

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 716 CUTTACK, TUESDAY, APRIL 9, 2019/CHAITRA 19, 1941

SCHOOL & MASS EDUCATION DEPARTMENT

NOTIFICATION

The 8th March, 2019

No.5754– SME-EL2-EL2-0036/2018/SME.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Odisha hereby makes the following rules further to amend the Odisha Elementary Education (Method of recruitment and conditions of Service of Teachers and Officers) Rules, 1997 namely:—

1.(1) These rules may be called the Odisha Elementary Education (Method of recruitment and conditions of Service of Teachers and Officers) Amendment Rules, 2019.

(2) The Odisha Elementary Education (Method of recruitment and conditions of Service of Teachers and Officers) Amendment Rules, 2019 shall come into force from the date of their publication in the *Odisha Gazette*.

2. In the Odisha Elementary Education (Method of Recruitment and Conditions of Service of Teachers and Officers) Rules, 1997 (hereinafter referred to as the said rule), in rule 2, in sub-rule- (1) –

(i) for clause (a), the following clause shall be substituted, namely:—

"Ex-Service man" means a person as defined in the Odisha Ex- Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985.

(ii) in clause (b), after word and figure "rule 5", the word and figure "and rule 6" shall be inserted.

(iii) in clause (f), after the words Assistant Teachers and before the words Headmasters or Headmistress of the Government Primary and Upper Primary Schools, the words "Senior Teachers, Graduate Teachers" shall be inserted and after the words Headmasters or Headmistress of the Government Primary and Upper Primary Schools and before the words Assistant Block Education Officers, the words and expression "Senior Headmaster or Headmistress of Government Primary Schools as the case may be" shall be inserted and for the words "Addl.

District Education Officer”, the words “Senior Block Education Officer” shall be substituted.

(iv) after clause (l), following clauses shall be inserted, namely:—

(l-a) “Persons with Disabilities” means persons who have been granted with disability certificates by Competent Authority as per the provisions of the Rights of Persons with Disability Act, 2016 (No. 49 of 2016);

(l-b) “SEBC” means the Socially and Educationally Backward Classes of citizens as defined in clause (a) of Section 2 of the Odisha State Commission Backward Classes Act, 1993;

(l-c) “Sportsmen” means persons who have been issued identity card as sportsmen by the Director, Sports as decided by the Government from time to time.

3. In the said rules, in rule-3,—

“(a) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) The service shall comprise of following Levels, namely:—

(i) The Odisha Elementary Education Service, Level-V (A)

(ii) The Odisha Elementary Education Service, Level-V (B)

(iii) The Odisha Elementary Education Service, Level-IV

(iv) The Odisha Elementary Education Service, Level-III

(v) The Odisha Elementary Education Service, Level-II

(vi) The Odisha Elementary Education Service, Level-I

(vii) The Odisha Elementary Education Service, Level-I (Senior)”

(b) In sub-rule (2), -

(i) for clause- (i) the following clause shall be substituted, namely:—

“(i) The Odisha Elementary Education Service, Level-V (A) shall consist of the post of Assistant Teachers of Government Primary Schools and Assistant Teachers of Government Upper Primary Schools”.

(ii) after clause (i), the following clause (1-a) shall be inserted, namely:—

“(1-a) The Odisha Elementary Education Service, Level-V (B) shall consist of the post of Senior Teachers of Government Primary Schools and Senior Teachers of Government Upper Primary Schools”.

(iii) for clause-(ii), the following clause shall be substituted, namely:—

“the Odisha Elementary Education Service, Level-IV shall consist of the following categories of posts, namely:—

(a) Headmasters or Headmistresses, as the case may be of Government Primary Schools;

(b) Graduate Teachers of Upper Primary Schools”

(iv) for clause (iii) after sub-clause (a), the following sub-clause shall be inserted, namely:—

“(a-i) Senior Headmaster or Headmistress of Government Primary Schools”.

(v) for clause (vi) the words “Additional District Education Officer” shall be substituted by the words “Senior Block Education Officer”

4. In the said rules, in rule 4:—

(a) in sub-rule (1) after the words “belonging to” and before the words and expression “Level-IV”, the words and expression “Level-V (A) and Level-V (B)” shall be inserted,

5. In the said rules, in rule 6:—

(a) In sub-rule (1), in clause (a), for the word and expression “Level-V” shall be the substituted by the word and expression “Level-V(A)” and for the words “Block Education Officer”, the words “Senior Block Education Officer or Block Education Officer” shall be substituted.

(b) In sub-rule (1), in clause (a), after sub-clause (v), the following proviso shall be inserted, namely :—

“Provided that the concerned Senior Block Education Officer / the Block Education Officer shall issue appointment order to the Junior Teacher selected by the committee for absorption as Assistant Teacher, Level-V (A).

(c) In sub-rule (1), in clause (c), after the words “Public Service Commission”, the following words and expression shall be, inserted :—

(i) along with the posts of Odisha Education Service-II (School Branch). For direct recruitment, the rules governing the method of recruitment in respect of Odisha Education Service-II (School Branch) officers shall be

applicable. Existing Elementary Cadre Teachers having required qualification to be given scope to participate in the competitive examination with age relaxation of five years.

(d) In sub-rule (1), in clause (d), the following shall be substituted, namely:—
“The post of Senior Block Education Officer or such other post, shall be filled up by way of promotion from the members of Level-I of the service as per the decision of the State Government.”

(e) in sub-rule (1), in clause (d), for sub-rule (1-a) the following shall be substituted, namely:—

(1-a) Vacancies in the posts belonging to Level-V(B), IV, III, II, I and I (Senior) shall be filled up by way of promotion.

6. In the said rules, in rule-9, —

(a) for sub- rule (1), the following sub-rule shall be substituted, namely:—

“(1) The committee within their respective power shall draw up lists of all eligible candidates for promotion, as the case may be, from Level-V(A) to Level- V(B), Level-V(B) to Level-IV, Level-IV to Level-III, Level-III to Level-II, Level-II to Level-I and Level-I to Level-I (Senior) of the service”.

(b) for sub-rule (5), for the following sub-rule shall be substituted, namely:—

“(5) After its approval by the Director, Elementary Education for promotion from Level-V(A) to Level-V(B), Level-V(B) to Level-IV and Level-IV to Level-III of the service, the District Education Officer shall make necessary allotment to the Senior Block Education Officer or Block Education Officer and for issue of appointment orders.”

7. In the said rules, in rule-11, —

(a) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) In order to be eligible for promotion to the posts belonging Level-V (B) of the service, the candidate must have served for a continuous period of four years in the posts belonging to Level-V(A) of the service.

Provided that –

- (i) 50% of the vacancies shall be filled up by the candidates having passed High School Certificate or Higher Secondary (10+2) Examination or Graduation with Secondary Teachers Training/ Certified Teachers Course/Diploma in Elementary Education from any recognized Board or University or equivalent thereof and have passed Odisha Teachers Eligibility Test-I (for candidates engaged as Sikshya Sahayak or Junior Teacher (Contractual) against the advertisement published after 11.02.2011).
 - (ii) 50% of the vacancies shall be filled up by the candidates possessing a Bachelor Degree in any discipline with Secondary Teachers Training/ Certified Teachers Course/ Diploma in Elementary Education or Bachelor in Education or an equivalent examination and training course from a recognized Board or University and having passed Odisha Teachers Eligibility Test-II (for candidates engaged as Sikshya Sahayak or Junior Teacher (Contractual) against the advertisement published after 11.02.2011).”
- (b) for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) (i) In order to be eligible for promotion to the post of Headmaster/ Headmistress of the Government Primary Schools in Level-IV of the service, candidate must have passed High School Certificate or Higher Secondary (+2) Examination or Graduation with Secondary Teachers' Training/ Certified Teachers Course/ Diploma in Elementary Education or Bachelor in Education and must have served for a continuous period of two years in the posts belonging to Level-V(B) of the service.

(ii) In order to be eligible for promotion to the post of Graduate Teachers in Government Upper Primary Schools in Level-IV of the service, a candidate must have possessed a Bachelor Degree in any discipline or an equivalent examination with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education or a Bachelor in Education and must have served for a continuous period of two years in the posts belonging to Level-V(B) of the service:

Provided that in case of non-availability of adequate number of persons for promotion to Level-IV of the service, six years of service in Level-V(A) and V(B) shall be taken together for consideration of promotion but must have rendered at least one year service in Level-V (B).”

(c) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3)(i) In order to be eligible for promotion to the post of Senior Headmaster in Govt. Primary School in Level-III of the service, a candidate must have passed High School Certificate or Higher Secondary (+2) Examination or Bachelor Degree in any discipline with Secondary Teachers Training or Certified Teachers Course or Diploma in Elementary Education or Bachelor in Education or an equivalent examination and must have served for a continuous period of two years in the post of Headmaster of Government Primary School belonging to Level-IV of the service”.

(ii) In order to be eligible for promotion to the post of Headmaster in Government Upper Primary School in Level-III of the service, a candidate must have obtained a Bachelor Degree in any discipline with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education or Bachelor in Education or any equivalent examination and must have served for a continuous period of two years in the post of Graduate Teacher belonging to Level-IV of the service”.

(d) for sub-rule (4), the following sub-rule shall be substituted, namely:—

“(4) In order to be eligible for promotion to the post of Assistant Block Education Officer in Level-II of the service, a candidate must have possessed a Bachelor Degree in any discipline or an equivalent examination with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education or a Bachelor in Education or any equivalent examination and must have served for a continuous period of two years in the post of Headmaster of Government Upper Primary School belonging to level-III of the service:

(e) for sub-rule (4-a) shall be deleted.

(f) for sub-rule (5), the following sub-rule shall be substituted, namely:—

“(5) In order to be eligible for promotion to the post of Block Education Officer in Level-I of the service, a candidate must have possessed a Bachelor Degree in any discipline or an equivalent examination with a Bachelor in Education and must have served for a continuous period of two years in the post of Assistant Block Education

Officer belonging to level-II of the service and must have minimum one year of service to be rendered prior to superannuation as on the 1st January of year of convening the Departmental Promotion Committee.

(g) after sub-rule (5), the following sub-rule shall be inserted, namely:—

“(6) In order to be eligible for promotion to the post of Senior Block Education Officer or such other post in Level-I (Senior) of the service, a candidate must have served for a continuous period of two years in the post of Block Education Officer belonging to Level-I of the service”.

8. In the said rules, in rule 15

(a) in sub-rule (1), in clause (a) “for the words and expression Level-V, Level-IV and Level-III, the words and expression "Level-V(A), Level-V(B), Level-IV and Level-III shall be substituted”,

(b) in sub-rule (1), for clause (d), the following clauses shall be substituted, namely:—

“(d) (1) Separate Gradation list of Assistant Teachers in Level-V(A) of the service shall be prepared taking into consideration the following qualification and training.

(i) High School Certificate or Higher Secondary (+2) Examination or Bachelor Degree in any discipline or equivalent examination with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education and pass in Odisha Teachers Eligibility Test-I.

(ii) Bachelor Degree in any discipline or an equivalent examination with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education or Bachelor in Education and pass in Odisha Teachers Eligibility Test –II:

Provided that the teachers appointed against the advertisements published prior to 11.02.2011 are exempted from passing Odisha Teachers Eligibility Test-I and Odisha Teachers Eligibility Test -II.

(2) Separate Gradation list of Senior Teachers in Level-V(B) of the service shall be prepared after taking into consideration the option exercised by the Senior Teachers, as will be notified, having qualification of Bachelor Degree in any discipline with Secondary Teachers' Training or Certified Teachers Course or Diploma in Elementary Education and pass in Odisha Teachers Eligibility Test-I for considering promotion to Level-IV of the service, provided that such

Senior Teachers in the Level-V(B) of the service, exercising their option to become Graduate Teacher, have passed Odisha Teachers Eligibility Test-II. They shall be placed in the Gradation List of Senior Teachers with Bachelor Degree below the existing teachers taking into account the date of passing of the Odisha Teachers Eligibility Test -II as well as the seniority in the merit list finalized for promotion to the grade of Level-V (B) of the service”.

(c) in sub-rule (1), in clause (d), the sub-clause (iii) shall be deleted.

(d) in sub-rule (6), —

(i) For *Explanation-I(a)*, the following *Explanation* shall be substituted, namely:—

“*Explanation:-I (a)*, All existing teachers working in Level-V of the service, shall be treated as member of Level-V(A) of the service from the commencement of these rules. The seniority of such teachers shall be determined with reference to the date of their appointment as member of Level-V”.

(e) For *Explanation-I(b)*, the following *Explanation*, shall be substituted, namely:—

(I-b) The *inter se*-seniority shall be determined on the basis of the absorption of Junior Teachers as regular teachers as per the merit list and this seniority will be taken into consideration while preparing the gradation list at different levels including the gradation list of Level-III (Upper Primary Headmasters) at Directorate level and all objections to the gradation list shall be duly examined and finalized by the Competent Authorities.

ORDER

Ordered that this notification be published in the Extraordinary issue of *Odisha Gazette* and copy be supplied to all concerned.

By Order of the Governor

P.K. MOHAPATRA

Principal Secretary to Government