

The U.P. Recognised Basic Schools (Junior High Schools) (Recruitment And Conditions Of Service Of Ministerial Staff And Group 'D' Employees) Rules, 1984

UTTAR PRADESH

India

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Rule

THE-U-P-RECOGNISED-BASIC-SCHOOLS-JUNIOR-HIGH-SCHOOLS-R of 1984

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The U.P. Recognised Basic Schools (Junior High Schools) (Recruitment And Conditions Of Service Of Ministerial Staff And Group 'D' Employees) Rules, 1984Published Vide Notification No.698/15-6-84-28(8)(II)-84, dated 13-06-1984.UP99In exercise of the powers under sub-section (1) of Section 19 of the Uttar Pradesh Basic Education Act, 1972 (U.P. Act No. 34 of 1972), the Governor is pleased to make the following rules :

1. Short title and commencement. -

(1)These rules may be called the Uttar Pradesh Recognised Basic Schools (Junior High Schools) (Recruitment and Conditions of Service of Ministerial Staff and Group 'D' Employees) Rules, 1984.(2)These rules shall come into force at once.

2. Definitions. -

In these rules unless the context otherwise requires, -(a)"Academic Session" means the year commencing on July 1 and ending on July 30 in the next following calendar year;(b)"Act" means the Uttar Pradesh Basic Education Act, 1972;(c)"Board" means the Uttar Pradesh Board of Basic

Education constituted under Section 3 of the Act;(d)"District Basic Education Officer" means the District Basic Education Officer appointed by the State Government and includes the Additional Basic Education Officer (Women);(e)"Junior High School" means an institution other than High School or Intermediate College imparting education to boys or girls or both from Classes VI to VIII;(f)"Management" in relation to a recognised school means the Managing Committee or other body managing the affairs of the school and recognised as such by the Board;(g)"Recognised School" means any Junior High School, not being an institution belonging to or wholly maintained by the Board or any local body, recognised by the Board as such;(h)"Selection Committee" means the Selection Committee constituted under Rule 14.

3. Appointment. -

(1)It shall be the responsibility of the Management to fill a vacancy in the post of a Clerk or Group 'D' employee; as the case may be, of a recognised school by 31st July every year.(2)If any vacancy occurs during an academic session, it shall be filled within two months from the date of occurrence of such vacancy.

4. Minimum Qualification. -

(1)The minimum qualifications for the post of clerk shall be Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh, or equivalent examination (with Hindi) and a minimum speed of 30 words per minute in Hindi typewriting.(2)The minimum qualification for the post of a Group 'D' employee shall be Class V from an institution recognised by the Government of Uttar Pradesh or equivalent examination with Hindi.

5. Eligibility of appointment. -

No person shall be appointed as Clerk or Group 'D' employee in substantial capacity in any recognised school unless -(a)he possesses the minimum qualifications prescribed for such post;(b)he is recommended for such appointment by the Selection Committee.

6. Age. -

A candidate for recruitment to any of the posts referred to in these rules, must have attained the age of 18 years and must not be more than 30 years of age on the first day of July following the year in which the vacancy is notified :Provided that the upper age-limit shall, in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and dependants of freedom fighters be greater by five years or as provided by the State Government from time to time.

7. Nationality. -

A candidate for recruitment to a post mentioned in Rule 5 must be -(a)a citizen of India; or(b)a Tibetan refugee who came over to India before January 1, 1962 with the intention of permanently

settling in India; or(c) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka and East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :Provided that a candidate belonging to category (b) or-(c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government :Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh :Provided also that if a candidate belongs to category (c), no certificate of eligibility will be issued for a period of more than one year and such candidate may be retained in service after a period of one year only if he has acquired Indian citizenship. Note. - A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused may be admitted to interview and he may also be provisionally appointed subject to the necessary certificate being issued in his favour.

8. Reservations. -

Reservation for the Scheduled Castes, Scheduled Tribes and other categories of candidates shall be in accordance with the orders of the State Government for reservation in force at the time of recruitment.

9. Character. -

The character of a candidate for direct recruitment must be such as to render him suitable in all respects for employment in the service and it shall be the duty of the appointing authority to satisfy himself on this point. Explanation. - Persons dismissed by the Central Government or any State Government or a Corporation owned or controlled by the Central Government or a State Government shall be deemed to be unsuitable for employment for the purposes of this rule.

10. Marital Status. -

A male candidate who has more than one wife living or a female candidate who has married a person already having a wife living, shall not be eligible for appointment to the service :Provided that the Selection Committee may, if satisfied that there exists special ground for doing so, exempt any person from the operation of this rule.

11. Physical Fitness. -

(1) No candidate shall be appointed unless he is in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. (2) Before a candidate is finally approved for appointment by direct recruitment he shall be required to produce a medical certificate of fitness from a medical officer belonging to the Provincial Medical and Health Service.

12. Disqualification. -

(1) No person who is related to any member of the management shall be appointed as clerk or Group 'D' employee of a recognised school. (2) For the purposes of this rule, a person shall be deemed to be related if he is related to such member in any one of the following ways, namely - (i) Father or mother; (ii) Grandfather, grandmother; (iii) Father-in-law, mother-in-law; (iv) Uncle, aunt, maternal uncle, maternal aunt; (v) Son, daughter, son-in-law, daughter-in-law; (vi) Brother, sister; (vii) Grandson, grand daughter; (viii) Husband, wife; (ix) Nephew, niece; (x) Cousin; (xi) Wife's brother, or wife's sister, wife's brother's wife, sister's husband; (xii) Husband's brother; husband's brother's wife; (xiii) Brother's or cousin's wife.

13. Advertisement of vacancy. -

(1) No vacancy shall be filled, except after its advertisement in at least one newspaper having adequate circulation in the locality and the intimation of such vacancy to the District Basic Education Officer. (2) In every advertisement and intimation under clause (1), the management shall give particulars as to the name of the post, the minimum qualification and age-limit, if any, prescribed for such post and the last date for receipt of application in pursuance of such advertisement. [14. Selection Committee. - The Management shall constitute a selection committee consisting of :- (1) Manager. (2) Headmaster of the recognised school in which the appointment is to be made. (3) A specialist nominated by the District Basic Education Officer who will be from amongst minority in respect of a school established and administered by a minority or from amongst Scheduled Castes in respect of any other school.] [Substituted by Notification No. M.S. 50/XV-6-99-14(1)-84, dated 20.9.1999.]

15. Procedure for selection. -

(1) The Selection Committee shall, after interviewing such candidates as appear before it on a date fixed by it in this behalf, of which due intimation shall be given to all the candidates, prepare a list containing as far as possible the names, in order of preference, of three candidates found to be suitable for appointment. (2) The list prepared under clause (1) shall also contain particulars regarding the date of birth, academic qualifications and shall be signed by all the members of the Selection Committee. (3) The Selection Committee shall as soon as possible forward such list, together with the minutes of the proceedings of the Committee to the Management. (4) The Manager shall, within one week from date of receipt of the papers under clause (3), send a copy of the list to the District Basic Education Officer. (5) (i) If the District Basic Education Officer is satisfied that - (a) the candidates recommended by the Selection Committee possess the minimum qualifications prescribed for the post; (b) the procedure laid down in these rules for the selection of Ministerial staff and Group 'D' employees, as the case may be, has been followed, he shall accord approval to the recommendations made by the Selection Committee and shall communicate his decision to the management within two weeks from the date of receipt of the papers under clause (4). (ii) If the District Basic Education Officer is not satisfied as aforesaid, he shall return the papers to the Management with the direction that the matter shall be reconsidered by the Selection Committee. (iii) If the District Basic Education Officer does not communicate his decision within one

month from the date of receipt of the papers under clause (4), he shall be deemed to have accorded approval to the recommendations made by the Selection Committee.

16. Appointment - Appointment by the Management. -

(1) On receipt of communication of approval or as the case may be, on the expiry of the period of one month under clause (iii) of sub-rule (5) of Rule 15, the management shall first offer appointment to the candidate given the first preference by the Selection Committee and, on his failure to join the post, to the candidate next to him in the list prepared by the Selection Committee and on the failure of such candidate also, to the last candidate mentioned in such list. (2) (a) The appointment letter shall be sent under the signature of the Manager by registered post to the selected candidate. (b) The appointment letter shall clearly specify the name of post, the pay scale and the nature of appointment, whether permanent or temporary, and shall also specify that if the candidate does not join within 15 days from the date of receipt of the appointment letter, his appointment shall be cancelled. (c) A copy of the appointment letter shall also be sent to the District Basic Education Officer.

17. Confirmation. -

(1) The appointment of every clerk or Group 'D' employee, as the case may be, of a recognised school, not being an appointment under Rule 25 shall, in the first instance, be on probation of one year, which may be extended for further period not exceeding one year. (2) If the service of clerk or Group 'D' employee of a recognised school are not terminated before the expiry of the period or the extended period of probation, as the case may be, he shall be deemed to have been automatically confirmed on the expiry of such period.

18. Scales of Pay. -

The scales of pay admissible to persons appointed to any post under these rules, whether in a substantive or officiating capacity or as temporary measure, shall be such as may be determined by the Government from time to time.

19. Increments. -

No annual increment in salary shall be admissible during the period of probation to a clerk or Group 'D' employee of a recognised school: Provided that if he is confirmed or is deemed to have been confirmed at the expiry of the period of probation, he shall be paid arrears of such increment as might have been payable to him during such period.

20. Superannuation. -

Every clerk or Group 'D' employee of a recognised school shall retire on the date on which he attains the age of sixty years, respectively or if such date falls in the middle of the month, on the last date of

the month.

21. Termination of service. -

No clerk or Group 'D' employee of a recognised school may be discharged or removed or dismissed from service or reduced in rank or subjected to any diminution in emoluments or served with notice of termination of service except with the prior approval in writing of the District Basic Education Officer :Provided that, in the case of schools established and administered by minority referred to in clause (i) of the Article 30 of the Constitution, such an order shall not require the approval of District Basic Education Officer but shall be reported to him.[22. Leave. - Leave to a clerk or Group 'D' employee of a recognised school will be admissible at the same rate as is admissible to such employees of recognised Intermediate College of the State.] [Substituted by Notification No. M.S. 50/XV-6-99-14(1)-84, dated 20.9.1999.]

23. Disciplinary proceeding. -

In respect of disciplinary proceedings and the punishment to be inflicted in such proceedings, a clerk or Group 'D' employee, as the case may be, of a recognised school shall be governed by the rules applicable to an Assistant Teacher of a Basic School established or maintained by the Board.

24. Temporary appointment. -

Notwithstanding anything contained in these rules, the Management may, with the previous approval of the District Basic Education Officer, appoint for a period not exceeding six months any person as clerk or Group 'D' employee, as the case may be, provided that no person shall be so appointed, unless he possessed the minimum qualification prescribed for the post:Provided further that the District Basic Education Officer may, for reasons to be recorded, extend the aforesaid period of six months for a period of co-terminous with the end of the academic session in which extension is granted.