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GOVERNMENT OF ORISSA DEPARTMENT OF HIGHER EDUCATION.

NOTIFICATION

Bhubaneswar, dated the 5TH February, 2004.

S.R.O. No. 59/2004--In exercise of the powers conferred by sub-section(4) of section 7-C of the Orissa Education Act,1969(Orissa Act 15 of 1969), the State Government do hereby make the following Order to regulate the payment of grant-in-aid to Private Educational Institutions being Non-Government Colleges, Junior Colleges or Higher Secondary Schools, namely:-

1. Short title and commencement.- (1) This Order may be called the Orissa (Non-Government Colleges, Junior Colleges and Higher Secondary Schools) Grant-in-aid Order, 2004.

(2) It shall come into force on the date of its publication in the Orissa Gazette.

2. Definitions.- In this Order, unless the context otherwise requires,-

(a) "Act" means the Orissa Education Act, 1969;

(b) "Director" means the Director, Higher Education, Orissa and includes any officer not below the rank of Deputy Director who may be authorized by the Government in that behalf from time to time, by general or special Order, to perform all or any of the functions and exercise all or any of the powers of the Director under this Order;

(c) "Government" means the Government of Orissa in the Department of Higher Education;

(d) "Governing Body" means a Governing Body constituted in accordance with the Act and the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991 or the Orissa Education (Establishment, Recognition and Management of Private Junior Colleges /Higher Secondary Schools) Rules, 1991, as the case may be;

(e) "Grant-in-aid Order,1994" means the Orissa(Non-Government Colleges, Junior Colleges and Higher Secondary Schools) Grant-in-aid Order,1994; and

(f) words and expressions used, but not defined herein, shall have the meaning respectively assigned to them in the Act.

3. Admissibility of Grant-in-aid .-(1) Every private educational institution being a Non-Government College, Junior College or Higher Secondary School which has become eligible by the 1ST June,1994 to be notified as aided educational institution pursuant to

the Grant-in-aid Order,1994 shall be notified by the Government as required under clause(b) of section 3 of the Act and the institution so notified shall be entitled to receive grant-in-aid, by way of block grant, determined in the manner provided in the sub-para(2):

Provided that a college, in order to be eligible to be notified as an aided educational institution, must not have more than two ministerial staff and two Peons.

(2) The block grant payable to the private educational institutions under sub-para(1) shall be a fixed sum of grant-in-aid, which shall be determined by taking into account the salaries and allowances, as on the 1ST day of January, 2004, of the teaching and non-teaching employees of the educational institution which has become eligible to receive grant-in-aid by the 1ST day of June,1994 in accordance with the Grant-in-aid Order, 1994, but the determination of the quantum of such block grant shall be within the limits of economic capacity of Government as mentioned in sub-section(1) of section 7-C of the Act and shall have no linkage with the salary and allowance payable to any such employee by the Governing Body from time to time.

Provided that no educational institution shall be notified to receive such block grant unless it satisfies the performance criteria as envisaged in clause (ii)&(vii) of sub-section (1) of section 7-D of the Act.

(3) The block grant shall be placed, through the Director, at the disposal of the Secretary of the Governing Body of the concerned educational institution proportionately either on quarterly or monthly basis.

(4) The Secretary of the Governing Body of each educational institution at whose disposal the block grant is so placed shall utilise the grant in the manner and for the purpose as may be specified by the Director and furnish the utilization certificate thereof at such intervals as may be specified by the Director while releasing such grant.

(5) The block grant shall not be utilised in respect of any post other than those for which the concerned educational institutions has become eligible for grant- in-aid.

(6) Payment of block grant under this Order shall be made with effect from the month of January,2004 which is payable on or after the 1ST day of February, 2004.

(7) No claim on account of grant-in-aid under this Order shall be made or entertained for any period prior to the month of January, 2004.

4.Repeal and saving.- (1) The Orissa (Non-Government Colleges, Junior Colleges and Higher Secondary Schools) Grant-in-aid Order,1994 is hereby repealed, save for the purposes mentioned in sub-para(1) of para 3.

(2) Notwithstanding the repeal under sub-para (1), the private educational institutions which are in receipt of any grant-in-aid from Government under the Order so repealed immediately before the date of commencement of this Order, shall continue to receive such grant-in-aid, as if the Grant-in-aid Order,1994 had not been repealed.

[No. 5555-IVHEG-120/03-HE.]

By order of the Governor

R. C. BEHERA

Commissioner-cum- Secretary to Government