

# **The Maharashtra Housing and Area Development Authority Employees (Determination of Seniority) Regulations, 1987**

MAHARASHTRA

India

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### **Rule**

### **THE-MAHARASHTRA-HOUSING-AND-AREA-DEVELOPMENT-AUTHORITY REGULATIONS, 1987**

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The Maharashtra Housing and Area Development Authority Employees (Determination of Seniority) Regulations, 1987 Published vide Notification No. SEN. 1186/50072/ADM. (M.G.G., Part 4C, p. 436) In exercise of the powers conferred by sub-section (4) of section 19 and sub-section (1) of section 185 of the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977), and of all other powers enabling, it in that behalf, the Maharashtra Housing and Area Development Authority, with the previous sanction of the Government of Maharashtra, hereby makes the following Regulations namely :-

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

(1) These Regulations may be called the Maharashtra Housing and Area Development Authority Employees (Determination of Seniority) Regulations, 1987. (2) They shall come into force on such date as the Authority may by resolution determine in that behalf.

#### **2. Cadres.**

- Except in the case of cadres and posts in Class IV services, all cadres in other services of the Authority shall be statewide cadres. The cadres and posts in Class IV services shall be Board-wise Cadres : Provided that, Class IV employees working in the Authority and in the Bombay Housing and Area Development Board, shall, for the purposes of seniority, be considered as belonging to one

unit.

### **3. Determination of seniority of employees in different Cadres.**

(1)The seniority of persons in different cadres shall be determined on the basis of their date of appointment by nomination or promotion in the cadre, as the case may be.(2)If the date of appointment by nomination or promotion of persons in the same, then -(a)in the case of direct recruits, the seniority shall be determined in the order of their ranks given by the Selecting Authority;(b)in the case of promotees, the seniority shall be determined in the order of their seniority in the cadres from which they are promoted, and(c)in the case of direct recruits vis-a-vis promotees, promotees shall be considered a senior to direct recruits.(3)(a)If a direct recruit, who has been given a higher rank by the selecting authority, joins the authority service after the direct recruit who has been given a lower rank by the selecting authority but within a period of one month from the date of receipt of the appointment order by him or within such further period as may be permitted in writing by authority competent in this behalf he shall not lose his seniority in spite of the fact that the date of his joining the service is subsequent to the date of joining of a person who is junior in rank to him. Such a person shall be allotted a deemed date of joining which would be one day earlier than the date of joining of person who is junior in rank to him in the selection list.(b)If for any administrative reasons or for any other reason approved, in writing by the authority competent in this behalf, a promotee senior to a person junior to him in the cadre from which they are promoted is required to join the promotion post after the promotee junior to him has joined, he shall not lose seniority over the junior joining earlier and shall be allotted a deemed date of joining which would be one day earlier than the date of joining of a promotee junior to him.(4)Any leave shall not constitute a break in continuity of service if the person concerned would have continued in the post but for his proceeding on leave.(5)When a person who has been superseded for promotion on the ground of unfitness or who has foregone promotion on his own accord has been subsequently promoted, he shall rank below all persons who have been promoted earlier.(6)The continuous service rendered by person in any vacancy as a stopgap arrangement or by way of a fortuitous appointment shall not be counted for seniority even if he has subsequently continued in a clear vacancy without any break.No. SEN. 1186/50072, dated the 15th January, 1988 (M.G.G., Part IV-C, p. 91). - The following Resolution No. 1504, dated the 14th January, 1988 passed by the Administrator, Maharashtra Housing and Area Development Authority, who is deemed to constitute the said Authority for the time being, in exercise of the powers of the Authority conferred on him under sub-section (2) of section 168 of the Maharashtra Housing and Area Development Act, 1976 (Maharashtra XXVIII of 1977) is hereby published for general information.Resolution" In pursuance of clause (2) of Regulation I of the Maharashtra Housing and Area Development Authority Employees (Determination of Seniority) Regulations, 1987, the Maharashtra Housing and Area Development Authority hereby determines the 15th January, 1988 as the date on and from which the said Regulations shall come into force."