

# **The U.P. Secondary Education (Removal of Difficulties) (Second) Order, 1976**

UTTAR PRADESH

India

## **The U.P. Secondary Education (Removal of Difficulties) (Second) Order, 1976**

### **Rule**

### **THE-U-P-SECONDARY-EDUCATION-REMOVAL-OF-DIFFICULTIES-SECOND-ORDER-1976**

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The U.P. Secondary Education (Removal of Difficulties) (Second) Order, 1976Published Vide Notification No. MA-687/15-7-1976, dated 17.2.1976.Whereas, difficulties have arisen in giving effect to the provisions of the Uttar Pradesh Secondary Education Laws (Amendment) Act, 1975 (U.P. Act No. 26 of 1975) with regard to certain proceedings pending on the date of coming into force of the said Act;And whereas, difficulty in giving effect to certain provisions of Section 14 of the aforesaid Act still continues and it is necessary to extend the period of ad hoc appointments made under the Uttar Pradesh Secondary Education (Removal of Difficulties) Order, 1976;Now therefore, in exercise of the powers conferred by Section 22 of the aforesaid Act. read with Section 21 of the U.P. General Clauses Act, 1904, the Governor is pleased to make the following orders ;

#### **1.**

(1)This order may be called the Uttar Pradesh Secondary Education (Removal of Difficulties) (Second) Order, 1976.(2)It shall come into force at once.

#### **2.**

In this order, unless the context otherwise requires, -(a)"Act" means the U.P. Intermediate Education Act, 1921;(b)"Amendment Act" means the U.P. Secondary Education Laws (Amendment) Act, 1975;(c)"Removal of Difficulties (First) Order" means the Uttar Pradesh Secondary Education (Removal of Difficulties) Order, 1975, published in the U.P. Gazette, Extraordinary, dated August 18, 1975, under Notification No. MA-4696/XV-7-2(8)-75 of the same date.

### 3.

Except as expressly provided by or under the Act -(a)any proposal which was received under sub-section (2) of Section 16-F of the Act prior to July 7,1975 and on which no decision could be given by reason of any order passed in any suit or proceeding shall, on the final disposal of such suit or proceeding and subject to any direction given therein by any competent Court, be decided in the case of a teacher by the Inspector and in the case of a Principal or Head Master by the Regional Deputy Director of Education in accordance with the provisions of sub-sections (2) and (3) of Section 16-F as stood before the enactment of the Amending Act;(b)any representation made by the Management under sub-section (3) of Section 16-F of the Act and the proceeding pending on the date immediately preceding the date of commencement of the Amending Act shall be decided in the case of a teacher by the Regional Deputy Director of Education and in the case of a Principal or a Head Master by the Director of Education in accordance with the provisions of sub-section (3) of Section 16-F as it stood before the enactment of the Amending Act :Provided that the powers conferred on or duties assigned to the Regional Deputy Director of Education shall, in the case of an Institution for girls be exercised or discharged under this clause by the Deputy Director of Education Women).

### 4.

In sub-section (a) of clause (2) of the Removal of Difficulties (First) Order -(i)for the words "not exceeding six months" the words "not extending beyond June 30,1976" shall be substituted;(ii)the following proviso shall be inserted at the end."Provided that vacation pay shall be admissible only to such Head of Institution or teacher appointed on ad hoc basis as has worked continuously and satisfactorily for a period of not less than six months from the date of such appointment up to the last working day of the academic session."