

The U.P. Secondary Education Services Commission (Procedure and Conduct of Business) First Regulations, 1995

UTTAR PRADESH

India

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Rule

THE-U-P-SECONDARY-EDUCATION-SERVICES-COMMISSION-PROCEDURE-AND-CONDUCT-OF-BUSINESS-REGULATIONS-1995

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The U.P. Secondary Education Services Commission (Procedure and Conduct of Business) First Regulations, 1995 Published Vide Notification No. 1283/15-7-95 - 1(262)-91 T.C., dated 7.4.1995. In exercise of the powers under the proviso to sub-section (1) of Section 34 of the Uttar Pradesh Secondary Education Services Commission Act, 1982 (U.P. Act No. 5 of 1982) as amended by the Uttar Pradesh Secondary Education Services Selection Boards (Amendment) Ordinance, 1994 (U.P. Ordinance No. 31 of 1994), the Governor is pleased to make the following regulations with a view to prescribing fees and laying down the procedure to be followed by the Commission for discharging its duties and performing its functions under the said Act.

1. Short title and commencement

. - (1) These regulations may be called the Uttar Pradesh Secondary Education Services Commission (Procedure and Conduct of Business) First Regulations, 1995. (2) They shall come into force at once.

2. Definitions

. - In these regulations, unless there is anything repugnant in the subject or context - (a) 'Act' means the Uttar Pradesh Secondary Education Services Commission Act, 1982; (b) 'Committee' means a committee constituted by the Commission or the Chairman from amongst its members; (c) 'Interview' includes viva-voce or personality test; (d) 'Officer' means an officer of the

Commission and includes the Secretary;(e)'Secretary' means the Secretary of the Commission.

3. Procedure for allocation of work and constitution of Committee

. - (1) The Commission shall allocate, from time to time, the work amongst its members. The Chairman may, in urgent cases, allocate any work to any member and seek approval of the Commission in its next meeting.(2)The Commission may, for convenient and expeditious transaction of its business, constitute a committee or committees and, authorise any member for execution of any specific work or transaction of any specific business.(3)The allocation of work made sub-regulation (1) may be amended, altered or modified as and when deemed necessary.

4. Meetings

. - (1) The meeting of the Commission shall be held twice in a month. The Chairman may, however, call an extraordinary meeting of the Commission at any time, if exigency arises or if at least two members put in a requisition for it in writing.(2)The Chairman, and in his absence the senior most member present, shall preside over the meetings of the Commission.(3)The date and time of every meeting shall be fixed by the Secretary after obtaining prior approval of the Chairman.(4)A notice of at least seven days shall be given by the Secretary to the members for the meeting :Provided that for an extraordinary meeting a notice of not less than twenty four hours shall be given.(5)The Secretary shall prepare the agenda of the meeting and get it approved by the Chairman and send it to every member along with the notice of the meeting :Provided that for an extraordinary meeting the agenda may be given to the members present before the meeting begins.(6)The quorum for a meeting shall be one-half of the total number of members for the time being :Provided that no quorum shall be necessary for a meeting adjourned for want of quorum.(7)The Chairman may, if he considers necessary or expedient so to do, postpone the consideration of any matter at any meeting of the Commission.(8)The Chairman may, if he is of the opinion that a business to be transacted by the Commission is urgent and the meeting of the Commission cannot be conveniently called, invite the opinion of the members by circulation of the matter in the form of a proposal. If no opinion is received from a member within the time specified by the Chairman, such member shall be deemed to have agreed to the proposal.(9)(a)The decision in a meeting shall, as far as possible, be unanimous. In case of any difference of opinion, the decision shall be taken by a majority of votes of the members present and voting and if no decision can be taken due to equality of votes, the Chairman or the member presiding over the meeting shall have and exercise a casting vote.(b)The dissenting member may record his note of dissent which shall form part of proceedings of the meeting, but which shall not be sent to the State Government or to any other person or authority.

5. Minute book

. - (1) All proceedings of the meetings of the Commission shall be recorded under the supervision of the Secretary in a minute book which shall be kept by him in his personal custody.(2)The proceedings shall be signed by the members present.(3)A copy of the extract of the minute book shall be placed in the relevant file or files, as the case may be.

6. Selection of candidates by interview

. - (1) The commission shall, for the appointment of teachers by direct recruitment, make selection of candidate by holding interview.(2)The Commission may, in making selection of candidates, take recourse to the use of computer for registering and processing of applications, issue of interview letters and processing of result the supervision of one or more officers, to be nominated by the Commission.

7. Fees

. - (1) Every candidate shall pay to the Commission such fee for making selections or for holding interview as may be determined by the Commission from time to time with the prior approval of the State Government.(2)Until fee is determined under sub-regulation (1) every candidate for selection shall pay to the Commission the fee at the following rates :-

	Scheduled Tribes	Scheduled Castes	Others
	Rs.	Rs.	Rs.
(a) Application fee for teachers and Principal or Headmaster	5	10	15
(b) For selection to the post of Principal or Headmaster	20	40	60
(c) For selection to the post of teachers other than Principal and Headmaster	15	30	45

(3)The fee shall be payable by crossed postal order or Bank Draft payable to the Secretary of the Commission :Provided that the fee in respect of clauses (b) and (c) of regulation (2) shall be payable at the time of interview.

8. Interview Board

. - (1) The Commission shall constitute separate Interview Boards for different posts or categories of post for which interviews are to be held and may constitute more than one Interview Boards where the number of candidates for any particular post is large.(2)Where more than one Interview Boards are constituted, the constitution of such Interview Boards may be changed by rotation as often as the Commission thinks proper.(3)There shall be at least one member and two experts in an Interview Board, but the Commission may, if it thinks necessary so to do, include more than one member or more than two experts in an Interview Board or constitute an Interview Board with one member and one expert.(4)The experts for the Interview Board shall be selected from the panels prepared under sub-regulation (2) of Regulation 9 in such manner that one expert shall be taken from each panel.(5)The programme of interview of the candidates shall be fixed by the Commission.(6)The intimation for interview shall be sent to the candidates twenty-one days in advance by post at the address given in his application and if any intimation about the change of address has been received, at such changed address.(7)If any member of the Commission is unable to be present in an Interview Board, the Chairman may authorise any other member of the Commission to hold interview in his place and this fact shall not invalidate the proceedings of such

Interview Board and the selection made by it.(8)If a member of an Interview Board is unable to attend or has to leave the Interview Board during the course of its sitting and an alternative arrangement cannot be made, the remaining member or members of the Interview Board may hold or continue to hold the interviews and the proceedings of the Interview Board and the selection made by it shall not be called in question on the ground that any member of the Interview Board was absent from the sitting of the Interview Board.(9)In an Interview Board, the member of the Commission shall preside and where there are more than one such members the senior member shall preside.(10)The proceedings of the Interview Board shall, as soon as may be, be placed before the Commission for approval, which may also be obtained by circulation or by hand.

9. Panel of Experts. -

(1)The Commission may associate with itself any person or persons whose assistance or advice it may desire to have in the selection of candidates for different categories of post.(2)For the purposes of sub-regulation (1) -(a) a panel of experts, from amongst the representatives of Management of Institutions, shall be prepared by arranging the names of the Institutions in order of their date of recognition and asking the Management to send the name of its representative. If any Management fails to send such name within the period specified by the commission, the panel shall be prepared without the name of the representative of such Management. The representative shall be called upon to participate the Interview Board as a member thereof in such manner that the representative once called shall not be called again till the panel is exhausted. The representatives shall be selected from the panel in serial order;(b)a panel of subject experts for different subjects shall be prepared from amongst the persons who are or have been -(i)members of State Education Services;(ii)Professors, Readers or Lecturers of any University established by law in Uttar Pradesh, provided that in the case of a Lecturer, he should not have less than five years experience as such;(iii)Principals of degree or post graduate colleges recognised by or affiliated to any University established by law in Uttar Pradesh;(iv)Assistant Professors of Lecturers of degree or Post Graduate College recognised by or affiliated to any University established by law in Uttar Pradesh, provided that he should not have less than five years' experience as such;(v)Principals of Institutions with at least ten years' experience as such :Provided that in an Interview Board for the selection of Principal, the subject expert mentioned in this sub-clause shall not be included :Provided further that subject experts for selection of teachers, other than Principal or Headmaster, shall be experts in the subject for which a teacher has to be selected.(3)The selection of experts out of the panels prepared under sub-regulation (2) shall be made by the Chairman.(4)The panels of experts shall be a secret document and shall be kept under a sealed cover in safe custody by the Secretary or by any other officer under his specific direction or order and shall be submitted to the Chairman on his requisition in writing.(5)The panel of experts prepared under clause (b) or sub-regulation (2) shall remain valid for three years :Provided that the Commission may at any time, for reasons to be recorded, add or omit any name in such panel.(6)An expert attending an Interview Board shall be paid remuneration and travelling allowances at such rate not exceeding the rates prescribed by the Uttar Pradesh Public Service Commission as may be determined by the Commission from time to time.

10. Delegation

. - The power of general superintendence and directions over the business transacted by, or in the Commission, including the power with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission is delegated to the Chairman, and the Chairman may exercise such power or any of the powers either himself or subject to his overall superintendence and direction through any other member or officer of the Commission.

11. Powers and duties of Chairman

. - (1) Subject to the provisions of the Act, the Chairman shall exercise administrative, disciplinary and financial powers of the Commission, and shall -(a)preside over ail the meetings' of the committees of which he may be a member;(b)co-ordinate the working of the Commission and its members;(c)be the controlling officer of the members for the purposes of sanctioning causal leave and passing of travelling allowance bills;(d)have the power of supervision over the working of the officers and employees of the Commission.(2)If the Chairman, by reason of his absence or any other reason, is unable to perform his duties, he may, by general or special order, authorise any member to perform such duties :Provided that all the matters in which decisions or actions have been taken during the period of absence of the Chairman, shall be placed before him for information as soon as he resumes his office.

12. Powers of the Members

. - Subject to the provisions of the Act and the rules made thereunder and the decisions of the Commission, a member shall assist the Chairman in the selection of candidates of different categories of posts and shall discharge such other duties as may be assigned to him by the Chairman.

13. Power and duties of Secretary

. - (1) The Secretary shall be the head of the administrative office of the Commission and shall work in accordance with tine provisions of the Act and the rules made thereunder and the decisions of the Commission and the Chairman.(2)The Secretary shall be the controlling officer of Group "C" and Group "D" employees of the Commission, and shall assign duties to them.(3)The appointment of the employees, of whom the Commission is the appointing authority, shall be made by the Secretary with the prior approval of the Commission.(4)The Secretary shall be responsible for -(a)the proceedings of selection of candidates for different categories of posts right from the stage of advertisement for inviting applications to the stage of forwarding the panel of selected candidates;(b)proper and timely scrutiny of applications;(c)maintaining records of selections and names of selected candidates;(d)maintaining records of appointments of officers and other employees of the Commission;(e)quarterly submission of the report of the headwise expenditure to the Commission for its information and direction;(f)preparing the annual report of the activities of

the Commission for submission to the Commission for its approval after obtaining sanction of the Chairman. the approved annual report shall be submitted to the State Government;(g)discharging any duty as may be entrusted to him by the Commission or the Chairman.

14. Finance

. - (1) The Secretary shall be assisted by the Accounts Officer in the correct maintenance of accounts and relevant records and in the preparation of periodical returns and reports regarding Commission's finances.(2)The Accounts Officer shall be responsible to the Secretary for day to day work as also for the efficient working of accounts section.

15. Transfer of officer

. - The Commission may recommend to the State Government for the transfer of any officer appointed by the State Government, if the Commission is not satisfied with the work or conduct of such officer.

16. Secrecy of Commission proceedings and decisions

. - (1) All proceedings and decisions of the Commission shall, unless directed otherwise, be secret.(2)Except the paper or information regarding quality points of candidates and panels of experts, any member may call for any file, paper or information from the office through the Secretary.

17. Office hours

. - The office hours of the Commission shall be from 10 a.m. to 5 p.m. but if the work so warrants, the members, officers and other employees of the Commission may be called upon to work before or after the office hours without any extra or additional remuneration.

18. Holidays

. - The Commission shall observe such holidays as are observed in the Uttar Pradesh Secretariat. Subject to the exigencies of the work, the Commission shall observe such local holidays as the District Magistrate of Allahabad may declare.

19. Residuary matter

. - Subject to the provisions of the Act and the rules made thereunder, the Commission may deal with any matter which has not been specifically provided for in these regulations in such manner as it may deem fit and shall report the matter to the State Government forthwith for information and direction, if any.

20. Interpretation

. - If any doubt arises about the interpretation of any provision of these regulations the matter shall be referred to the State Government and the interpretation of the State Government thereon shall be final.