

# The Odisha Gazette

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**SECRETARIAT  
OF  
THE ODISHA LEGISLATIVE ASSEMBLY  
NOTIFICATION**

The 24th March, 2026

No.2931/LA. — The following bill which has been introduced in the Odisha Legislative Assembly on the dated 24th March, 2026 is here with published under Rule-68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information

**The Odisha State Public Universities  
(Reservation in Teachers' Cadre) Bill, 2026**

**A**

**Bill**

To provide for uniform reservation of post in direct recruitment to the teachers' cadre in all State Public Universities of Odisha, established, maintained or aided by the State Government, by adopting the University as a single unit principle and for matters connected therewith or incidental thereto;

Be it enacted by the Legislature of the State of Odisha in the Seventy-seventh Year of the Republic of India as follows:—

Short title,  
Extent, and  
Commencement.

**1.** (1) This Act may be called the Odisha State Public Universities (Reservation in Teachers' Cadre) Act, 2026.

(2) It shall extend to all the State Public Universities established or incorporated by an Act of the Odisha State Legislature.

(3) It shall be deemed to have come into force on the 30<sup>th</sup> January, 2026.

Definition.

**2.** In this Act, unless the context otherwise requires, —

(a) "Administrative Department" means any Department of the State Government that is assigned with the business of supervision, regulation, administration and management of the State Public Universities and includes any authority or body to whom such functions may be delegated by the State Government through notification;

- (b) "Appropriate Authority" means the Administrative Department under which the State Public University is functioning, or such other authority as the State Government may, by notification, specify in this behalf;
- (c) "Direct Recruitment" means the process of appointing faculty by inviting applications through public advertisement from persons eligible to teach in a State Public University;
- (d) "faculty" means the faculty of a State Public University;
- (e) "Sanctioned strength "means the number of posts in the Teachers' Cadre sanctioned by the Appropriate Authority;
- (f) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India, from time to time, under Articles 341 and 342 of the Constitution of India respectively;
- (g) "SEBC" means Backward Classes of citizens as defined in clause (a) of section 2 of the Odisha State Commission for Backward Classes Act, 1993 ;
- (h) "State" means State of Odisha;
- (i) "State Government" means the Government of Odisha;
- (j) "State Public University" means a University established or incorporated by or under an Act of the State Legislature and maintained by or receiving aid from the State Government; and
- (k) "Teachers' Cadre" means the teachers of a State Public University, regardless of the branch of study or faculty, who are remunerated at the same grade of pay, excluding any allowance or bonus.

Odisha  
Act 16 of  
1993.

Reservation of  
Posts.

- 3.** (1) Notwithstanding anything contained in any other law for the time being in force, reservation of post shall be provided in direct recruitment posts out of the total sanctioned strength in the teachers' cadre, to the extent and in the manner prescribed under the *Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975*, Resolution

Odisha  
Act 38 of  
1975.

issued by ST & SC Development, M& BCW Department for reservation of SEBC and the Resolution issued by the Department of Social Security and Empowerment of Persons With Disabilities, from time to time.

(2) For the purpose of reservation of post, the State Public University shall be treated as one unit.

Exemptions.

**4.** The provisions under section 3 shall not apply to,—

(a) Such universities, institutions of excellence, research institutions, institutions of State or national importance or any other institutions as the State Government may, by notification in the Official Gazette, specify; and

(b) Promotions and transfers of teachers in State Public Universities unless otherwise notified, by the State Government.

Act to have over riding effect.

**5.** The provisions of this Act shall have effect notwithstanding anything in consistent therewith contained in any Act other than this Act or in any instrument having effect by virtue of any Act other than this Act.

Power to make rules, regulations, instructions and guidelines.

**6.** (1) The State Government may make rules, regulations, instructions and guidelines, for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers they may make rules in respect of all matters expressly required or allowed by this Act to be prescribed.

Power to remove difficulties.

**7.** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, publish in the *Odisha gazette*, make such provisions not inconsistent with provision of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Odisha Legislative Assembly.

Repeal and  
Savings

**8.** (1) The Odisha State Public Universities (reservation in Teachers' Cadre) Ordinance, 2026 is hereby repealed.

(2) Notwithstanding the repeal under sub-section (1), anything done or any action taken under the said ordinance so repealed shall be deemed to have been done or taken under this Act.

Odisha  
Ordinance  
01 of 2026

## STATEMENT OF OBJECTS AND REASONS

The University Grants Commission (UGC) issued Guidelines in 2006 which treated university as a *single unit* for the purpose of implementing reservation in teaching posts. Later, this was challenged in the case Vivekanand Tiwari & Another vs Union of India (2017). In this case, the Court held that *each department or subject should be treated as a separate unit* for the purpose of reservation in teaching posts.

The Government of India moved to the Hon'ble Supreme Court challenging the judgment of Allahabad High Court in the case Vivekanand Tiwari & Another vs Union of India (2017). However, the Supreme Court upheld the principle of *department-wise reservation* for teaching posts. The UGC amended its reservation guidelines in March 2018 to align with the High Court's ruling, directing that reservation be applied *department-wise*.

Higher Education Department, Government of Odisha also issued instructions in 2019 for implementing reservation *department-wise* in universities, including one-third reservation for women.

Further, the Central Government enacted the Central Educational Institutions (Reservation in Teachers' Cadre) Act, 2019 which treated the *entire university as a single unit*. The UGC further reaffirmed this position in October 2020 and April 2024. However, such legislation is applicable for institutions coming under the jurisdiction of Govt of India. There is no existing likewise legislation in the State of Odisha.

In the current situation, there are huge number of vacancies in teaching posts of State Public Universities. There are only 659 teachers against 2086 sanctioned teaching posts in all the State Public Universities under Higher Education Department and thus there is a vacancy of almost 70% teaching posts in State Public Universities. This has greatly affected the quality of education in the Public Universities. Hence, it is felt necessary to fill up those vacancies at the earliest.

In view of this, enactment of a state specific legislation "the Odisha State Public Universities (Reservation in Teacher's Cadre) Act, 2026" by taking "University as Unit" is the need of the hour to ensure effective representation of Scheduled Castes (SC), Scheduled Tribes (ST), Socially and Educationally Backward Classes (SEBC), and other eligible categories in accordance with the reservation policy of the State Government, which shall in turn fill up the existing vacancies of teachers in the State Public Universities.

This legislation is only applicable to appointment of teachers in State Public Universities coming under the administrative control of all such departments and shall not be applicable to the cases of promotion and transfer of teachers in State Public Universities. This legislation is also not applicable to private universities.

This act shall ensure smooth functioning of universities, maintain administrative continuity, and support a stable academic environment.

SURYABANSHI SURAJ  
Member in-Charge

SATYABRATA ROUT  
SECRETARY  
ODISHA LEGISLATIVE ASSEMBLY

