

**Uttar Pradesh Secondary Education Services Commission  
And Selection Boards (Amendment) Act, 1991**

**26 of 1991**

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**Uttar Pradesh Secondary Education Services Commission  
And Selection Boards (Amendment) Act, 1991**

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An ACT

further to amend the Uttar Pradesh Secondary Education Services Commission and Selection Boards Act, 1982.

It is hereby enacted in the Forty-second Year of the Republic of India as follows :-

**1. Short title and Commencement :-**

(1) This Act may be called the Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Act, 1991.

(2) Section 2 shall be deemed to have come into force on April 6, 1991 and the remaining provisions shall come into force atonce.

**2. Amendment of section 33-A of U. P. Act no. 5 of 1982 :-**

In section 33-A of the Uttar Pradesh Secondary Education Services Commission and Selection Boards Act, 1982, hereinafter referred to as the principal Act,-

(a) after sub-section (1), the following sub-sections shall be inserted, namely :-

" (1-A) Every teacher appointed by promotion, on ad-hoc basis against a substantive vacancy in accordance with paragraph 2 of the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order, 1981, as amended from time to time, who possesses the qualifications prescribed under, or is

exempted from such qualifications in accordance with the provisions of, the Intermediate Education Act, 1921 shall, with effect from the date of commencement of the Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Act, 1991, be deemed to have been appointed in a substantive capacity provided such teacher has been continuously serving the institution from the date of such ad-hoc appointment to the date of such commencement.

(1-B) Every teacher directly appointed after June 12, 1985 and before May 13, 1989 on ad-hoc basis against a substantive vacancy in the Certificate of Teaching grade, in accordance with paragraph 2 of the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order 1981, as amended from time to time, who possesses the qualifications prescribed under, or is exempted from such qualifications in accordance with the provisions of, the Intermediate Education Act, 1921 shall, with effect from the commencement of the Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Act, 1991, be deemed to have been appointed in a substantive capacity provided such teacher has been continuously serving the institution from the date of such ad-hoc appointment to the date of such commencement.

(1-C) Every teacher appointed by promotion or by direct recruitment before July 31, 1988 on ad-hoc basis against a substantive vacancy in accordance with section 18, who possesses the qualifications prescribed under, or is exempted from such qualifications in accordance with, the provisions of, the intermediate Education Act, 1921 shall, with effect from the date of commencement of the Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Act, 1991 be deemed to have been appointed in a substantive capacity provided such teacher has been continuously serving the institution from the date of such ad-hoc appointment to the date of such commencement.";

(b) for sub-section (2) the following sub-section shall be substituted, namely-

"(2) Every teacher deemed to have been appointed in a substantive capacity under subsection (1) or (1-A) or (1-B) or (1-C), shall be deemed to be on probation from the date of commencement referred to in sub-section (1) or (1-A) or (1-B) or (1-C) as the case maybe.";

(c) in sub-section (3), in clause (a), for the words "such

commencement", the words "commencement referred to in sub-section (1) or (1-A) or (1-B) or (1-C), as the case may be" shall be substituted.

### **3. Repeal and saving :-**

(1) The Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Ordinance, 1991 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 this Act were in force at all material times.