

**Uttar Pradesh Secondary Education Services Selection
Board (Amendment) Act, 2006**

37 OF 2006

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**Uttar Pradesh Secondary Education Services Selection
Board (Amendment) Act, 2006**

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A BILL

further to amend the Uttar Pradesh Secondary Education Services Selection Board Act, 1982.

IT IS HEREBY enacted in the Fifty-seventh Year of the Republic of India as follows :-

1. Short title :-

This Act may be called the Uttar Pradesh Secondary Education Services Selection Board (Amendment) Act, 2006.

2. amendment of section 16 of U.P Act no. 5 of 1982 :-

In section 16 of the Uttar Pradesh of Secondary Education Services Selection Board Act, 1982, hereinafter referred to as the principal Act, in sub-section (1) for the words and figures "sections 12, 18, 21-B, 21-C 21-D, 33, 33-A, 33-B, 33-C, 33-D and 33-F" the words and figures, "sections 12, 18, 21-B, 21-C, 21-D, 21-E, 21-F, 33, 33-A, 33-B, 33-C, 33-D and 33-F" shall be substituted.

3. Insertion of new sections 21-E, 21-F :-

After section 21-D of the principal Act, the following sections shall be inserted, namely:

21 -E Absorbtion of subject experts

(1) There shall be a list of subject experts working in private aided

secondary schools possessing prescribed educational and training qualification including the subject experts who have received honorarium and worked for a minimum period of two academic sessions and were working on September 30, 2006. The list shall be maintained by the Director in such manner as may be prescribed.

(2) Where any substantive vacancy in the post of a teacher in an institution is to be filled by direct recruitment, such post shall, at the instance of the Inspector, be offered by the management to a subject expert whose name is included in the list referred to in sub-section (1).

(3) Where any subject expert who is offered an appointment in accordance with the provision of sub-section (2) fails to join the post within the time allowed, which shall not be less than seven days, his name shall be removed from the list referred to in sub-section (1).

(4) No appointment of any teacher to an institution shall be made under section 16 unless the list referred to in sub-section (1) is exhausted.

(5) The subject experts included in the list referred to in sub-section (1) shall be absorbed in those institution where any substantive vacancy is to be filled by direct recruitment. No subject expert shall have claim for appointment to any particular post.

Explanation For the purposes of this section , -

(a) "Director" means the Director of Secondary Education, Uttar Pradesh and includes any other officer authorised by him in this behalf;

(b) the words "Inspector" , "Institution", "Management" and teacher shall have the meaning respectively assigned to them in the Uttar Pradesh High School and Intermediate College (Payment of Salaries of Teachers and other Employees) Act, 1971, provided that "teacher" shall not include a Principal or a Headmaster.

(c) "subject experts" mean, persons working in aided Secondary Schools on a fixed honorarium appointed in the prescribed manner on a contractual basis.

21-F Appointment of teachers on default by management.

(1) Where the management fails to offer any post to a subject expert in accordance with the provisions of sub-section (3) of section 21-E within the time specified by the Inspector, the inspector, may himself issue the letter of appointment to such subject expert and the subject expert concerned shall be entitled to get his salary as teacher from the date he joins the post in

pursuance of such letter of appointment,

(2) Where the subject expert to whom the letter of appointment is issued under sub-section (1), is unable to join the post due to any act or omission on the part of the Management such subject expert may submit his joining report to the Inspector, and shall thereupon be entitled to get his salary from the date he submits the said report.