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[No.1619—SME-GHS-GHS-0361/2019/SME.]

SCHOOL & MASS EDUCATION DEPARTMENT

RESOLUTION

The 21st January, 2021

Sub: Taking over the Management of 02 numbers of Secondary Schools of Urban Local Bodies transferred by the H&UD Department.

Government in School & Mass Education Department have already taken over 82 numbers of High Schools, 65 numbers of M.E. Schools and 72 numbers of Primary Schools of Urban Local Bodies in the State from H&UD. Department vide their Resolution No.4942—M-III-M-43/2003/H&UD., dated the 28th February, 2004 along with the teaching & non-teaching staff. In the second phase, 7 Nos. of Schools (3 ME Schools and 4 High Schools) have been transferred to S&ME. Department vide H&UD. Department resolution No.13506/HUD., dated the 5th July,2014.

2. It was noticed that some Schools managed by the Urban Local Bodies were not accepted for transfer to the fold of School & Mass Education Department during that period. In order to sort out the issue, Government in H&UD. Department vide Resolution No.4949/HUD., dated the 2nd March, 2019 have decided to transfer 02 numbers of ULB Schools as mentioned below along with teaching and non teaching staff covered under the prescribed yardstick to the administrative control of School & Mass Education Department.

(i) NAC High School, Angul under Angul Municipality.

(ii) Municipal High School, Ektali, Jharsuguda under Jharsuguda Municipality.

3. Government in School & Mass Education Department after careful consideration of all aspects, have decided to take over the above 02 High Schools along with their employees to its administrative control.

4. The taken over employees of 02 ULB High Schools would be treated as Government servants and employees under School & Mass Education Dept. w.e.f. the actual date of transfer i.e from the date of issue of this resolution.

5. The service conditions and other modalities of regular employees shall be in the manner indicated below—

(i) **FIXATION OF PAY:**

The pay entitlement, increments, of both teaching and non-teaching staff will be protected as per the provision under rule 74(d) of Odisha Service Code on their coming over to Government service as per rule.

(ii) **SENIORITY:**

The seniority of the transferred employees of ULB Secondary teaching and non-teaching staff will be determined taking into their past service basing on existing rule of S&ME. Department.

(iii) **OTHER SERVICE CONDITIONS:**

Other service conditions such as Pension, Leave Salary and other retiral benefits, PF, HRA, Promotion, age of superannuation etc. will be applicable and decided/ determined according to the existing rule, codal procedure/ instruction of the State Government in S&ME. Deptt. in force.

(iv) **AGE OF SUPERANNUATION:**

The age of superannuation of these employees shall be on completion of 60 years of age.

(v) **QUALIFYING SERVICE:**

Qualifying service for pension will be counted for the service rendered in Secondary schools under ULB from the date of recognition of the schools or date of joining of the incumbents whichever is later.

(vi) **CREATION OF POSTS:**

Creation of school-wise teaching and non-teaching posts on the basis of the existing yardstick shall be made in accordance with the existing rules and instruction and after obtaining concurrence of Finance Department.

(vii) **TRANSFER AND POSTING:**

Rules and procedure governing transfer of teaching and non-teaching staff of Govt. Schools under the administrative control of S&ME. Deptt. will be applicable to these transferred employees.

(viii) **ELIGIBILITY CRITERIA:**

The regular teaching and Non-Teaching staff of the transferred ULB Schools having requisite qualification and admissible under the prescribed yardstick of S & ME. Department shall be declared from the actual date of transfer.

The non-regular teaching and non-teaching staff of the above 02 ULB Secondary Schools as per record, working as on the date of taken over covered under yardstick shall also be declared as contractual Govt. servant under School & Mass Education Deptt.

(ix) **BUILDING & ASSETS etc.:**

The building & infrastructure including land, buildings, furniture, assets etc. will be transferred to the administrative Control of School & Mass Education Deptt. within one year from the actual date of transfer of the Schools. After transfer, the buildings and other assets will be treated as the property & assets of School & Mass Education Deptt. and will be maintained as per prevailing rules of this Department. No cost will be paid to H&UD. or to the concerned ULBs/ NACs for these properties.

6. No urban local bodies will be entitled to open any new school of any category and cannot claim any left out secondary school or staff (both Teaching and Non-Teaching) hereafter on issuance of this Resolution.

7. The Director, Secondary Education will be the administrative controller of these 02 ULB Secondary Schools. The School & Mass Education Deptt. will be the Administrative Deptt. hereafter with effect from the date of taken over.

8. The concerned DEOs will take stock of properties, assets, liabilities, buildings, furniture, staff position with reference to pay bills and available records (both Teaching and Non-Teaching, Non Regular and regular) of these transferred ULB Schools as on takeover.

(i) All service rules applicable to Govt. servants shall be applicable to the taken over employees of these 2 ULB Secondary Schools for all purposes.

(ii) Any dispute in the matter hereafter shall be decided by the School & Mass Education Deptt. as per the conditions resolved in this resolution and norms/ rules and procedure prevailing.

9. Any legal complicacy relating to the period prior to actual date of taken over by S&ME. Deptt. shall be the concern of H & UD. Department.

10. School & Mass Education Department will not be liable for any liability prior to the actual date of taken over.

11. The teaching and non-teaching staff of the above mentioned 02 High Schools shall furnish undertaking at the time of taken over to the effect that he/she shall abide by the decisions to be taken in the matter of service conditions, pay scale and *interse* seniority.

12. This has been concurred in by the Finance Department in this OSWAS file as per orders taken in their File No. FIN-SOS1-MISC-0068-2020 Dated.the 4thJanuary,2021.

13. This resolution will be effective from the date of its issue.

ORDER

Ordered that the resolution be published in an extraordinary issue of the *Odisha Gazette*.

By Order of the Governor
SATYABRATA SAHU
Principal Secretary to Government