

The Orissa Education (Selection Board for the State) Rules, 1992

The 25th September, 1992

S.R.O. No. 1111/92 E.D. Notification - 25.9.1992 - Whereas the draft of the Orissa Education (State Selection Board) Rules, 1992 was published as required by Sub-section (1) of Section 27 read with Section 10 of the Orissa Education Act, 1969 (Orissa Act 15 of 1969) in the extraordinary issue No. 1102 of the *Orissa Gazette*, dated the 10th August 1992, under the notification of the Government of Orissa in the Education Department No. 38646, dated the 7th August 1991 bearing S.R.O. No. 986/92 inviting objections and suggestions from all persons likely to be affected thereby, till expiry of a period of thirty days from the date of publication of the said notification in the *Orissa Gazette*;

And whereas no objection or suggestion has been received by the State Government during the period so specified in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 27, read with Section 10 of the said Act, the State Government do hereby make the following rules, namely :

1. (1) These rules may be called the Orissa Education (Selection Board for the State) Rules, 1992.

(2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. (1) In these rules, unless the context otherwise requires -

(a) "**Act**" means the Orissa Education Act, 1969 (Orissa Act 15 of 1969),

(b) "**Board**" means the Selection Board for the State constituted under Sub-section (2) of Section 10 of the Act;

(c) "**Director**" means the Director of Higher Education, Orissa in relation to Colleges and the Director of Secondary Education, Orissa, in relation to Higher Secondary Schools;

(d) "**Government**" means the Government of Orissa.

(2) All other words and expressions used in these rules but not defined, unless the context otherwise requires, shall have the same meaning as have been assigned to them in the Act.

3. (1) The Government shall by notification constitute the Board as provided in Sub-section (2) of Section 10 of the Act consisting of such member or members as may be specified by such notification.

(2) One of the members shall be appointed by the Government as the President of the Board and another member may be appointed to act as the Vice-President of the Board.

4. (1) The Board shall have a Secretary not being a member thereof and shall be appointed by the Government from among the Class-I Officers of the Government or Officers of equivalent rank.

(2) The other officers and staff of the Board shall be appointed in such manner as may be determined by the Government from time to time.

5. Unless otherwise decided by the Government the term of office of a Member shall be three years from the date of his appointment or till the attainment of the age of sixty-two years, whichever is earlier:

Provided that where a Government servant is appointed as a member of the Board, he shall hold office till the date of his superannuation from Government service or his reversion to the Government, whichever is earlier.

6. Government may from time to time determine the emoluments and other privileges including perquisites of the President, Vice-President and members of the Board:

Provided that if a person, while in Government service is appointed as a Member, Vice-President or President, as the case may be, he shall carry his duty pay and allowances as admissible to him as such officer.

7. (1) Subject to these rules and the directions issued by the Government, if any, the business of the Board shall be conducted in such manner as the Board may determine.

(2) The Board shall hold its meeting for the transaction of its business at such place and time and at such intervals as the President may determine from time to time.

(3) The President and in his absence the Vice-President shall preside over the meeting of the Board.

(4) The Secretary of the Board shall give not less than ten days clear notice of the date, time and place of the meeting of the Board to all concerned :

Provided that a shorter notice may be given in case of urgency with the approval of the President.

(5) Three members including President and/or Vice-President shall form the quorum at a meeting of the Board.

(6) Decision of the Majority at any meeting shall be deemed to be the decision of the Board.

8. (1) The President shall be the Head of Office of the Board.

(2) The President and the Secretary shall exercise such administrative and financial powers as may be specified by the Government from

9. (1) The Board shall take the assistance to subject experts for the purpose of setting the question papers, evaluation of answer papers and in conducting interviews.

(2) The experts shall be paid such fees as may be determined by the Board from time to time with the prior concurrence of the Government.

10. (1) The Secretary of the Managing Committee or the Governing Body, as the case may be, of a recognised private Higher Secondary Institution or a College shall furnish requisition twice a year by 1st August and 1st December to the concerned Director for allotment of teacher (s) selected by the Board, in any subject against the existing vacancy in such institution or College.

(2) The Director concerned shall scrutinise the genuiness of the vacancy (as stated in the requisition and determine the total number of vacancies) for which teachers are to be allotted by the Board and thereupon furnish a consolidated subjectwise requisition for the whole state to the Board by the 1st of September and 1st of January every year.

(3) The Director, shall, with the prior approval of the Government, determine the eligibility and qualification of the candidates for appearing at the examination to be conducted by the Board and intimate the same to the Board.

11. (1) On receipt of requisition from the Director, the Board shall prepare and maintain Select Lists of teachers subjectwise and separately in respect of Colleges and Higher Secondary Institutions and for that purpose, call for applications from eligible candidates, conduct written examinations or *viva voce* test or both as may be decided upon.

(2) The Board shall lay down the detailed procedures regarding the methodology of selection, such as advertisement, forms, fees, written examination *viva voce* test etc. with prior concurrence of the Government.

(3) The Select lists prepared under Sub-rule (1) shall be valid for a period of one year from the date of its final approval by the Board. In case a Select List for any subject is exhausted before this period and requisition from the Director is pending to allotment in particular. subject (s) the Board may undertake a special selection in respect of that subject, and follow the same procedure as prescribed for normal selection.

(4) The Board shall furnish the Select lists to the Director concerned.

12. (1) On receipt of Select Lists from the Board, the Director shall, subject to Sub-rules (2) and (3) allot the candidates in the order in which their names appear in the said list to the Educational Institutions as per their requisition made under Sub-rule (1) of Rule 10.

(2) The candidates in the respective Select lists shall first be allotted to the Aided Colleges and Higher Secondary Institutions and thereafter allotment shall be made to fill up the vacancies in the recognised colleges and Higher Secondary Institutions.

(3) (a) When vacancy arises in any subject, subsequent to the allotment made under Sub-rule (2) in any Aided College or Higher Secondary Institution, the Director shall, at the first instance, seek the willingness of the candidates of that subject allotted to and appointed in any unaided private college or Higher Secondary Institution for reallocation to the aided institutions.

(b) On receipt of such options, the Director shall reallocate the candidates to aided educational institutions in the same order in which their names appear in the respective Select list.

13. (1) It shall be obligatory for the Secretary of the Governing Body or the Managing Committee as the case may be, to employ the candidates allotted by the Director. In case of default, the Director shall be competent to withhold the individual teacher's cost of the grant-in-aid to be paid to the Institution concerned and may take steps to supersede the Managing Committee or the Governing Body as the case may be.

[Provided that the above provision shall not be applicable to the fifty three (53) number of lecturers of aided Colleges and aided Junior Colleges who have been appointed against the approved or admissible post on temporary basis by the Governing Bodies of the concerned Colleges names of which are given in Column (II) of the Table in Appendix-A appended to these rules along with the posts held by them as mentioned in Column (III) thereof and are continuing as such against such approved or admissible posts, as the case may be, having the requisite qualification to hold the posts as per the provisions of these rules and are in pay roll these colleges in contravention of the recommendation made by the Board.]

(2) In case a candidate allowed to an aided or recognised private college/private Higher Secondary Institution does not join the appointment within stipulated time, a report to that effect shall be sent to the Director by the Secretary of the Governing Body or the Managing Committee of the concerned Institution and on receipt of such report the Director may strike off his name from the Select list and allot another candidate in his place to the said Institution. The candidate whose name is struck off in such a manner shall forfeit his claim for appointment and shall not be offered any appointment thereafter.

14. The Government may, from time to time issue directives as may be necessary not inconsistent with the Act or these rules, for smooth conduct of the business and discharge of function by the Board.

15. The provisions contained in Rules 4, 4-A, 5, 6 and 7 of the Orissa Education (Recruitment and Conditions of Service of Teachers and Member of the Staff of Aided Educational Institutions) Rules, 1974 and the Selection Board (Conduct of Business and Discharge of Functions) Regulations, 1976 are hereby repealed.