

The U.P. Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981

UTTAR PRADESH

India

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Rule

THE-U-P-SECONDARY-EDUCATION-SERVICES-COMMISSION-REMOVAL OF DIFFICULTIES (SECOND) ORDER, 1981

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The U.P. Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981 Published Vide Notification No. Ma-6242/15 - 7-1(79)-1981, dated 11.9.1981. Rescinded vide U.P. Act No. 13 of 1999 (w.e.f. 25.1.1999).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 Boards for selection of teachers in the institutions recognised under the Intermediate Education Act, 1921 (U.P. Act No. II of 1921); And whereas, the establishment of the Commission and the Selection Boards is likely to take some time and even after the establishment of the said Commission and Boards, it may not be possible to make selection of the teachers for the first few months; And whereas, a number of vacancies in the posts of teachers in various institutions recognised under the said Act exist and the failure or delay in filling up of such vacancies is likely to create difficulties; And whereas, the filling up of certain short-term temporary vacancies caused by grant of leave to or on account of suspension of a teacher or otherwise, in accordance with the provisions of the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order, 1981 is likely to delay the appointment of substitutes in such vacancies; Now, therefore, in exercise of the powers under sub-section (1) of Section 33 of the Uttar Pradesh Secondary Education Services Commission and Selection Boards Ordinance, 1981 (U.P. Ordinance No. 8 of 1981), read with Section 21 of the U.P. General Clauses Act, 1904 (U.P. Act No. 1 of 1904), the Government is pleased to direct that the provisions of the said Ordinance shall have effect subject to the provisions of the following Order :

1. Short title and commencement

. - (1) This Order may be called the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981.

2. Procedure for filling up short term vacancies

. - (1) If short term vacancy in the post of a teacher, caused by grant of leave to him or on account of his suspension duly approved by the District Inspector of Schools or otherwise, shall be filled by the Management of the institution, by promotion of the permanent senior most teacher of the institution, in the next lower grade. The Management shall immediately inform the District Inspector of Schools of such promotion along with the particulars of the teacher so promoted.(2)Where any vacancy referred to in clause (1) cannot be filled by promotion, due to non-availability of a teacher in the next lower grade in the institution, possessing the prescribed minimum qualifications, it shall be filled by direct recruitment in the manner laid down in clause (3).(3)(i)The management shall intimate the vacancies to the District Inspector of Schools and shall also immediately notify the same on the notice board of the institution, requiring the candidates to apply to the manager of the institution along with the particulars given in Appendix 'B' of this Order. The selection shall be made on the basis of quality point marks specified in the Appendix to the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order, 1981, issued with Notification No. Ma-4993/XV - 7-1(79)-1981, dated July 31, 1982, hereinafter to be referred to as the First Removal of Difficulties Order 1981. The compilation of quality point marks shall be done under the personal supervision of the Head of Institution.(ii)The names and particulars of the candidate selected and also of other candidates and the quality point marks allotted to them shall be forwarded by the manager to the District Inspector of Schools for his prior approval.(iii)The District Inspector of Schools shall communicate his decision within seven days of the date of receipt of particulars by him failing which the Inspector will be deemed to have given Iris approval.(iv)On receipt of the approval of the District Inspector of Schools or, as the case may be, on his failure to communicate his decision within seven days of the receipt of papers by him from the manager, the management shall appoint the selected candidate and an order of appointment shall be issued under the signature of the Manager.Explanation. - For the purpose of this paragraph -(i)the expression 'senior most' teacher means the teacher having longest continuous service in the institution in the Lecturer's grade or the Trained graduate (L.T.) grade, or Trained undergraduate (C.T.) grade or J.T.C. or B.T.C. grade, as the case may be;(ii)in relation to institutions imparting instructions to women, the expression 'District Inspector of Schools' shall mean the 'Regional Inspectress of Girls Schools';(iii)'short term vacancy' means a vacancy which is not substantive and is of a limited duration.

3. Duration of ad hoc appointment

. - Every appointment of a teacher under Paragraph 2 of this Order shall cease from the earliest of the following dates, namely :(a)when the teacher, who was on leave or under suspension joins the post; or(b)when the period of six months from the date of such ad hoc appointment expires; or(c)when the short-term vacancy otherwise ceases to exit.

4.

Every appointment of a teacher under Paragraph 2 shall mutatis mutandis be subject to the conditions laid down in para 6 of the First Removal of Difficulties Order, 1981.

5. Substitution of Paragraph 2 of the First Removal of Difficulties Order, 1981

. - In the First Removal of Difficulties Order, 1981, for Paragraph 2, the following paragraph shall be substituted, namely - "2. The management of an institution may appoint by promotion or by direct recruitment, a teacher on purely ad hoc basis in accordance with the provisions of this Order in case of a substantive vacancy caused by death, resignation or otherwise."

6. Amendment of the Appendix appended to the First Removal of Difficulties Order, 1981

. - In the Appendix to the First Removal of Difficulties Order, 1981, for the entry against Item 5 in each of the two tables pertaining to Trained undergraduates grade and Trained graduates grade, the following entry shall be substituted, namely -

Examination First Division Second Division Third Division

5. Training 12 6 3

(a) Theory 12 6 3

(b) Practical

Appendix(i)Name :(ii)Date of birth :(iii)Qualification - Examinations with date of passing them, subject(s) and Divisions.(iv)Whether trained? If so division in theory and practical.