

GOVERNMENT OF ODISHA
HIGHER EDUCATION DEPARTMENT

No.HE-NCET-I-MISC-0045-2026/ 19194 /HE., Bhubaneswar dated 10.04.2026

From

Shri Paresh Kumar Nayak, OAS (S)

Joint Secretary to Government

To

All President of Governing Bodies (488 & 662 Category Colleges)

All Principals (488 & 662 Category Colleges)

Subject: Fixation of fiscal liability for lapses in administrative, disciplinary and financial matters in Non-Government Aided Colleges.

Sir/Madam,

In inviting reference to the subject cited above, I am directed to state that under Section 7-A of the Odisha Education (Amendment) Act, 1989 (Odisha Act No. 15 of 1989), the Governing Body/Managing Committee of a Non-Government Aided Educational Institution is vested with the responsibility of proper management of the institution and is empowered to exercise such powers and perform such functions as prescribed under the relevant statutory provisions. The Principal acts as the ex-officio Secretary of the Governing Body and is responsible for implementing its decisions in accordance with law.

2. It has come to the notice of Government that in several instances, actions taken by Governing Bodies and Principals in matters relating to termination, suspension, service conditions, and financial benefits of employees have not been in conformity with the provisions of the Odisha Education Act, Rules framed thereunder, and binding judicial pronouncements. Such deviations have repeatedly resulted in adverse orders from the Hon'ble Courts, including quashing of termination/suspension orders, direction for reinstatement, payment of arrears, and interest thereon, thereby causing avoidable financial burden on the State exchequer.
3. Without being exhaustive, the following irregularities have been frequently observed:
 - Termination of teaching and non-teaching staff without adherence to prescribed procedure and/or without obtaining mandatory concurrence of the Director, Higher Education, wherever required under law.
 - Denying joining of a staff on transfer or on judicial pronouncements or for any

other reason.

- Continuation of suspension beyond the permissible period without prior concurrence of the competent authority, and non-compliance with procedural safeguards including payment of subsistence allowance and timely completion of disciplinary proceedings, as required under the Odisha Education (Recruitment and Conditions of Service of Teachers and Members of the Staff of Aided Educational Institutions) Rules, 1974.
- Inordinate delay in implementation of Government decisions or judicial directions relating to grant of pay, placement benefits, service regularization, pay fixation, and disbursement of arrear dues.
- Failure to maintain and submit Confidential Character Rolls (CCR)/Annual Performance Appraisal Reports as mandated, resulting in denial of legitimate service benefits to employees.

4. The Government, after careful consideration and with a view to ensuring accountability, financial discipline, and adherence to statutory provisions, hereby directs as follows:

A. Fixation of Liability

(i) Any financial liability arising out of acts of omission or commission by the Governing Body or institutional authorities, including but not limited to illegal termination, improper suspension, non-payment of subsistence allowance, non acceptance of joining reports, delayed compliance of lawful orders, or failure to maintain statutory records, shall be borne by the concerned Governing Body.

(ii) Where such lapse is attributable to the Principal or any specific authority, the liability may be recovered from the individual concerned by the Governing Body, if desired, including from salary and/or admissible pensionary benefits, in accordance with due process of law.

B. Compliance with Suspension and Disciplinary Proceedings

(i) No suspension shall be continued beyond the statutory period without obtaining prior concurrence of the Director, Higher Education, wherever required.

(ii) Payment of subsistence allowance, if any, from own fund of the Governing Body and timely initiation and conclusion of disciplinary proceedings shall be ensured strictly in accordance with applicable Rules and principles of natural justice.

C. Timely Implementation of Financial Benefits

All orders relating to pay, allowances, placement benefits, regularization, and arrears shall be implemented within a reasonable time frame, not exceeding the period prescribed under applicable rules or, where not specified, within two months from the date of such order.

D. Maintenance of CCR/APAR

- (i) The Principal shall ensure proper maintenance and timely submission of CCR/APAR for all teaching and non-teaching staff in the prescribed format.
- (ii) A certificate to this effect shall be furnished annually to the Director, Higher Education within the first fortnight of May.
- (iii) Any legal financial implication arising due to denial of benefits attributable to non-maintenance of CCR/APAR shall be recoverable from the concerned authority.

5. Principles of Natural Justice and Due Process:

Before fixation and recovery of any liability from an individual authority, due opportunity of being heard shall be provided, and responsibility shall be determined through a reasoned order.

6. Responsibility of Compliance:

The Governing Body and Principal shall be jointly and severally responsible for ensuring strict adherence to statutory provisions, Government instructions, and judicial directions. Any deviation shall be viewed seriously and may invite further administrative action.

- 7. This instruction shall come into force with immediate effect and shall apply to all pending and future cases, to the extent permissible under law.

Yours faithfully,


Joint Secretary to Government
10-04-2026


Memo No. 19195 dated 10.04.2026

Copy forwarded to Director, Higher Education for information and necessary action.


Joint Secretary to Government
10-04-2026

Memo No. 19196 dated 10.04.2026

Copy forwarded to all the Regional Directors of Education for information and necessary action.


Joint Secretary to Government
10-04-2026

Memo No. 19197 dated 10.04.2026

Copy forwarded to PS to Hon'ble Minister, Higher Education for information and necessary action.


Joint Secretary to Government
10-04-2026

Memo No. 19198 dated 10.04.2026

Copy forwarded to OSD to Commissioner-cum-Secretary to Government, Higher Education Department for kind information of Commissioner-cum-Secretary.

Joint Secretary to Government

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10-04-2026