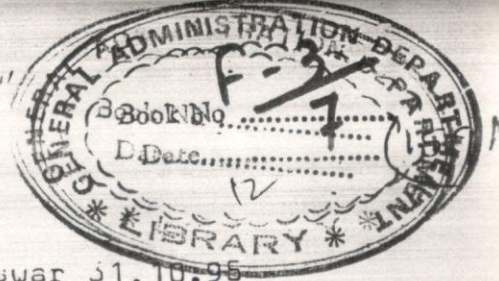


Government of Orissa  
Welfare Department



No. Emp. (W) 6/95 27765 /W. Dated Bhubaneswar 31.10.95

To

All Department of Government  
Heads of Department

Sub:- Applicability of the provisions of the O.R.V.  
Act and Rules in respect of specially declared  
Gazetted posts.

The undersigned is directed to invite a reference to erstwhile Tribal Welfare Department letter No. 35692/TW. dated 4.12.92 in which it was clarified that the Specially declared Gazetted posts have been assigned a status higher than the Class III and below the Class II services/posts and the common zone of consideration provided in Section 11-A(2)(b) of the ORV Act is applicable in promotional appointments. After insertion of sub-section(3) in Section 4 of the ORV Act from 20.8.93 by Orissa Act 15 of 1993, the legality of above said clarification was under consideration of the Government for some time past.

In sub-section(3) of Section 4 of the ORV Act, it has been made clear that the Class III posts/services are inclusive of Specially declared Gazetted posts/services. As the ORV Act has the overriding effect, the classification of specially declared Gazetted posts provided in the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 as amended in S.O. Department notification No. 28655 dt. 10.7.92 stands modified to the extent of the Orissa Act 15 of 1993 as such the clarification issued in erstwhile Tribal Welfare Department letter referred to above is contrary to the ORV Act.

Therefore, after careful consideration, the Government have been pleased to withdraw the erstwhile Tribal Welfare Department letter no. 35692/TW. dt. 4.12.92 and order that separate zone of consideration provided in section 11-A(2)(a) shall be applicable for promotion to the specially declared Gazetted posts/services.

This may be brought to the notice of all concerned under their control of information and guidance.

*Received 31.10.95*  
Director (SC & ST) Welfare &  
Ex-Officio Addl. Secretary to Govt.

Memo No. 27766 /W. Dtd. 31.10.95

Copy forwarded to All Collectors/All Joint Directors of Welfare Deptt./ All-D.W.Ss/ P.A., ITDAs/ I.D., TCCC/ I.D., OSFDC Ltd./Director, RDC/ All Officers & Section Officers of Welfare Department/ Emp. Section (30 copies) for information & guidance.

*Received 31.10.95*  
Director (SC & ST) Welfare &  
Ex-Officio Addl. Secretary to Govt.