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**Uttar Pradesh Higher Education Services Commission  
(Second Amendment) Act, 2006**

**22 of 2006**

CONTENTS

1. Short Title And Commencement
2. Insertion Of New Section 31-D In U.P. Act No. 16 Of 1980
3. Repeal And Saving

**Uttar Pradesh Higher Education Services Commission  
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An Act further to amend the Uttar Pradesh Higher Education Services Commission Act, 1980 It is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:-- 1. Received the assent of the Governor on September 1, 2006 and published in the U.P. Gazette, Extra., Part I, Section (Ka), dated 4th September, 2006, pp. 3-5

**1. Short Title And Commencement :-**

(1) This Act may be called the Uttar Pradesh Higher Education Services Commission (Second Amendment) Act, 2006.

(2) It shall be deemed to have come into force on July 25, 2006.

**2. Insertion Of New Section 31-D In U.P. Act No. 16 Of 1980 :-**

After Section 31-C of the Uttar Pradesh Higher Education Services Commission Act, 1980 (hereinafter referred to as the principal Act) the following section shall be inserted, namely:--

"31-D. (1) Any teacher, other than a Principal who,--

(a) was appointed in a grant-in-aid college on ad hoc basis to teach in the B.Ed, course of study in accordance with the standards laid down by the State Government, concerned University or the National Council for Teacher Education within the period commencing on November 23, 1991 and ending with August 31,

2003 to a post which was filled by the management on the basis of the said standards after obtaining the permission of the concerned University,

(b) has been continuously serving the college from the date of his appointment up to the date of commencement of the Uttar Pradesh Higher Education Services Commission (Second Amendment) Act, 2006,

(c) possesses the qualifications required for regular appointment to the post under the provision of the relevant statutes in force on the date of selection for regular appointment,

(d) has been found suitable for regular appointment by the Selection Committee constituted under sub-section (2),  
may be given substantive appointment by the management of the college, if any substantive vacancy of the same cadre and grade in the respective department is available on the date referred to in clause (c).

(2) The Selection Committee referred to in sub-section (1) shall consist of.--

(a) a member of the Commission nominated by the State Government who shall be the Chairman;

(b) an officer not below the rank of Special Secretary, to be nominated by the Secretary to the Government of Uttar Pradesh in the Higher Education Department;

(c) the Director.

(3) The Selection Committee constituted under sub-section (2) shall consider the cases of every such ad hoc teacher and on being satisfied about his eligibility in view of the provisions of sub-section (1), and his work and conduct on the basis of his record, recommend his name to the management of the college for appointment under subsection (1).

(4) Where a person recommended by the Commission under Section 13 before the commencement of the Ordinance referred to in clause (b) of sub-section (1) does not get an appointment because of the appointment of another person under sub-section (1) in the vacancy for which he was so recommended, the State Government shall make suitable order for his appointment in a suitable vacancy in any college and the provisions of sub-sections (5) and (6) of Section 13 and Section 14 shall mutatis mutandis apply.

(5) A teacher appointed on ad hoc basis referred to in sub-section (1) who does not get a substantive appointment under this section shall cease to hold such post from such date as the management

may specify."

### **3. Repeal And Saving :-**

(1) The Uttar Pradesh Higher Education Services Commission (Amendment) Ordinance, 2006 (U.P. Ordinance No. 6 of 2006) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of the Act were in force at all material times.