

# **The U.P. Basic Shiksha Samitis (Manner Of Choosing And Nomination Of Members) Rules, 1992**

UTTAR PRADESH

India

## **The U.P. Basic Shiksha Samitis (Manner Of Choosing And Nomination Of Members) Rules, 1992**

### **Rule**

### **THE-U-P-BASIC-SHIKSHA-SAMITIS-MANNER-OF-CHOOSING-AND-NOMINATION-OF-MEMBERS-RULES-1992**

- Published on 11 November 1992
- Commenced on 11 November 1992
- [This is the version of this document from 11 November 1992.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Basic Shiksha Samitis (Manner Of Choosing And Nomination Of Members) Rules, 1992 Published Vide Notification No. 4706/15-5 - 92-263-92, dated 11.11.1992, published in the U.P. Gazette, Extraordinary, dated 12.11.1992. In exercise of the powers under Section 19 read with Sections 10, 10-A, 10-B and 11 of the Uttar Pradesh Basic Education Act, 1972 (U.P. Act No. 34 of 1972), the Governor is pleased to make the following rules, namely :-

### **1. Short title and commencement -**

(1) These rules may be called the Uttar Pradesh Basic Shiksha Samitis (Manner of Choosing and Nomination of Members) Rules, 1992. (2) They shall come into force with effect from the date of their publication in the Gazette.

### **2. Definitions. -**

In these rules, unless the context otherwise requires, -(a) "Act" means the Uttar Pradesh Basic Education Act, 1972; (b) words and expressions used but not defined in these rules and defined in the Uttar Pradesh Basic Education Act, 1972, shall have the meanings assigned to them in that Act.

### **3. Manner of choosing of members of Zila Basic Shiksha Samiti. -**

(1) The members of the Zila Basic Shiksha Samiti referred to in clause (j), (k) and (l) of sub-section (1) of Section 10 of the Act shall be chosen in the manner provided hereunder. (2) As soon as may be

after the commencement of these rules, the Secretary of the Zila Basic Shiksha Samiti shall, for the purposes of the said -(a)clause (j), prepare a list of Kshettra Samitis of the district by arranging their names in Devanagari alphabetical order, and the Pramukhs of the first three Kshettra Samitis of the list shall be chosen as such members. After the expiry of the term of office of the members so chosen, the Pramukhs of the next three Kshettra Samitis of the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such members in cyclic order;(b)clause (k), prepare a list of Mahapalika, if any, Municipal Boards, Notified Area Committees and Town Area Committees of the district by arranging their names in Devanagari alphabetical order and the Nagar Pramukh or, the President or the Chairman of the said local body appearing at Serial Number 1 of the list shall be chosen as such member. After the expiry of the term of office of the member so chosen, the Nagar Pramukh or the President or the Chairman of the said local body appearing next in the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such member in cyclic order;(c)clause (l), prepare separate list of Degree and Intermediate Colleges of the district by arranging their names in Devanagari alphabetical order, and the Principal of the College appearing at Serial Number 1 of such lists shall be chosen as such member. After the expiry of the term of office of the members so chosen, the Principal of the College appearing next in such lists shall be chosen and this process shall be repeated every time on the expiry of term of office of such members in cyclic order.(3)The Secretary of the Samiti shall, after the members are chosen under sub-rule (2), inform them in writing about their being so chosen.

#### **4. Manager of choosing of members of Nagar Basic Shiksha Samiti. -**

(1)The members of the Nagar Basic Shiksha Samiti, for the city or municipality referred to in sub-clauses (e) and (k) of clause (i) of sub-section (1) of Section 10-A of the Act and, for the notified area or town area referred to in subclauses (b) and (h) of clause (ii) or the said sub-section, shall be chosen in the manner provided hereunder : (2)As soon as may be after the commencement of these rules, -(i)the Secretary of the Nagar Basic Shiksha Samiti for the city or Municipality shall, for the purposes of the said -(a)sub-clause (e), prepare a list of the wards of the Mahapalika or, as the case may be, the Municipal Board in serial order and the members representing first three wards of the list shall be chosen as such members. After the expiry of the term of office of the members so chosen, the members representing the next three wards of the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such members in cyclic order:Provided that where there is no woman or Scheduled Caste member representing any ward in the first three wards or the next three wards, referred to in this sub-clause, the woman or Scheduled caste member representing any ward of the list shall be chosen in serial order :Provided further that where there is no woman member representing any ward of the list, the woman member nominated by the State Government under sub-section (3) of Section 6 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 or, as the case may be, under the first proviso to section 9 of the U.P. Municipalities Act, 1916 shall be chosen in accordance with Devnagari alphabetical order of their names;(b)sub-clause (k), prepare separate lists of Degree and Intermediate Colleges of the city or, as the case may be, the municipality by arranging its names in Devnagari alphabetical order and the Principal of the College appearing at Serial Number 1 of the lists shall be chosen as such members. After the expiry of the term of office of the members so chosen, the Principal of the College appearing next in the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such

members in cyclic order.(ii)the Secretary of the Nagar Basic Shiksha Samiti for notified area or town area shall, for the purposes of the said -(a)sub-clause (b), prepare a list of the wards of the notified Area Committee or, as the case may be, the Town Area Committee in serial order and members representing first three wards of the list shall be chosen as such members. After the expiry of the term of office of the members so chosen, the members representing the next three wards of the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such members in cyclic order :Provided that where there is no woman or Scheduled Caste member representing the first three wards or the next three wards, referred to in this sub-clause, a woman or Scheduled caste member representing any ward of the list shall be chosen in serial order :Provided further that where there is no woman member representing any ward of the list, the woman member nominated by the State Government under the first proviso to sub-section (2) of Section 238 of the U.P. Municipalities Act, 1916 or, as the case may be, under the first proviso to sub-section (2) of Section 5 of the U.P. Town Areas Act, 1914 shall be chosen in accordance with Devnagari alphabetical order of their names;(b)sub-clause (h), prepare separate lists of Degree and Intermediate Colleges of the notified area or, as the case may be, the town area by arranging their names in Devnagari alphabetical order and the Principal of the College appearing at Serial Number 1 of the lists shall be chosen as such members. After the expiry of the term of office of the members so chosen, the Principal of the College appearing next in the lists shall be chosen and this process shall be repeated every time on the expiry of the term of office of such members in cyclic order.(3)The Secretary of the Samiti shall, after the members are chosen under sub-rule (2) inform them in writing about their being so chosen.

## **5. Manner of choosing of members of Khand Shiksha Samiti. -**

(1)The members of the Khand Shiksha Samiti referred to in clauses (b), (e), (f) and (g) of sub-section (1) of Section 10-B of the Act shall be chosen in the manner provided hereunder :(2)As soon as may be after the commencement of these rules, the Secretary of the Khand Shiksha Samiti shall, for the purposes of the said -(a)clause (b), prepare a list of such members of the Kshettra Samitis as are chosen as members of the Zila Parishad by arranging their names in Devnagari alphabetical order, and the person appearing at Serial Number 1 of the list shall be chosen as such member. After the expiry of the term of office of the member so chosen the person appearing at the next serial number of the list shall be chosen and this process shall be repeated every time on the expiry of term of office of such member, and on the expiry of the term of the Zila Parishad, the process of preparation of list, as hereinbefore provided, shall be repeated and member shall be chosen therefrom accordingly;(b)clause (e), prepare a list of the Gaon Sabhas of the Nyaya Panchayat circles in the Khand by arranging the names, of the Nyaya Panchayat circles and the Gaon Sabhas in Devnagari alphabetical order and the Pradhan of the Gaon Sabha appearing at Serial Number 1 of the first Nyaya Panchayat circle of the list shall be chosen as such member. After the expiry of the term of office of the member so chosen, the Pradhan of the Gaon Sabha appearing at Serial Number 1 of the next Nyaya Panchayat circle shall be chosen as such member. After the expiry of the term of office of the member so chosen, the Pradhan of the Gaon Sabha appearing at Serial Number 1 of the next Nyaya Panchayat circle shall be chosen and this process shall be repeated every time on the expiry of the term of office of such members. After the Pradhans of Gaon Sabhas appearing at Serial Number 1 of all Nyaya Panchayat circles of the list are so chosen, the Pradhan of the Gaon Sabha appearing at

Serial Number 2 of the first Nyaya Panchayat circle of the list shall be chosen and so on;(c)clause (f), prepare a list of Gaon Panchayats of the Nyaya Panchayat circles in the Khand by arranging the names of the Nyaya Panchayat circles and the Gaon Panchayats in Devnagari alphabetical order, and a Scheduled Caste or Scheduled Tribe member of the Gaon Panchayat appearing at Serial Number 1 of the first Nyaya Panchayat circle of the list shall be chosen as such member. After the expiry of the term of office of the member so chosen, the Scheduled Caste or Scheduled Tribe member of the Gaon Panchayat appearing at Serial Number 1 of the next Nyaya Panchayat circle shall be chosen and this process shall be repeated every time on the expiry of the term of office of such member. After the Scheduled Caste or Scheduled Tribe member of the Gaon Panchayat appearing at Serial Number 1 of all Nyaya Panchayat circles of the list are so chosen, a Scheduled Caste or Scheduled Tribe member of the Gaon Panchayat appearing at Serial Number 2 of the first Nyaya Panchayat circle of the list shall be chosen and so on;Explanation. - For the purposes of this clause it is clarified that when in any Gaon Panchayat there are more than one scheduled Caste or Scheduled Tribe members, the oldest in age shall be chosen as the member;(d)clause (g), prepare a list of Gaon Panchayats of the Nyaya Panchayat circles in the Khand by arranging the names of the Nyaya Panchayat circles and the Gaon Panchayats in Devanagri alphabetical order, and an elected woman member of the Gaon Panchayat appearing at Serial Number 1 of the first Nyaya Panchayat circle of the list shall be chosen as such member. After the expiry of the term of office of the member so chosen, the elected woman member of the Gaon Panchayat appearing at Serial Number 1 of the next Nyaya Panchayat circle in the list shall be chosen and this process shall be repeated every time on the expiry of the term of office of such member. After the elected woman member of the Gaon Panchayat appearing at serial Number 1 of all Nyaya Panchayat circles of the list are so chosen, an elected woman member of the Gaon Panchayat appearing at Serial Number 2 of the first Nyaya Panchayat circle of the list shall be chosen and so on;Explanation. - For the purposes of this clause it is clarified that where, in any Gaon Panchayat, there are more than one elected woman members the oldest in age shall be chosen as the member.(3)The Secretary of the Samiti shall after the members are chosen under sub-rule (2), inform them in writing about their being so chosen.

## **6. Manner of nomination of members of Gaon Shiksha Samiti. -**

(1)The members of the Gaon Shiksha Samiti referred to in clause (g) of subsection (1) of Section 11 of the Act shall be nominated in the manner provided hereunder.(2)As soon as may be after the commencement of these rules, the Secretary of the Gaon Shiksha Samiti shall prepare two lists of the students from Class II onwards one securing highest and the other securing the lowest marks in the annual examinations of the basic school of that village or group of villages, and if there are more than one such schools of all such schools and arrange the names of the students in each list in Devnagari alphabetical order. The names of the guardians of the students appearing at Serial Number 1 of such lists shall be intimated to the Zila Basic Shiksha Adhikari through the Circle Sub-Deputy Inspector of Schools having jurisdiction and such guardians shall be nominated as members. The process of preparing the lists and nomination shall be repeated every time on the expiry of the term of office of such members.(3)The Secretary of the Samiti shall, after members are nominated under the said sub-rule (2), inform them in writing about their being so nominated.