

The U.P. Secondary Education Department Regularisation of Ad hoc Promotions on the Post of Lecturer in Government Intermediate Colleges Rules, 2001

UTTAR PRADESH

India

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Rule

THE-U-P-SECONDARY-EDUCATION-DEPARTMENT-REGULARISATION of 2001

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The U.P. Secondary Education Department Regularisation of Ad hoc Promotions on the Post of Lecturer in Government Intermediate Colleges Rules, 2001 Published in U.P. Gazette Extraordinary dated 17-8-2001, Notification No. 3641/15-2-2000-27(40) 93 (w.e.f 17.8 2001) In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor is pleased to make the following rules

1. Short title and commencement.

(1) These Rules shall be called the Uttar Pradesh Secondary Education Department Regularisation of Ad hoc promotions on the Post of Lecturer in Government Intermediate Colleges Rules, 2001. (2) They shall come into force at once.

2. Overriding effect.

- These rules shall have effect notwithstanding anything to the contrary contained in any other rules or orders.

3. Definitions.

- Unless there is anything repugnant in the subject or context-(i)"Appointing authority" means the authority empowered to make appointment to the Post of Lecturer in a Government Intermediate College under the relevant service rules.(ii)"Available vacancy" means a vacancy for which no candidate has been recommended by the Commission before the date of notification of these rules.(iii)"Commission" means the Uttar Pradesh Public Service Commission;(iv)"Governor" means the Governor of Uttar Pradesh.

4. Regularisation of ad hoc promotion.

(1)Any person who-(i)was appointed by promotion on the Post of Lecturer in a Government Intermediate College on ad hoc basis before August 7, 1993 and is continuing in service as such, on the date of the commencement of these rules;(ii)was eligible for regular promotion on the Post of Lecturer on the date of ad hoc promotion; and(iii)has completed or, as the case may be, after he has completed three years' service on the Post of Lecturer, shall be considered for regular appointment by promotion in permanent or temporary vacancy as may be available, on the basis of record and suitability before any regular appointment by promotion is made in such vacancy in accordance with the relevant service rules or orders.(2)In making regular appointment under these rules, reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be made in accordance with the orders of the Government in force at the time of consideration under sub-rule (1).(3)For the purpose of sub-rule (1), the appointing authority shall constitute a Selection Committee and consultation with the Commission shall not be necessary.(4)The appointing authority shall having regard to the provisions of sub-rule (1) prepare an eligibility list of the candidates, arranged in order of seniority on the post from which promotion was made, and place it before the Selection Committee along with their character rolls, including the confidential entries given after ad hoc promotion, and such other records, pertaining to them, as may be considered necessary to assess their suitability.(5)The Selection Committee shall consider the cases of the candidates on the basis of their records referred to in sub-rule (4).(6)The Selection Committee shall prepare a list of selected candidates, arranged in the same order of seniority as is referred to in sub-rule (4), and forward it to the appointing authority.(7)Where in respect of any person, who is eligible . for being considered for regularisation under these rules, a formal departmental enquiry is pending or there is an order of the court on account of which or for any other reason it is not possible to make regular appointment by promotion of such a person, Selection Committee shall place its recommendation in a sealed cover and shall mention this fact against the name of the concerned person in the list prepared under sub-rule (6).

5. Appointments.

- The appointing authority shall, subject to the provisions of sub-rule (2) and sub-rule (7), of rule 4 make appointments from the list prepared under sub-rule (6) of the said rule in the order in which their names stand in the lists:Provided that in the case covered by the provisions of sub-rule (7) of rule 4, action shall be taken by the appointing authority in accordance with the orders of the Government.

6. Appointments be deemed to be under the relevant sendee rules etc.

- Appointments made under these rules shall be deemed to be appointment under the relevant Service Rules or orders, if any.

7. Seniority.

- A person appointed under these rules, shall be entitled to seniority in accordance with the relevant service rules or orders, regulating conditions of service of persons regularly appointed in the service or on the post, and for this purpose selection under these rules shall be deemed to be selection under the said service rules or orders.

8. Reversion.

- Where a person, promoted on ad hoc basis, is not found suitable or whose case is not covered by sub-rule (1) of rule 4 of these rules, he shall, at once, be reverted to the substantive post from which ad hoc promotion was made and on such reversion he shall not be entitled to compensation. Explanation - Where a person has been given more than one ad hoc promotions, he shall be reverted to the substantive post from which first of such ad hoc promotion was made.