

The U.P. Secondary Education Services Commission (Removal of Difficulties) (Fourth) Order, 1982

UTTAR PRADESH

India

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Rule

THE-U-P-SECONDARY-EDUCATION-SERVICES-COMMISSION-REMOVAL OF DIFFICULTIES (FOURTH) ORDER, 1982

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The U.P. Secondary Education Services Commission (Removal of Difficulties) (Fourth) Order, 1982 Published Vide Notification No. Ma-1723/15-7 - 1(13)-82, dated 14.4.1982. Rescinded vide U.P. Act No. 13 of 1999 (w.e.f. 25.1.1999). Whereas, the Uttar Pradesh Secondary Education Services Commission and Selection Boards Ordinance, 1981 (U.P. Ordinance No. 8 of 1981) was promulgated on July 10, 1981, with a view to establish a Secondary Education Services Commission and six or more Secondary Education Selection Boards for selection of teachers in the institutions recognised under the Intermediate Education Act, 1921 (U.P. Act II of 1921); And, whereas, the Uttar Pradesh Secondary Education Services Commission and Selection Boards Ordinance, 1981 (U.P. Ordinance No. 8 of 1981) was replaced by Uttar Pradesh Secondary Education Services Commission and Selection Boards (Second) Ordinance, 1981 (U.P. Ordinance No. 23 of 1981). which has been replaced by the Uttar Pradesh Secondary Education Services Commission and Selection Boards Act, 1982 (U.P. Act No. 5 of 1982); And, whereas, in view of the fact that establishment of Commission and Boards was likely to take time and it was necessary to fill certain temporary vacancies, as a temporary measure, the Uttar Pradesh Secondary Education Services Commission (Removal of the Difficulties) Order, 1981, the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981 and the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) (Third) Order, 1982, was issued to provide for the same; And, whereas, for some unavoidable reasons, the Commission and Boards could not be established so far and, even after the establishment of the Commission and the Boards, it will not be possible to make selection for sometime; And, whereas, difficulties have been experienced in the selection for ad hoc appointment of teacher by direct recruitment and in connection with disputes connected with promotion or direct recruitments; Now therefore, in exercise of the powers under sub-section (1) of Section 33 of the Uttar Pradesh Secondary Education Services Commission and Selection Board Act.

1982 (U.P. Act No. 5 of 1982) read with Section 21 of the U.P. General Clauses Act, 1904 (U.P. Act 1 of 1984), the Governor is pleased to make the following order :

1. Short title and commencement

(1) This Order may be called the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) (Fourth) Order, 1982. (2) It shall come into force at once.

2. Amendment of para 5.

- In the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order, 1981, hereinafter referred to as the said Order in paragraph 5, sub-paragraph (4), shall be re-numbered as clause (a) thereof and after clause (a) so renumbered the following clause (b) shall be, inserted, namely :- "(b) Where two or more candidates obtain equal quality points, the candidate obtaining higher percentage of marks in all examinations (High School, Intermediate, Graduate Degree and Post-Graduate Degree) essential for the particular grade, shall be placed higher and if such percentage is also equal, the candidate obtaining higher percentage of marks in the last essential examination of degree, as the case may be, shall be placed higher. In case percentage of marks in the last essential examination degree is also equal, the candidate senior in age shall be placed higher."

3. Amendment of para 7.

- In the said Order, in paragraph 7, for sub-paragraph (1) the following sub-paragraphs (1) and (1-A) shall be substituted, namely - "(1) Every dispute connected with the promotion or direct recruitment under this Order shall be referred to the Deputy Director of Education of the region concerned for decision; (1A) An appeal against the decision of the Deputy Director of Education may be made to the Director whose decision thereon shall be final."