

GOVERNMENT OF ODISHA
DEPARTMENT OF HIGHER EDUCATION
NOTIFICATION


Bhubaneswar, Dated the 6th July 2019

No. HE-FE-III-MISC-0032-2018 13629 /HE. In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of the Rules/ Regulations / Orders/ Instruction; except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of persons appointed to the Physical Education Teacher's service.

PART-I

GENERAL

1. **Short title and commencement:-** (1) These rules may be called the Odisha Government College Physical Education Teachers (Method of Recruitment and Conditions of Service) Rules, 2019.
(2) They shall come into force on the date of their publication in the Odisha Gazette.
2. **Definition:-** (1) In these rules unless the context otherwise requires:-
 - (a) "**Commission**" means Odisha Staff Selection Commission;
 - (b) "**Director**" means the Director of Higher Education;
 - (c) "**Ex-servicemen**" means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
 - (d) "**Government**" means the Government of Odisha;
 - (e) "**Persons with Disabilities**" means persons who have been granted with disability certificates by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Odisha Rules, 2003;


06.07.19

- (f) **“Scheduled Castes and Scheduled Tribes”** shall have reference to the Scheduled Castes and Scheduled Tribes specified in the constitution (Scheduled Caste) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Article 341 and 342 of the Constitution of India respectively;
- (g) **“SEBC”** means the Socially and Educationally Backward Classes of citizens as defined in clause (a) Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (h) **“Sportsmen”** means persons who have been issued with identity card as sportsmen by the Director, Sports;
- (i) **“Year”** means the Calendar Year.
- (2) All other words and expression used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. **Constitution of Service/Cadre:** - The Service shall consist of Physical Education teacher of all the Government Colleges of the State.

PART-II

METHODS OF RECRUITMENT

4. **Methods of recruitment:** - Subject to the other provisions made in these rules, the recruitment to the posts of Physical Education Teacher in the service shall be made by competitive examination in accordance with rule 6.
5. **Reservation:-** Notwithstanding anything contained in this rules reservation of vacancies or posts, as the case may be, for:-
- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under; and
- (b) SEBC, women, Sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act,



rules, orders or instructions issued in this behalf by the Government from time to time.

PART-III

DIRECT RECRUITMENT

- 6. Recruitment Procedure:-** (1) Recruitment to the post of Physical Education Teacher in the service shall be made by way of competitive examination to be held once in a year.
- (2) The competitive examination for the post of Physical Education Teacher shall be conducted by the Commission and the date on which and the places at which the examination are to held shall be fixed by the Commission.
- (3) The standard, syllabus and subjects of examination shall be as decided by the commission in consultation with the Department.
- (4) The Principals of all the Government colleges every year in the month of January intimate the Director, the number of vacancies in the post of Physical Education teachers in respective colleges. The Director on receipt of the intimation of such vacancies shall intimate the Commission to conduct competitive recruitment examination against the vacancies so intimated.
- 7. Eligibility Criteria for Direct Recruitment:-** In order to be eligible for direct recruitment a candidate must:-

- (1) be a citizen of India.
- (2) have attained the age of 21 years and must not be above the age of 32 years:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 3 shall be relaxed in accordance with the provisions of the Act, rules, orders or instructions, for the time being in force, for their respective categories.

- (3) be able to read, write and speak Odia; and have;
- (a) Passed Middle School Examination with Odia as a language subject; or
- (b) Passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or



(c) Passed in Odia as language subject in the final examination of class VII from a school or educational institution recognized by the Government of Odisha or the Central Government; or

(d) Passed at least in Odia in Middle English School Standard conducted by the School and Mass Education Department.

(4) not have more than one spouse living:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such persons or there are other grounds for doing so, exempt any person from the operation of this rule.

(5) have possessed Bachelor Degree in Physical Education (B.P.Ed) or Bachelor Degree in Arts with Certificate in Physical Education (B.A. C.P.Ed).

(6) be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.

8. **Select List:** - (1) The list of candidates recommended by the Commission shall after being approved by Government from the select list.

(2) The lists referred to under sub-rule (1) shall ordinarily be in force for a period of one year from the date of its approval by the government or until another select list is prepared afresh whichever is earlier.

(3) Appointment to any post in the service shall be in the order in which their names appear in the select list.

PART-IV

OTHER CONDITIONS OF SERVICE

9. **Probation and Confirmation:-** (1) Every person appointed to any grade / post in the service by direct recruitment shall be on probation for a period of two years from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend the period of probation for another year:

Provided further that such period of probation shall not include-

(a) Extraordinary leave

(b) Period of *unauthorized absence*; or

(c) Any other period held to be not being on actual duty

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be terminated by the Government at any time without previous notice during the period of probation including extension of such period, if any.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

10. Inter-se-seniority:- The *inter-se-seniority* of the persons appointed to any post in the service in a particular year shall be in the order in which their names appear in the select list.

11. Other conditions of service:- The conditions of service in regard to the matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.

PART-V

MISCELLANEOUS

12. Relaxation: - When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employees.

13. Interpretation:- If any question arises relating to the interpretation of these rule, it shall be referred to Government whose decision thereon shall be final.

By orders of the Governor



Commissioner-Cum-Secretary to Government

Memo No. 13630 /H.E., Dated. 6.7.19

Copy forwarded to the Director, Printing Stationary and publication, Odisha, Cuttack with a request to publish this notification in an extra-ordinary issue of the Odisha Gazette and supply 200 (Two Hundred) copies to this Department.

After issue of the Notification the soft copy may please be sent via e-mail.



Commissioner-Cum-Secretary to Government

Memo No. 13631 /H.E., Dated. 6.7.19

Copy forwarded to the Registrars of all Universities/ Presiding Officer, State Educational Tribunal, Bhubaneswar/ Registrar, Orissa High Court for information and necessary action.



Commissioner-Cum-Secretary to Government

Memo No. 13632 /H.E., Dated. 6.7.19

Copy forwarded to the Director, Higher Education, Odisha, Bhubaneswar /All Regional Director of Education for information and necessary action.



Commissioner-Cum-Secretary to Government

Memo No. 13633 /H.E., Dated. 6.7.19

Copy forwarded to the P.S. to the Chief Minister, Odisha/P.S. to the Minister of Higher Education, Odisha/ P.S. to the Chief Secretary/P.S. to the Dev. Comm.-cum-Addl. Chief Secretary, Odisha for favour of information of Hon'ble Chief Minister, Minister, Higher Education, Chief Secretary and Dev. Comm.-cum-Addl. Chief Secretary.



Commissioner-Cum-Secretary to Government

Memo No. 13634 /H.E., Dated. 6.7.19

Copy forwarded to All Departments of Government of Odisha/All Sections, Higher Education Department for kind information and necessary action.



Commissioner-Cum-Secretary to Government.

Memo No. 13635 /H.E., Dated. 6.7.19

Copy forwarded to All Government Degree/Auto. Colleges of Odisha for kind information and necessary action.



Commissioner-Cum-Secretary to Government



