

No. 1037(2)/LXXIX-V-1-13-1(Ka)-13-2013

Dated Lucknow, September 26, 2013

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Lok Seva (Adhikaran) (Sanshodhan) Adhiniyam, 2013 (Uttar Pradesh Adhiniyam Sankhya 15 of 2013) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 24, 2013.

THE UTTAR PRADESH PUBLIC SERVICES (TRIBUNAL) (AMENDMENT)
ACT, 2013

(U.P. Act no. 15 of 2013)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh Public Services (Tribunal) Act, 1976.

IT IS HEREBY enacted in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh Public Services (Tribunal) (Amendment) Act, 2013. Short title and commencement

(2) It shall be deemed to have come into force on July 19, 2013.

2. In section 3 of the Uttar Pradesh Public Services (Tribunal) Act, 1976 hereinafter referred to as the principal Act,— Amendment of section 3 of U.P. Act no. 17 of 1976

(a) in sub-section (8), in the proviso for clause (a) the following clause shall be substituted, namely :—

“(a) in the case of Chairman, the age of seventy years; and”

(b) after sub-section (8-a) the following sub-section shall be inserted, namely :—

“(8-b) The provisions of sub-section (8) as amended by the Uttar Pradesh Public Services (Tribunal) (Amendment) Act, 2013 shall apply also to the Chairman holding office on the commencement of the said Act.

U.P. Ordinance no. 9 of 2013 Repeal and saving

3. (1) The Uttar Pradesh Public Services (Tribunal) (Amendment) Ordinance, 2013 is hereby repealed.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.

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Public Services (Tribunals) Act, 1976 (U.P. Act no. 17 of 1976) has been enacted to provide for the constitution of tribunals to adjudicate disputes in respect of matters relating to employment of all public servants of the State of Uttar Pradesh. Section 3 of the said Act provides for the constitution of the tribunal. This section *inter alia* provided that the maximum age for holding the office of

the Chairman shall be sixty seven years. Generally the maximum age for holding the office of the Chairman of the Tribunal is seventy years and usually the retired judge of the Hon'ble High Court having wide and extensive experience of judicial work is appointed to the office of the Chairman. On the said basis the maximum age for holding the office the Chairman of the said tribunal should be seventy years. After due consideration is was decided to amend the said Act to increase the maximum age for holding the office of the Chairman of the said tribunal from sixty seven years to seventy years.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Public Services (Tribunal) (Amendment) Ordinance, 2013 (U.P. Ordinance no. 9 of 2013) was promulgated by the Governor on July 19, 2013.

This Bill is introduced to replace the aforesaid Ordinance.

By order,
S.K. PANDEY,
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 449 राजपत्र-2013--(961)--599 प्रतियां(कम्प्यूटर/टी०/आफसेट)।
पी०एस०यू०पी०-ए०पी० 80 सा० विधा०-2013--(962)--500 प्रतियां(कम्प्यूटर/टी०/आफसेट)।