed by these Bylaws and the matters not mentioned in these Bylaws shall be governed by the prevailing Nepalese laws.

**176. Repeal and Saving:** (1) The By-Laws Relating to Service, Terms and Facilities of Staff 2049 (1992) of Council for Technical Education and Vocational Training is hereby repealed.

- (2) The acts done and actions taken under the Bylaws as referred to in sub-law (1) shall be deemed to have been done and taken under these Bylaws.

ANNEX-1

(Relating to Sub-Bylaw (t) of Bylaw 2 and Sub-Bylaw (3) of Bylaw 5)

Divisions of the Council

- (a) Administration Division
- (b) Technical Division
- (c) Information and Research Division
- (d) Curriculum Development and Equivalency Determination Division
- (e) Level Determination and Affiliation Division
- (f) Policy Making and Planning Division
- (g) Training Development Division
- (h) Polytechnic Division
- (i) ANNEX Division

ANNEX-2

(Relating to Sub-Bylaw (2) of Bylaw 6)

Service, Group and Sub-Group to be existed in the Council

(a) **Technical and Training Service:**

1. Engineering Technical Training Group

- (a) Civil Engineering Sub-Group
- (b) Electrical/Electronics and Telecommunication/Engineering Sub-Group
- (c) Automobile/General Mechanical Sub-Group
- (d) Sanitation Sub-Group
- (e) Refrigeration and Air Condition Sub-Group
- (f) Survey Sub-Group
- (g) Agriculture/Irrigation Engineering Sub-Group
- (h) Press Engineering

2. Agriculture and Veterinary Technical Training Group

- (a) Agriculture Sub-Group
- (b) Animal Health Sub-Group
- (c) Animal Farming Sub-Group

3. Health Technical Training Group

- (a) General Medicine Sub-Group
- (b) Health Lab Sub-Group
- (c) Pharmacy Sub-Group
- (d) Nursing Sub-Group
- (e) Radiography Sub-Group
- (f) Aayurveda Sub-Group



(g) Dental Sub-Group

4. General Training Group

(a) English Sub-Group

(b) Nepali Sub-Group

(c) Mathematics Sub-Group

(d) Chemistry Sub-Group

(e) Physics Sub-Group

(f) Office Management Sub-Group

(g) Social Science Sub-Group

(h) Zoology Sub-Group

(i) Botany Sub-Group

(j) Micro-Biology

5. Tourism Technical Training Group

(a) Tourism Sub-Group

(b) Hotel and Restaurant Management Sub-Group

(c) Mountaineering Sub-Group

(d) Travel Trekking Sub-Group

6. Forestry Technical Training Group

**(b) Administration Service:**

1. General Administration Group

2. Account Group

3. Law Group

ANNEX-3

(Relating to Sub-Bylaw (2) of Bylaw 7)

Classes Existed in Officer and Assistant Level

1. Classes Existed in Officer Level of the Service:-
  - (a) Officer First
  - (b) Officer Second
  - (c) Officer Third
  
2. Classes Existed in Officer Level of the Service:-
  - (a) First
  - (b) Second
  - (c) Third

ANNEX-4

(Relating to Sub-Bylaw (2) of Bylaw 8)

Name of Posts Existed in the Service

S.No.	Class		Name of Posts
1	Name of posts existed in the Officer Level First Class	Technical	(a) Director (b) Executive Director (c) Professor (as per subject) (d) School-in-Charge (e) Coordinator (Engineering/Health/Agriculture) (f) Consulting Trainer (g) Controller of Examinations
		Administration	(a) Director (b) Controller of Examinations (c) Finance Controller (d) Regional Director
<p>Note: One of controller of examinations between technical and administration service may be posted pursuant to Sub-Bylaw (3) of Bylaw 173.</p>			
2	Name of posts existed in the Officer Level Second Class	Technical	(a) Deputy-Director (b) Reader (as per subject) (c) Senior Technical Officer

			(as per subject)
			(d) Deputy-Controller of Examinations
			(e) School-In-Charge
			(f) Office-In-Charge
	Administration		(a) Deputy-Director
			(b) Deputy-Controller of Examination
			(c) Finance Controller
			(d) Senior Legal Officer
			(e) Senior Administrative Officer
			(f) Senior Auditing Officer
			(g) Senior Assets Management Officer
3	Name of posts existed in the Officer Level Third Class	Technical	(a) Trainer (as per subject)
			(b) Program Coordinator (as per subject)
			(c) Skill Test Officer
			(d) Curriculum Officer
		Administration	(a) Administrative Officer
			(b) Account Officer
			(c) Auditing Officer
			(d) Legal Officer
			(e) Assets Management

Officer

(f) Information and  
Research Officer

(g) Examination Officer

- 4 Name of posts existed in the Assistant Level First Class Administrative Assistant/Computer Operator/ Accountant/Auditing Assistant/ Training Assistant/Technical Assistant Trainer/Store Keeper/Cook/Draftsman/Librarian/Telephone Operator/Receptionist/Repairing Assistant/ Electricity/Sanitary/Workshop Assistant/ Rural Mechanical/Pharmacy Assistant/ Health Assistant/ Ref. and AC Assistant/ Secretarial Assistant Trainer/Construction Assistant Trainer/Agriculture Assistant Trainer/Automobile Assistant Trainer/Skill Test Assistant Trainer/Field Assistant (Agriculture) and other Assistant Trainers
- 5 Name of posts existed in the Assistant Level Office Assistant/Assistant Computer Operator/Joint-Accountant/Training Assistant /Assistant Librarian/Repair Assistant/Cook Trainer/Store Assistant/Typist/Agriculture/ Lab Training Assistant/Skill Test Assistant/ Cooking Baking Training Assistant/Hotel Management Training Assistant/Travel Trekking Training Assistant/Health Training Assistant/Plumbing Training Assistant/Ref. and AC Training Assistant/Secretarial Training Assistant/Mechanical/Auto/ Electricity Training Assistant and other

Training Assistants as per subject.

- |   |  |   |
|---|--|---|
| 6 | Name of posts existed<br>in the Assistant Level<br>Third Class | Cook Kitchen  |
| 7 | Classless  | Driver/Gardener/Cleaner/Security<br>Guard/Office Helper |

Note: The previous names of post shall, *ipso facto*, be adjusted in the names of post mentioned in this Annex.

ANNEX-5

(Relating to Sub-Bylaw (3) of Bylaw 8)

Work Description of Staff

Concerned Division/Office:	Staff Code No.:
Name of Staff:	Service:
Class:	Group:
Post:	Sub-Group:

(a) Post and Number of Subordinated Staffs:

.....  
.....

(b) Objectives of Work

.....  
.....

(c) Functions, Duties and Responsibilities

.....  
.....

(d) Authorities

(1) Administrative:

(2) Financial:

.....

Concerned Staff

Supervisor

Office-in-Charge

ANNEX-6

(Relating to Bylaw 23)

Required Minimum Qualification

For Administrative Service

ADMINISTRATION SERVICE

Service, Group, Class and Level	Required Minimum Qualification
Officer Third Class	Having passed at least Bachelor level or similar level in the concerned subject from a recognized educational institution.
Assistant First	Having passed at least Proficiency Certificate level or similar level or 10+2 or similar level in the concerned subject from a recognized educational institution.
Assistant Second	Having passed at least S.L.C. or similar level from a recognized educational institution.
Computer Operator	Having passed at least Proficiency Certificate level or similar level with computer subject from a recognized educational institution.
Librarian	Having passed at least Proficiency Certificate level or similar level in Library Science or having obtaining training in Library Science after passing Proficiency Certificate level or similar level.



Driver Having passed class ten and obtained driving license of related level of vehicle.

Classless/Office Helper General literate

For Technical and Training Service

Service, Group, Class and Level Required Minimum Qualification  
(Technical Training Academy)

Officer Third Class Having passed at least Master level or similar level with at least second division in the concerned subject from a recognized educational institution.

Assistant First Having passed at least Bachelor level or similar level in the concerned subject from a recognized educational institution.

Computer Operator Having passed at least Proficiency Certificate level with computer subject from a recognized educational institution.

Assistant Second Having passed at least Proficiency Certificate level or similar level from a recognized educational institution.

Assistant Third (Cook Kitchen) General literate

For Technical and Training Service

TECHICAL AND TRAINING SERVICE

Service, Group, Class and Level	Required Minimum Qualification
Officer Third Class	Having passed at least Bachelor level or similar level with at least second division in the concerned subject from a recognized educational institution.
Assistant First	Having passed at least Proficiency Certificate or similar level in the concerned subject from a recognized educational institution.
Computer Operator	Having passed at least Proficiency Certificate level with computer subject from a recognized educational institution.
Assistant Second	Having passed at least Technical S.L.C. level or similar level in the concerned subject from a recognized educational institution.

ANNEX-7

(Relating to Bylaw 25)

COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING

Admission Card

Advertisement No.:

Roll No.

Post:

Class:

Service:

Group:

Sub-Group:

Photo  
(With  
showing  
both ears)

Name, Surname of Examinee:

Examination Center:

Specimen of Examinee's Signature:.....

.....  
Signature of Concerned Officer

Date: .....

Note: This admission card shall have to be compulsorily brought with you on the examination (written and practical and interview) day.

ANNEX-7

(Relating to Bylaw 25)

COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING

Admission Card

Advertisement No.:

Roll No.

Post:

Class:

Service:

Group:

Sub-Group:

Photo  
(With  
showing  
both ears)

Name, Surname of Examinee:

Examination Center:

Specimen of Examinee's Signature:.....

.....  
Signature of Concerned Officer

Date: .....

Note: This admission card shall have to be compulsorily brought with you on the examination (written and practical and interview) day.

## RULES TO BE COMPLIED BY THE EXAMINEE

1. The examinee shall have to be brought admission card while taking examination at the examination hall. Sitting in examination shall not be allowed without admission card.
2. The admission card shall have to be brought compulsory on the day of interview to be held after publication of result of written examination.
3. Admission in the examination hall shall be allowed after informing by the bell before 15 minutes of starting of examination. The examinee, who comes after 15 minutes of starting of objective examination and after half hour of starting of subjective examination, shall not be allowed to sit for examination.
4. No book, copy, paper etc. shall be allowed to bring in the examination hall. The examinees shall not talk or indicate sign with each other.
5. The chief of examination center shall expel the examinee, having performed misdeed in the examinational hall, from the examination hall and take action immediately in accordance with the Rules of the council.
6. The examinee, having suffered from infectious disease, shall not be allowed to admit in the hall. The council shall not be responsible if anything happened to the sick examinee.
7. In case of arrival of anything including letter, phone, insurance in the name of examinee, such examinee shall not take the same until handover of answer copy as well as he/she shall not take device of communication (mobile etc.) in the examination hall.
8. If the examinee has not recorded his/her attendance on the examination day, he/she shall have to record his/her attendance by immediately informing the same.
9. The examination shall be conducted in accordance with the program mentioned in the advertisement or notice of this council

10. No noise shall be produced in the examination hall. If any candidate has to ask about unclear letters of the question paper, he/she shall speak without making any disturbance to other by standing from the seat.
11. The examinee shall be allowed to leave the examination hall after 30 minutes of starting of written examination and after 40 minutes of starting of objective examination.
12. Pencil shall not be allowed for written examination.
13. After being selected from written or practical examination, the candidate shall have to fill up two copies of application form- receivable free from the council- along with additional two passport size photos and shall compulsorily submit the same at the concerned section till one day before the interview.
14. Mobile shall not be allowed to bring in the examination hall.

ANNEX-8

(Relating to Bylaw 27)

COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING  
Form of Competitive Examination

Advertisement No.                      Post:                      Class:                      Group:                      Sub-Group:

Required Number of Posts                      Date of Practical Examination:

Full Marks:

S. No.	Roll No.	Name and Surname of Candidate	Secured Marks	Remarks

I do hereby declare that no above-stated candidates are my nearest relatives including husband, wife, nephew, niece, brother-in-law, grandson, granddaughter, daughter-in-law, formal friend, sister-in-law of mine. If found I do bear legal consequences thereof.

Signature of Examiner:

Name and Surname:

Designation:

Note: (1) Marks shall have to be given with considering on educational qualification and experience.

(2) While providing more than 70 percent and less than 50 percent, the proper cause thereof shall have to be mentioned.

ANNEX-9

(Relating to Bylaw 27)

Format of Interview Form

COUNCIL FOR TECHNICAL EDUCATION AND VOCATIONAL TRAINING  
Interview Form

Advertisement No.                      Post:                      Class:                      Group:                      Sub-Group:

Required Number of Posts                      Date of Practical Examination:

Full Marks of Interview:

S. No.	Roll No.	Name and Surname of Candidate	General Knowledge, knowledge of subject and personality		Remarks
			Secured Marks		
			In Figure	In Letter	

I do hereby declare that no above-stated candidates are my nearest relatives including husband, wife, nephew, niece, brother-in-law, grandson, granddaughter, daughter-in-law, formal friend, sister-in-law of mine. If found I do bear legal consequences thereof.

Signature of Interviewer:

Name and Surname:

Designation:

- Note: (1) The full marks of interview shall be 25. Provided that marks may be provided by conducting additional separate practice for special types of post.
- (2) While providing more than 60 percent and less than 30 percent, the proper cause thereof shall have to be mentioned.
- (3) If any relative of chairperson and members of Interview Committee is candidate of the advertisement of post-for which interview is being held- such interviewer shall not participate in the interview of that group of that day.

## THE MATTERS TO BE CONSIDERED BY THE INTERVIEWER WHILE CONDUCTING INTERVIEW

(1) Job description of the post

First of all works and job description of the post shall have to be observed under this.

(2) Study of Application Details

The bio-data mentioning educational achievement, experience and interest of the candidate shall have to be considered by studying details of application.

(3) (a) Knowledge of Service, Group The matters - whether the knowledge of

job relating to service, group of the candidate, experience, study of related sector and published works, training are how much useful for the post, if he/she had worked in any post, how much he/she has knowledge of such work and how much his/her knowledge is related to present post- shall have to be considered.

(b) Knowledge of national and international issues The information relating to social, economic and political issues of the country and international issues shall have to be examined.

(c) Work Experience The expert shall have to see how many years the candidate has gained experience by working in which level of the post related to the advertised post and whether the candidate has done special contribution on the job and has gained experience thereof.

(d) Interest Even though having education related to concerned post, it shall be considered that whether he/she has personality and real interest for such post.

(4) Extra-Activities Information about level of participation in activities of social, family, profession, sports, entertainment, hobby etc. shall have to be taken.

(5) Personality Test The merit and demerit of the candidate can be examined by this test, the following are two main grounds of the same;



- (a) Exhibition of Organizational Behavior: If matters as expression, disposition, interest, thought, mental situation, ambition, sense of participating of the candidate are seemed organized, he/she may be evaluated as a virtuous candidate.
- (b) Exhibition of Organizational Behavior: The behavior of candidates as unclear speaking, impetuous, lack of maturity, dissatisfaction, illness, unsocial shall acquaint them as unpleasant and unbalanced personality.

ANNEX-10

(Relating to Bylaw 32)

Sample of Fitness Certificate

While examining Mr./Mrs./Ms. ...., a candidate for the post .....of the service of the Council for Technical Education and Vocational Training, I do not found that he/she is suffered from any infectious or serious disease or he/she has any physical disability or internal disease. Although he/she has suffered from .....disease, it may not make him/her unfit to work in the aforesaid post.

His/her appearance is as follows .....

- (a) Thumb impression of his/her right and left hands are as follows:

--	--

- (b) Signature of Concerned person:

- (c) Date:

Certifying Doctor's

- (a) Name:

- (b) Signature:

- (c) Nepal Medical Council Registration No.:

- (d) Date:

ANNEX-11

(Relating to Bylaw 35)

Oath

I ..... (Name) do hereby solemnly swear in the name of god/with true faith that I will bear my assigned duty with loyal to the country by memorizing honesty, faith and duty to extend of my knowledge and wisdom, without any fear, favor affection, ill-will and greed or prejudice, subject to the Council for Technical Education and Vocational Training Bylaws, 2069 (2012) and law and order of the state of Nepal, with truthfully and honesty. Furthermore, I will not express or indicate any secret governmental matters known to me in the course of performing my assigned duty, directly nor indirectly to the unauthorized person, irrespective of whether I hold or cease to hold the office, except to the authorized person during conducting specific job.

Oath Certifying Authority's

Signature:

Name:

Designation:

Date:

Office:

Oath Taking Staff's

Signature:

Name:

Designation:

Date:

Office:

## ANNEX-12

### (Relating to Bylaw 42(1))

#### Council for Technical Education and Vocational Training

#### Performance Appraisal Form

#### **Guidelines for filling up Performance Appraisal Form:**

1. The full marks for Performance Appraisal Form shall be 40.
2. This form shall have to be filled up at once within every year by making appraisal of 1<sup>st</sup> day of Shrawan to last day of Ashadh.
3. Three copies of this form shall have to be filled up and shall have to be kept one copy at the office where the staff is working, one copy in the personal file of the concerned staff maintained at the Administration Division and one copy at the secretariat of the Recruitment and Promotion Committee. In case the staff is transferred, the concerned office shall have to send the same to the transferred office.
4. The Performance Appraisal Form has been divided into following three parts;
  - (a) Details and achievements of performed works
  - (b) Appraisal of Supervisor and Reviewer
  - (c) Appraisal of Review Committee
5. The concerned staff shall have to fill up all matters under the details of performed works mentioned in the clause (a), goal and achievements as prescribed to be filled up by the staff. While filling up performed works by the staff, he/she shall have to fill up from the works as prescribed to be performed by him/her in the job description and works as mentioned in the annual working plan. He/she shall have to mention upmost five works in brief comprising all of his/her performed works within 7<sup>th</sup> day of Shrawan of every year so far as possible. The filled up Performance Appraisal Form shall have to be submitted within prescribed time period before the supervisor for appraisal with mentioning name, signature and date or in case of sending through post

mail; the same shall have to be submitted before the supervisor for appraisal through registered mail within prescribed time period.

6. After receiving of form filled up by the concerned staff, the supervisor shall have to make appraisal with comments by filling up the columns as prescribed to be filled up and to make comments by the supervisor with considering on achievements filled up by the staff and shall have to submit the same before the reviewer within 15<sup>th</sup> day of Shrawan.
7. The reviewer shall have to make appraisal of the form submitted by the supervisor and shall, by making arrangement as the same be reached within the last day of Shrawan, have to send the same before the Review Committee.
8. If the Review Committee dissatisfies with the appraisal of supervisor and reviewer or both of them as mentioned in the submitted Performance Appraisal Form; it may ask clarification from the concerned appraiser or send for rethinking with grounds of re-appraisal. The concerned appraiser shall have to make re-appraisal on the received Appraisal Form or in case there is no need to amend in previous appraisal, he/she shall have to submit Form with mentioned cause thereof, within three days of receiving the same.
9. The Review Committee shall have to make appraisal of the submitted Performance Appraisal Forms on the basis of including appraisal of supervisor and reviewer and shall have to send before the secretariat of the Recruitment and Promotion Committee within 15<sup>th</sup> day of Ashwin of every year.
10. In case of staff, having worked under supervision of more than one supervisors within a period, while filling up of such form, the supervisor existed in the last of the period, shall have to fill up complete form.
11. If any staff has filled up the Performance Appraisal Form within given time period and registered the same but the registered Performance Appraisal Form is destroyed due to occurring of mishap, firing or other similar types of natural calamity at the office; the incumbent appraisal shall have to obtain permission with mentioning cause and evidence of destroy of Performance Appraisal Form

of such staff and shall have to make appraisal by making arrangement of re-filling up of Performance Appraisal Form from the concerned staff with attaching evidence.

12. In the course of making performance appraisal of the staff, the supervisor shall have to make appraisal on following grounds;
  - (a) No marks of most excellent but upmost excellent shall be given in an appropriate part amongst four parts (Cost, Time, Quantity and Quality) to the staff of the council, who was absent for more than twenty days continuously without sanctioning of leave or without submitting application for leave.
  - (b) No marks of most excellent but upmost excellent shall be given on the basis of overall quality of performance to the staff, having punished as getting reprimand, restriction on grade or promotion, for the year of punishment.
  - (c) No marks of most excellent but upmost excellent shall be given on the basis of overall quality of performance to the staff, who hasn't settled advance within the fiscal year under the prevailing laws relating to Financial Administration and Advance Settlement, except he/she had got certification from the internal auditing body or authority that he/she is unable to settle his/her advance amount due to occurrence of circumstance of beyond his/her control.
  - (d) No marks of most excellent but upmost excellent shall be given on the basis of overall quantity of performance to the staff bearing post of the office-in-charge or head of department or project-in-charge, in case failing to complete fifty percent of target or to achieve fifty percent of result within whole year after issuing of amount and approval of program in first four monthly period of the fiscal year.
  - (e) The collective meeting of the staffs shall determine the target performance of the staff working in the post other than the office-in-

charge within first four months of every year. No marks of most excellent but upmost excellent shall be given on the basis of overall quantity of performance pursuant to clause (d) to the staff who fails to achieve fifty percent of such determined target.

Provided that if the target determined in clause (d) and (e) is not achieved due to reasons other than the concerned staff, no deducted mark shall be given.

(f) In case of proving that any staff has conducted undisciplined works; no marks of most excellent but upmost excellent shall be given on the basis of overall quality of performance to such staff.

13. In case of finding that the appraiser hasn't deducted marks as referred to in the Serial No. 12 in existence of the same, one marks of such appraiser shall be deducted in his/her Performance Appraisal Form.
14. In case of deducting marks pursuant to the Serial No. 12, the documents with mentioned evident cause thereof shall have to be enclosed.
15. While making performance appraisal, the performance appraiser shall have to make appraisal by clearly mentioning figure in the column fixed for the purpose of giving marks in the Performance Appraisal Form.

Performance Appraisal Form of the Staff

Office where details is submitted:

Registration No.:

Name of the Staff:

Staff's Code No.:

Date:

Period of Appraisal: From .....month of .....year to .....month of .....year

1. Post:
2. Class
3. Service:
4. Group
5. Sub-Group:
6. Name of the Office:
7. Date of Appointment in the Incumbent Post:
8. Transferred Office during this appraisal period: (Respectively)
  - (a)
  - (b)
9. Date of Submission before the Supervisor

PART-A

DETAILS AND ACHIEVEMENTS OF PERFORMED WORKS

S.No.	Works as prescribed or not prescribed target	Details to be filled up by the Concerned Staff	Quantity	Cost	Time	Quality



If any works is not performed, cause thereof				Comments of Supervisor
S. No.	Works	Cause	Efforts made for Solve	(a) Justification of Cause
(a)				Right                  Wrong
(b)				(b) Efforts made for solving the cause
(c)				Right                  Wrong
(d)				Signature of Supervisor:
Signature of Staff:			Date:	Date:

- Note: 1. Effort shall have to be made to fill up grounds (quantity, cost, time and quality) determined for targeted works so far as possible.
2. While filling up of details of achievements of works, in which targets are not fixed, quantity, cost and time shall have to be indicated so far as possible.

**PART-B**

**APPRAISAL OF SUPERVISOR AND REVIEWER**

Date of submission before the supervisor:

Date of submission before the reviewer:

Level of Performance (On the basis of Job Description)	Appraisal of Supervisor					Appraisal of Reviewer			
	Level	Most Excellent	Excellent	Ordinary	Low	Most Excellent	Excellent	Ordinary	Low
	Marks	6.25	5.25	4.25	3.25	2.25	2	1.5	1
(1) Overall quantity of performed works									
(2) Overall cost of performed works									
(3) Overall time of performed works									
(4) Overall quality of performed works									
Total Secured Marks (In figures and letters)									
	Full Marks 25					Full Marks 10			
The cause to be disclosed for providing marks more than 95 percent and less than 75 percent ..... .....	Name of Supervisor: Designation: Staff Code: Signature: Date:					Name of Reviewer: Designation: Staff Code: Signature: Date:			

Note: In case of providing marks more than 95 percent and less than 75 percent, cause thereof shall have to be disclosed clearly. In case of providing less than 75 percent marks, the same shall have to be informed to the concerned staff and shall have to be submitted before the Review Committee along with respond of the concerned staff, if any. In case using Tip-pex on the secured marks, the authorized officer shall take departmental action against the Tip-pex user appraiser.

PART-C

APPRAISAL OF THE REVIEW COMMITTEE

Name of Staff:

Designation:

Class:

Date of submission before the Review Committee:

Personal Merit and Conduct	Level	Most Excellent	Excellent	Ordinary	Low
	Marks	1	0.75	0.50	0.25
(a) For non-gazetted staffs					
(1) Knowledge and skill of subject matters					
(2) Ability of keeping secrecy					
(3) Ability of performing works as per directions					
(4) Attendance, Punctuality and Discipline					
(5) Honesty and Morality					
Full Marks: 5 Secured Marks In figure: In letter:					

Officer Bearer's of the Review Committee:

Name:

Designation:

Staff Code:

Signature:

Total Secured Marks:

In figure:

1.

2.

3.

Date:

Note: The Review Committee shall have to clearly mention cause of providing more than 95 and less than 75 marks.

## ANNEX-13

### (Relating to Bylaw 46)

#### Details of Geographical Region

##### A Class

1. Taplejung of Mechi Zone
2. Entire Sankhuwasabha of Koshi Zone except Num and southern belt
3. Solukhubmu of Sagarmatha Zone
4. Lamobagar and Rolbaling area of Dolkha District, Janakpur Zone
5. Sinhar Area of Sertibas North of Dhading District, Bagmati Zone
6. Larke Area of Sirdibas North of Manang and Gorkha of Gandaki Zone
7. Mustang District except southern belt of Tukuche and Dhorpatan Area of Northern Baglung of Dhaulagiri Zone
8. Rolpa and Rukum of Rapti Zone
9. Humla, Jumla, Mugu, Kalikot and Dolpa of Karnali Zone
10. Jajarkot of Bheri Zone
11. Bajhang and Bajura of Seti Zone
12. Darchula of Mahakali Zone

##### B Class

1. Panchthar of Mechi Zone
2. Bhojpur, Terhathum and Num and southern belt of Sankhuwasabha of Koshi Zone
3. Okhaldhunga and Khotang of Sagarmatha Zone
4. Remaining area of Dolkha District except Lamobagar and Rolwaling area and Ramechhap, Janakpur Zone
5. Northern belt from Ramche of Rasuwa District of Bagmati Zone

6. Khudi and northern belt of Lamjung District of Gandaki Zone
7. Arghakhanchi and Gulmi of Lumbini Zone
8. Myagdi, Parbat and southern belt from Tukuche of Mustang District, Dhorpatan area of Northern Baglung, southern belt from Nirkot hill of Mustang District through Ratamata village located in Tara Village Development Committee of Baglung District and eastern belt of north south latitude of Gulmi District of Baglung of Dhaulagiri Zone
9. Salyan and Pyuthan of Rapti Zone
10. Doti and Achham of Seti Zone
11. Dadeldhura and Baitadi of Mahakali Zone
12. Dailekh of Bheri Zone

#### C Class

1. Ilam of Mechi Zone
2. Dhankuta of Koshi Zone
3. Udaypur of Sagarmatha Zone
4. Sindhuli of Janakpur Zone
5. Sindhupalchok and Dhading District excluding Sinhar area of Setibas North and Ramche and southern belt of Rasuwa District of Bagmati Zone
6. Tanahun, Syangja and Gorkha excluding Larke area of Serdibas North and remaining part of Lamjung District excluding Kudhi North
7. Palpa of Lumbini Zone
8. Remaining part of Baglung District located within southern belt from Nirkot hill of Mustang District through Ratamata village located in Tara Village Development Committee of Baglung District and touching eastern belt of north south latitude of Gulmi District
9. Dang of Rapti Zone

10. Bardiya and Surkhet of Bheri Zone
11. Kailali of Seti Zone
12. Kanchanpur of Mahakali Zone

D Class

1. Jhapa of Mechi Zone
2. Morang and Sunsari of Koshi Zone
3. Saptari and Siraha of Sagarmatha Zone
4. Dhanusha, Mahottari and Sarlahi of Janakpur Zone
5. Nuwakot and Kavrepalanchok of Bagmati Zone
6. Bara, Parsa, Rautahat, Chitwan and Makawanpur of Narayani Zone
7. Kaski of Gandaki Zone
8. Rupandehi, Nawalparasi and Kapilbastu of Lumbini Zone
9. Banke of Bheri Zone
10. Kathmandu, Bhaktapur and Lalitpur of Bagmati Zone

ANNEX-14

(Relating to Bylaw 66)

Council for Technical Education and Vocational Training

Format of Transfer Record

Office:

Date of Filling up of Details:

S. No.	Name of Post	Class	Group /Sub-Group	Total Posting	Recruitment Number	Total Vacant Post Number (5-6)	Transfer is made in vacant post but staff is not attended Number	Net Vacant Number (7-8)	Remarks
01	02	03	04	05	06	07	08	09	10

Note: These details shall have to be up dated in every six months.

Prepared by

Verified by

Signature:

Signature:

Name:

Name:

Designation:

Designation:

Date:

Date:

ANNEX-15

(Relating to Bylaw 67 (a))

Process of Transfer

(1) Name of Staff:

(5) Group/Sub-Group:

(2) Code No.:

(6) Educational Qualification:

(3) Designation:

(7) Training:

(4) Class:

(8) Other Details (if any):

Previous Division/ Office/ Section	Transferred or Posted Division/ Office/ Section	Date of Transfer	Date of Attendance	Cause of Transfer	Date of Completing period of further transfer	Remarks
01	02	03	04	05	06	07

Note: These details shall have to be filled up or cause to be filled up and be maintained as up to date form and be kept in the personal record file of the staff.

Prepared by

Verified by

Signature:

Signature:

Name:

Name:

Designation:

Designation:

Date:

Date:



ANNEX-16

(Relating to Bylaw 69 (3))

Council for Technical Education and Vocational Training

Departure Letter

Ref No.

Dispatch No.

Date:

Mr. / Mrs. / Ms. ....

.....

Sir/ Madam,

I do hereby request that Mr. /Mrs. /Ms. ....,transferred to that office, has been sent to attend at that office by providing him/her departure letter comprising his/her details.

1. Name and Surname of Staff:
2. Code No. of Staff:
3. Previous (a) Designation: (b) Class:  
(c) Service: Group/Sub-Group (d) Division/Office:
4. Transferred a) Designation: (b) Class:  
(c) Service: Group/Sub-Group (d) Division/Office:
5. Details of Handover: (a) Handover Completed (b) Not completed
6. Date of Departure:
  - (a) Casual Leave and Festival Leave
  - (b) Household Leave
  - (c) Sick Leave
  - (d) Maternity Leave
  - (e) Maternity Care Leave
  - (f) Kriya Leave
  - (g) Study Leave
  - (h) Extra-ordinary Leave
  - (i) Monsoon/Winter Leave

(j) Substitute Leave

7. Record of Leave till the date of departure letter:

Types of Leave	Spent Year, Month and Day	Cumulated Year, Month and Day
Casual and Festival		
Household		
Sick		
Maternity		
Maternity Care		
Kriya		
Study		
Extra-ordinary		
Substitute		

8. Receiving Monthly: (a) Salary Rs. (b) Grade Rs. (c) Allowance Rs.

9. Last Day of Receiving Salary and Allowance:

10. Amount Deducted for Provident Fund:

11. Amount/Date of receiving treatment expenses:

12. House and land/house purchase construction loan amount:

13. House and land/house renovation loan amount:

14. Motorcycle loan amount:

15. Advance amount taken as daily and travel allowance:

16. Date of salary increment:

17. Amount Deducted for Citizen Investment Trust:

18. Income Tax Deduction on Source:

Sincerely Yours'

**For Reference:**

1. Council for Technical Education and Vocational Training,  
.....Division/Office

2. Mr./ Mrs. /Ms. ....(Name of transferred staff): Requested to attend at the transferred office within given time.

ANNEX-17

(Relating to Sub-Bylaw (5) of Bylaw 91)

Deed of Promise

To be done by the staff taking the study leave

Whereas I, .....(Designation/Name) (Code No.) of the Council for Technical Education and Vocational Training,.....Department/Office, aged .....years, grandson/granddaughter of .....son/daughter of ....., do agree to go for study under following terms and conditions while I was asked about my concurrence upon going in study by taking study leave under following terms after the council had selected me for study at ..... (Place/University) in order to pursue .....(Degree) in ..... (Subject) under the Policy of Sending Staff of the Council for Study Higher Education, thus, I have made this deed of promise with my free will. I will fully comply following terms. I do agree that if I fail to comply following terms or breach the same, the all amount including amount as mentioned in those terms and interest thereof due to payable to the council may be deducted from all facilities and amount receivable to me from the council and in case of shortage of such amount to pay due amount, the same may be recovered from my household or other properties. I will not make any complaint in future in this regards; if made, the same be quashed by this deed. I, therefore, prepare this deed of promise and have duly signed in the same and submit to the Council for Technical Education and Vocational Training, Central Office, Administration Department.

Terms and Conditions

1. The study leave of .....(Period) shall be provided for study. This period shall be started from ..... and in case of breaching of terms as referred in this deed, the approved period may be revoked or renounced subject to Bylaw.....of the By-Laws Relating to Service, Terms and Facilities of Staff 2069 (2012) of Council for Technical Education and Vocational Training.

2. The information of starting of study and the progress report of every examination must be made available to the council within ...days from the date of publishing of result. If the information and report is not submitted within given time period or the progress report of the first semester/part is not satisfactory, the council shall cancel the approved leave and immediately call to return. If examination cannot be passed within given time period, no additional study leave shall be sanctioned.
3. After completion of study, you shall have to serve compulsorily at least .....years in the service of the council.
4. If you dropped out study in middle without obtaining permission of the council or studied other subject except approved subject by making change of subject or not joined the council service after completion of study or not served the council service for prescribed period or left council service in middle without completing compulsory service that to be done pursuant to Clause 3; you shall have to pay all amount including all expenses provided by the council for study and salary and allowance received from the council during such study period and interest at the rate of 10% from the date of going for study to the date of payment of amount to the council within three months.
5. The amount fixed as to be paid pursuant to Clause 4 shall have to be paid at once and if not paid, the same shall be recovered as due of the council.
6. The house and land mortgaged in the name of the council shall not be released during the study period and until completing of prescribed service period after returning from the leave.
7. In case of not completing of study within approved study leave, no additional study leave shall be provided.
8. Any other loan, that to be provided by the council, shall not be utilized until returning in the service of the council after completing study.
9. You shall have to study the same subject at the same university for which the study leave was approved. If it is found that subject and university is changed

without consent of the council, the approved study leave shall, *ipso facto*, be deemed to have been cancelled and in this case, the amount shall be recovered pursuant to Clause 4.

10. The other facilities that to be provided to the staff, taking leave, shall be as prescribed by the council subject to the approved Bylaws.

Done on .....day, ..... day of .....Month, .....Year.

ANNEX-18

(Relating to Sub-Bylaw (1) of Bylaw 95)

Council for Technical Education and Vocational Training

**Form for Leave Request**

Name of Staff:

Code No.:

Designation:

Section:

Date:

S. No.	Types of Leave	Period		Total Days	Cause for taking leave
		From	To		
	Casual and Festival				
	Household				
	Sick				
	Maternity				
	Maternity Care				
	Kriya				
	Study				
	Extra-ordinary				
	Substitute				

Approved/Disapproved

.....  
Signature of Applicant

.....  
Signature of  
Recommending Officer

.....  
Signature of Leave  
Sanctioning Officer

**Details of Accumulated Leave**

S. No.	Requested Leave	Remaining of previous year	Current Year Accumulated	Total Accumulated Days	Days requested for leave	Remaining Days
	Casual and Festival					
	Household					
	Sick					
	Maternity					
	Maternity Care					
	Kriya					
	Study					
	Extra-ordinary					
	Substitute					

.....

Signature of officer verifying record of the leave

ANNEX-19

(Relating to Sub-Bylaw (1) of Bylaw 99)

Council for Technical Education and Vocational Training

Record of Leave

Name and Surname of Staff: \_\_\_\_\_ Class: \_\_\_\_\_ Record of Leave till year 20....  
 Designation: \_\_\_\_\_ Group: \_\_\_\_\_ Sub-Group: \_\_\_\_\_

Details Outstanding till now	Casual and Festival			Household			Sick			Maternity			Kriya			Study			Substitute Leave			Extra- Ordinary		
	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total	Spent	Remain	Total
In a Year																								
Baishakh																								
Jestha																								
Ashadh																								
Shrawan																								
Bhadau																								
Ashoj																								
Kartik																								
Mansir																								
Poush																								
Magh																								
Fagun																								
Chaitra																								

The authorized officer shall have to maintain this form of every year by certifying it.

This form shall have to be kept in the personal file of concerned staff and be provided to the concerned staff in every year.



ANNEX-20

(Relating to Sub-Bylaw (1) of Bylaw 124)

Council for Technical Education and Vocational Training  
Assets Details Form

Name and Surname of Staff: Code No.:  
Designation: Class:  
Service: Group/Sub-Group:  
Serving Division/Office: Office where details are submittee:

1. Immovable Assets (House and Land)

S. No.	Brief Details of House and Land and other Immovable Assets	Name and Other Details	Place of House and Land (Village, Municipality, District)	Registered in whose name and if registered in other's name, relationship with that person	Mode of Acquiring	Remarks (In case of house, mention storey) (In case of land, mention Ropani or prevailing measurement)

2. Cash, Jewelry, Gold, Silver etc.

S. No.	Brief Details of Assets	Measure and Weight Quantity	Mode of Acquiring	Remarks

3. Details of Share, Bank Balance

S. No.	Brief Details of Assets	Name and Address of Company or Bank	Total Value	Registered in whose name and if registered in other's name, relationship with that person	Mode of Acquiring	Remarks

4. In case of borrowing/pledging, details thereof

S. No.	Details of Borrowing/ Pledging	Name and Address of Borrowing/ Pledging	Cause	Total Value	Period of Reimbursement	Remarks

5. In case of lending/taking pledge from others, details thereof

S. No.	Details of Borrowing/ Pledging	Name and Address of Borrowing/ Pledging	Cause	Total Value	Period of Reimbursement	Remarks

The additional pages may be added while filling up the assets details. The documents verifying assets details shall have to be submitted.

All above mentioned details are correct in my knowledge. I do hereby affirm with my signature that no details will be found otherwise:

Date:

Name and Designation:

ANNEX-21

(Relating to Sub-Bylaw (1) of Bylaw 126)

Council for Technical Education and Vocational Training

Details of Profession/Business of the Family Members of the Staff

.....Division/Office

Name and Surname of Staff: Code No.:  
 Designation: Class:  
 Service: Group/Sub-Group:

2. Address:

Permanent		Temporary	
Zone:	District:	Zone:	District:
Village/Municipality:	Ward No.:	Village/Municipality:	Ward No.:
Village/Tole:	Block No.:	Village/Tole:	Block No.:
Telephone No.:		Telephone No.:	
email:		email:	

3. Husband's/Wife's

Husband		Wife	
Name:	Age:	Name:	Age:
Profession:		Profession:	
Incumbent Designation:		Incumbent Designation:	
Appointment Date:		Appointment Date:	
Retirement Date:		Retirement Date:	
Name of Office:		Name of Office:	

4. Son's/Daughter's

Son		Daughter	
Name:	Age:	Name:	Age:
Profession:		Profession:	
Incumbent Designation:		Incumbent Designation:	
Appointment Date:		Appointment Date:	
Retirement Date:		Retirement Date:	
Name of Office:		Name of Office:	

5. Father's/Mother's

Father	Mother
Name:                      Age:	Name:                      Age:
Profession:	Profession:
Incumbent Designation:	Incumbent Designation:
Appointment Date:	Appointment Date:
Retirement Date:	Retirement Date:
Name of Office:	Name of Office:

(For married female staff)

6. Father-in-law's/Mother-in-law's

Father-in-law	Mother-in-law
Name:                      Age:	Name:                      Age:
Profession:	Profession:
Incumbent Designation:	Incumbent Designation:
Appointment Date:	Appointment Date:
Retirement Date:	Retirement Date:
Name of Office:	Name of Office:

Date:

.....

Signature of Staff

Note: If son, daughter, father, mother, father-in-law and mother-in-law has separate profession/business, the same shall have to be filled up separately in the format of this Annex.

ANNEX-22

(Relating to Sub-Bylaw (1) of Bylaw 153)

Council for Technical Education and Vocational Training

Form for Order or Decision of Punishment

The Decision/Order of Punishment done by Mr. /Mrs. /Ms. ....  
of .....Office

Whereas it is seen, after conducting/cause to be conducted inquiry, that Mr. /Mrs. /Ms. ....of.....office has done....., the explanation for defense has been asked from him/her by giving .....days time pursuant to Bylaw .....of the By-Laws Relating to Service, Terms and Facilities of Staff 2069 (2012) of Council for Technical Education and Vocational Training and the submitted details of his/her explanation for defense doesn't seem satisfactory due to..... and on the basis of evidence of .....Therefore, the clarification has been asked from him/her to submit the same with clarification with evidence and cause if he/she has any for not punishing him/her pursuant to Bylaw..... with mentioning that why he/she shall not be punished as referred to in Clause ..... of Bylaw .....on the accusation of Bylaw .....of the By-Laws Relating to Service, Terms and Facilities of Staff of Council for Technical Education and Vocational Training and it is seen that he/she has submitted the clarification by mentioning that .....While considering upon collected documents and evidences and submitted clarification, it is seen by the evidence of ..... that he/she, Mr. /Mrs. /Ms. ...., has committed the accusation as referred to in Bylaw .....of the Bylaws, thus, the decision/order of punishment has hereby been issued against him/her Mr. /Mrs./ Ms. .... as referred to in Clause .....of Bylaw .....of the By-Laws Relating to Service, Terms and Facilities of Staff of Council for Technical Education and Vocational Training. In case of having dissatisfaction over this order, appeal may be submitted before .....within the period as prescribed to in Clause .....of Bylaw .....

Signature:

Date:

ANNEX-23

(Relating to Sub-Bylaw (1) of Bylaw 169)

Council for Technical Education and Vocational Training

Most Excellent/Excellent Technical Education and Vocational Training Prize

Mr. / Mrs. / Ms. ....

.....

.....

The Council for Technical Education and Vocational Training confer you the Most Excellent/Excellent Technical Education and Vocational Training Council Service Prize of the Fiscal Year .....for serving .....in the post of ..... of service of the Council for Technical Education and Vocational Training. The Council for Technical Education and Vocational Training do expect your special contribution in future also.

Member-Secretary

Vice-Chairperson

Chairperson

(Relating to Sub-Bylaw (1) of Bylaw 171)

Personal Details (Sheet Roll) of the Staff

Guidelines:

You are advised;

1. To write date of birth as mentioned in the educational qualification containing age.
2. If you had served in permanent post of government service or institution of full or partial undertaking of Government of Nepal in past, to mention details thereof clearly and to submit certified copies of related documents.
3. To submit copies of educational qualification and citizenship certificate

Name of Staff:

Code No. (To be filled up by the Administration Section)

Council for Technical Education and Vocational Training

Appendix (B)

(a) Personal Details of Staff

Code No. of Staff

Photo
-------

1. Name and Surname:			2. Permanent Address:		
3. Date of Birth:			4. Temporary Address:		
5. Qualification:			6. Name of Grandfather:		
7. Experience:			8. Name of Father:		
9. Initial Appointment Date:			10. Name of Mother:		
11. Date of attaining service period twenty five years:			12. Date of attaining fifty eight years:		
13. Appointment, Transfer, Duty Assignment, Promotion, Training:			14. Service, Class, Group and Designation:		
			Designation	Office	Remarks
15. If faced departmental punishment:					
Type	Date	Date of Release/Released			
16. If promoted:					
Designation	Class	Date			



(b) Family Details of Staff

.....Department/Office

1. Name and Surname of Staff: Code No.: .....

2. Address Permanent: Temporary:

Zone:

Zone:

District:

District:

Village/Municipality:

Village/Municipality:

Ward No.:

Ward No.:

Village/Tole:

Village/Tole:

Block No.:

Block No.:

Telephone No.:

Telephone No.:

Email:

Email:

3. Name of Husband/Wife..... Age:.....

Profession:

Name of Office:

Incumbent Post:

Date of Appointment:

Date of Retirement:

4. Name of Son/Daughter: (a) .....Age.....

Profession:

Name of Office:

Incumbent Post:

Date of Appointment:

Date of Retirement:

(b) .....Age.....

(c) .....Age.....

(d) .....Age.....

5. Name of Father: ..... Age:.....

Profession:

Name of Office:

Incumbent Post:

Date of Appointment:

Date of Retirement:

6. Name of Mother: ..... Age:.....

Profession:

Name of Office:

Incumbent Post:

Date of Appointment:

Date of Retirement:

(For married female staff)

7. Name of Father-in-law: ..... Age:.....

Profession:

Name of Office:

Incumbent Post:

Date of Appointment:

Date of Retirement:

8. Name of Mother-in-law: ..... Age:.....

Date:

Signature of Staff:

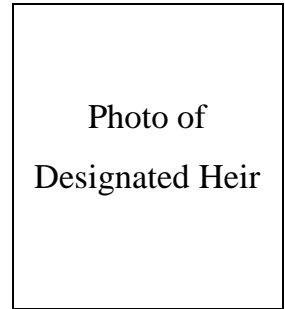
Signature of Recommending Officer:

Department/Office:

(c) Details of Designated Heir



Code No. of Staff



Written or thumb impression of designated heir

.....

(With touching to the photo)

Name and surname of designated heir:

Relationship with staff:

Name and surname of designating staff:

Signature:

Post:

Code No.:

Address:

I do certify with signature as it is true and correct that the designating staff has signed before me.

The Office-in-charge's

Name:

Signature:

Post:

Seal of Office:

Date:

Thumb Impression of Staff

Thumb Impression of designated heir

Right	Left

Right	Left

Note: The signature of Office-in-charge shall have to be done on the photo of designated heir also.

3. Past Experience of Service of Staff

If served in permanent post of government service or institution of full or partial undertaking of Government of Nepal in past, details thereof:-

Name of Office:

Designation:

Class:

Date of Appointment:

Date of Leave:

.....Year..... Month.....Day

I do affirm that all above- mentioned details are correct. I didn't have any punishment of disqualifying for service. If it is proved that I have mentioned any false statement or have deliberately mentioned any statement with aim to conceal real fact, I do bear legal consequences thereof: I do hereby sign;

Staff's

Certifying Office

Signature:

Signature of Office-in-charge:

(Thumb Impression)

Seal of Office

<u>Right</u>	<u>Left</u>

To be used by Administration Section

--	--	--	--	--	--	--

1. Code No. of Staff:
2. Date of attaining fifty eight years of age:
3. Date of attaining twenty five years of service period:

Head of Administration Department/Section

Signature:

Seal of Office:

Form No.: 02

Details of Service

Name of Staff:

Code No.:

S. No.	Group and Sub-Group	Name of Post	Class	Name of Office	New Appointment /Promotion	Date of Decision of New Appointment /Promotion	Salary	Allowance	Record Registration Page No. (To be filled up by Administration Section)	Remarks
01	02	03	04	05	06	07	08	09	10	11

Form No.: 03

Educational Qualification, Training, Seminar, Conference  
(S.L.C. and similar, Bachelor, Master and highest degree)

Name of Staff:

Code No.:

S. No.	Educational Qualification	Subject of Study	Study Period		Passed Division	Educational Institution		Details of Training, Seminar or Conference		Remarks
			From	To		Name	Address	Period	Name and Address of Institution	
01	02	03	04	05	06	07	08	09	10	11

## Details of Letter of Appreciation or Medal

Name of Staff:				
Code No.:				
S. No.	Decoration/ Letter of Appreciation/ Medal	Received Date	The cause of receiving Decoration/ Letter of Appreciation/Medal	Concession
01	02	03	04	05

Form No.: 05

## Details of Departmental Punishment

Name of Staff:					
Code No.:					
S. No.	Type of Accusation/Punishment	Date of Punishment Order	Appeal's		Remarks
			Decision	Date	
01	02	03	04	05	06