

GOVERNMENT OF ODISHA
DEPARTMENT OF HIGHER EDUCATION

HE-GIA1-MISC-0008-2020 25627 /HE.,

Date : 6.8.2020

ORDER

Doubts have been raised and clarifications have been sought regarding implementation vis-a-vis interpretation of different provisions of such Grant-in-Aid Orders issued from time to time. After careful consideration of various provisions of Grant-in-Aid Orders, It has been decided to issue the following clarifications for guidance of all concerned.

(A) General Clarifications on Grant-in-Aid Orders issued from time to time

Sl. No.	Points of doubt	Clarification
1	<i>Fixation of cut off dates for submission of applications by the intended Non-Government Colleges or Aided Educational Institution under different Grant-in-Aid Orders i.e. GIA Order, 2008, 2009 and 2014</i>	<p>Provisions have been made under respective Grant-in-Aid orders for submission of applications in Form-A or B as the case may be by the intended Non-Government Educational Institutions to the Director within one month from the date of notification of respective GIA Orders in Odisha Gazette and power has been vested with the Director for good and sufficient reasons for extension of time not exceeding three months in total.</p> <p>However, Government have extended the period of submission of applications up to 19th January, 2010 vide Higher Education Order No. 1528/HE dated 16.01.2010 under GIA Order, 2008. Similarly, Government have accepted the late submitted Form-A & B applications of 34 colleges vide Order No.22479/HE dated 04.08.2018 under Grant-in-Aid Order, 2014.</p> <p>It is therefore, clarified as follows:</p> <p>i) Under GIA Order, 2008, the cut off date would be 19.01.2010 as extended vide H.E. Department Order No. 1528 dated 16.01.2010.</p> <p>ii) Under GIA Order, 2009, the cut off date shall be 31.08.2020 as no dateline is fixed.</p> <p>iii) Under GIA Order, 2014, the cut off date was last extended up to 31.08.2018 vide Order No.22479/HE dated 04.08.2018 and now, the cut</p>

		<p>off date shall <u>be</u> 31.08.2020</p> <p><u>So, no applications received after aforesaid cut off dates would be entertained for consideration of Block Grant under respective Grant-in-Aid Orders.</u></p>
2.	<i>In some cases, the colleges have intimated that the original records of the college with its relevant portion for verification are either stolen / lost / destroyed. It may be clarified if the FIR/Affidavit filed by the Principal shall be accepted ?</i>	The documents so produced by the college authority are to be verified more scrupulously by the Verifying Team.
3.	<i>Whether wall notice will be accepted as proof of open and transparent and valid recruitment procedure ?</i>	As per the the clarification issued vide HE Dept. letter no. 7048/HE dated 13.03.2018, it was decided to accept all appointments through Wall Notices as the news papers were not commonly accepted during early 1990's when such employees joined the services of aided colleges for extending Grant-in-Aid as per GIA Order, 2014. Hence, it is impressed upon that after 31.12.1995, provision of wall notice will not be accepted as proof of open & transparent and valid recruitment procedure. Those cases which have already been disposed of on the basis of clarification dated 13.03.2018 shall not be reopened. The clarification is modified to the above extent only.
4.	<i>In certain cases, the requirement of minimum percentage of 55% has been relaxed up to 54.5% in individual cases by the Hon'ble Court and the Government. A decision is to be taken as to whether any mark of 0.5 and above in aggregate be rounded up to the next whole number.</i>	Clarifications as communicated vide erstwhile Education and Youth Services Department letter no. 32578/EYS dated 25.07.1989 and H.E. Department letter No. 31147/HE dated 10.06.1997 regarding rounding off of 54.5% marks or more to 55% and 53.5% marks or above to 54% respectively are to be followed. But relaxation of rounding off will not be given effect in case of where the requirement of minimum percentage of mark is 48%.

(B) Clarifications related to Grant in Order, 2008

Sl. No.	Points of doubt	Clarification
1.	<i>As per GIA Order, 2008, the service rendered by the predecessors is to be taken into account to ascertain the eligibility of his successor. Clarification may kindly be provided as to whether the</i>	Under GIA Order, 2008, the service rendered by a predecessor (s) who is eligible to hold the post and validly appointed against the admissible post will be taken into account to calculate the qualifying period for the purpose of approval of post. However, the

	<i>proposals can be considered suo motto under GIA Order, 2008 without taking into account the service of the predecessors and whether the person in order to be eligible should have completed 5 years of service during the qualifying period ?</i>	incumbent must be appointed to the post prior to 1 st June,2003 and completed 05 years or 03 years as the case may be by the notification of GIA Order, 2008. Continuity principle beyond 01.06.2003 is not applicable (i.e. An employee appointed and left the job sometime after 01.06.2003 and another person was engaged in that post, the new employee shall not get GIA as per the GIA Order, 2008).
2.	<i>Whether the post of Demonstrators and Laboratory Attendants shall be considered for post approval where the post of Lecturer in the same subject has not been approved under GIA Order, 2008 ? If yes, will Demonstrators and Lab. Attendants be entitled to Block Grant under the same GIA order applicable to Lecturers ?</i>	The eligibility and admissibility for approval to the post of Demonstrators are to be ascertained delinking that of concerned Lecturers both under Grant-in-Aid Order, 2008 and 2014.
3.	<i>i) In order to declare a college as an Aided Institution whether minimum student appearance of 16 is to be required . ii) As per annexure-II, point No. 1 of GIA Order, the number of admissible subjects are based on the students admitted. Whether subjects where the average nos. of students admitted and appeared is less than 16 can be treated as admissible subject ?</i>	As per Para-7 of GIA Order,2008, a Non-Government Educational Institution found eligible under para-4 shall be notified to be an Aided Educational Institution by the Government. But the number of admissible subjects are based on the minimum roll strength of that Non-Government educational institution as required under Section -11(1) of Odisha Education Act.

(C) Clarifications related to Grant-in-Aid Order,2014

Sl. No.	Points of doubt	Clarification
1	<i>In certain cases, the State Education Tribunal while rejecting the prayer for grant of GIA, 2008 & 2009 have directed the Director to consider / verify the proposals under GIA, 2014. However, in case of standalone +2 colleges (as per the decision taken jointly by the Higher Education and School & Mass Education Department), all verification for approval of posts relating to standalone +2 colleges shall be done by the Directorate of</i>	In case of standalone (+2 colleges), the case record will be transferred to S & ME Department for necessary compliance of the court order. However, for colleges under administrative control of H.E. Department, the proposal under GIA, 2014 shall be called for from the authority of concerned college within 30 days.

	<p>Higher Secondary Education. Whether the order of the Hon'ble SET will be complied by the Directorate of Higher Education or Directorate of Higher Secondary Education ?</p>	
2	<p>i) Can the Degree Colleges be considered for notification as an Aided educational institutions taking into permanent affiliation status of its (+2) branches ?</p> <p>ii) Can the post be verified on the basis of temporary recognition / affiliation without permanent affiliation / recognition of the concerned subject ?</p> <p>iii) If the college has permanent affiliation but the concerned subject for which post approval is sought for does not have permanent affiliation will the post of that subject be considered ?</p>	<p>Irrespective of the nature of affiliation and recognition of the college, stream or subject, the colleges or subjects ((either temporary or otherwise) can be considered for notification as per Para-4 (1) of GIA Order, 2014.</p> <p>In other words, permanent affiliation and recognition of the college, stream or subject is not mandatory for a college to be notified under GIA Order, 2014.</p>
3	<p>A college had submitted the Form "A" in time as per GIA Order, 2008. But the college was declared aided in 2017. The persons who were eligible for 2008 GIA received the Block Grant. But there are other persons of the college who are eligible for GIA,2014, the college had not sent their names earlier in Form-"B" as they were not eligible for GIA, 2008. Can the colleges be asked to send proposals in their names under GIA,2014 now ?</p>	<p>The concerned college has to submit the application in Form- "B" in respect of such person as required under GIA Order, 2014 within the cut off date as reflected under clarification Point-1.</p>
4	<p>Whether the staff of +3 science stream will be considered by computing the average of appearance of students of first three years under Grant-in-Aid Order, 2014 ?</p>	<p>Similar to clarification issued vide H.E. Department letter No. 12572/HE dated 30.04.2012 in respect of Grant-in-Aid Order, 2008, the average of appearance of students for any three years shall be computed under Grant-in-Aid Order, 2014 also. If the average is more than 16 numbers, the said institution shall be considered for extension of Block Grant under GIA Order, 2014.</p>

This is issued with the approval of Commissioner-cum-Secretary.

NK
6/8/2020
Additional Secretary to Government

Memo. No. 25628 /HE Dated: 6.8.2020

Copy forwarded to Director, Higher Education Department, Campus-II / Deputy Secretary to Government (In-Charge of GIA-2-A Branch)/ Deputy Director (In-charge of GIA-2-B Branch) / Deputy Director (In-Charge of GIA-3 Branch) of Higher Education Department for information and necessary action with reference to their unofficial notes.

NS
6/8/2020
Additional Secretary to Government

Memo. No. 25629 /HE Dated: 6.8.2020

Copy forwarded to Joint Secretary to Government, School & Mass Education Department for information and necessary action.

NS
6/8/2020
Additional Secretary to Government