

The Orissa



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POLITICAL &amp; SERVICES DEPARTMENT

NOTIFICATION

The 21st June 1979

No. 16001-Gen.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following Rules for regulation of recruitment by promotion to the Orissa Administrative Service, Class I (Senior Branch), namely :—

1. *Short title and commencement*—(1) These rules may be called the Orissa Administrative Service Class I (Recruitment to Senior Branch) Rules, 1979.

(2) They shall come into force with effect from their publication in the *Orissa Gazette*.

2. *Definitions*—(1) In these Rules unless the context otherwise requires—

(a) "Commission" means the Orissa Public Service Commission.

(b) "Government" means the State Government of Orissa.

(c) "Probationer" means a person appointed to the service on probation and shall include a person appointed to officiate in the Orissa Administrative Service, Class I prior to commencement of these Rules.

(d) "Service" means the Orissa Administrative Service, Class I (Senior Branch).

(e) "Selection Board" means the Board constituted under Rule 4 of this Rule.

(f) "Select List" means the list finally approved by Government under rule 8.

(2) All other words and expressions which have not been defined in these rules shall have the same meaning respectively assigned to them in the Orissa Service Code.

3. *Method of Recruitment*—Recruitment to the Service shall be made by Government by promotion from among the members of the Orissa Administrative Service, Class I (Junior Branch) in accordance with these Rules.

4. *Constitution of Selection Board*—(1) There shall be constituted a Board for selection of officers for promotion to the Orissa Administrative Services—Class I (Senior Branch).

(II) The Selection Board shall consist of

(a) Chairman of the Commission .. Chairman

(b) Member, Board of Revenue .. Member

(c) All Revenue Divisional Commissioners ... Members

(III) The Chairman of the Commission shall preside at the meetings of the Selection Board.

Sd/-  
in witness  
date  
20.10.79

(IV) The recommendation of the Selection Board shall be valid and can be operated upon notwithstanding the absence of any one or more of its Members other than the Chairman provided the Member so absenting was duly invited to attend the meeting and the majority of the Members constituting the Selection Board are present in the meeting.

(V) The Special Secretary/Additional Secretary to Government, <sup>Q.A.</sup> P. & S. Department shall act as Secretary to the Selection Board.

5. *Selection by the Board* —(1) The Selection Board shall ordinarily meet before 31st August of each year and prepare a list of such Members of Orissa Administrative Service, Class I (Junior Branch) are held by them to be suitable for appointment to the service. The number of Members of the Orissa Administrative Service, Class I (Junior Branch) to be included in the list shall not be more than twice the number of vacancies anticipated in the service in the course of a period of twelve months commencing from the date of preparation of the list.

(2) The Selection Board shall, for inclusion in the list, consider the cases of the Members of the Orissa Administrative Service, Class I (Junior Branch) in order of seniority, up to a number not more than <sup>twice</sup> third the number referred to in sub-rule (1).

(3) The Selection Board shall not consider the case of a Member of the Orissa Administrative Service, Class I (Junior Branch) unless, on the first day of August of the year when it meets, he is substantive in the Orissa Administrative Service, Class I (Junior Branch) or has completed not less than two years of service in the Orissa Administrative Service, Class I (Junior Branch) :

Provided that a Member of Orissa Administrative Service, Class I (Junior Branch) who has already been appointed as Probationer in the Orissa Administrative Service, Class I (Senior Branch) shall not be considered by the Selection Board for appointment to the Service.

(4) The selection for inclusion in the list shall be based on merit and suitability in all respects with due regard to seniority.

(5) The name of the officers included in the list shall be arranged in order of their seniority in the Orissa Administrative Service, Class I (Junior Branch):

Provided that any junior officer, who in the opinion of the Selection Board, is of exceptional merit and suitability may be assigned a place in the list higher than that of officers senior to him

6. *Consultation with the Commission*—The list prepared by the Selection Board under rule 5 shall be forwarded to the Commission in such manner as may be prescribed by the Government from time to time for concurrence together with the following documents, namely:—

- (i) The records of all Members of the Orissa Administrative Service, Class I (Junior Branch) included in the list;
- (ii) The records of all Members of the Orissa Administrative Service Class-I (Junior Branch) who are proposed to be superseded by the recommendations made in the list along with the reasons as recorded by the Selection Board for such supersession.

7. *Recommendations of the Commission*—(1) The Commission shall consider the list prepared by the Selection Board along with other their documents received from the Government and unless it considers any change necessary, approve the list.

(2) The Commission shall follow the principles, set out in rule 5 in making their recommendations:

Provided that if the Commission recommends supersession of any senior Member of the Orissa Administrative Service, Class I (Junior Branch) by any of his juniors it shall assign specific reasons for the same.

8. *Select List*—The recommendations of the Commission made in accordance with Rule 7 shall be placed before the Government and after approval by Government with modification, if any, shall form the Select List for appointment to the Service. The Select List shall ordinarily be in force until a fresh Select List is prepared:

Provided that the Government may, in consultation with the Commission, for a grave lapse in the conduct or deterioration in the standard of performance of the duties on the part of any Member of the Orissa Administrative Service, Class I (Junior Branch) included in the Select List remove the name of the Member from such list before he is appointed to the service.

9. *Recruitment to the Service*—(1) Every person recruited to the Service shall be appointed on probation for a period of one year :

Provided that the Government may, if they think fit in any case or class of cases, extend the period of probation.

(2) The appointment of a probationer may, for good and sufficient reasons, be terminated by Government at any time without previous notice during the period of probation including extension of such period if any, and upon such termination, the officer shall be reverted to the Orissa Administrative Service, Class I (Junior Branch).

10. *Appointment to the Orissa Administrative Service, Class I (Senior Branch)*—(1) Appointment to the Service shall be made in the order in which the names appear in the Select List.

(2) The *inter se* seniority of officers appointed to the Service shall be determined by the order indicated in the Select List.

11. *Reservation for Scheduled Castes and Scheduled Tribes*—Notwithstanding anything contained in these Rules, vacancies shall be reserved for promotion in favour of candidates belonging to Scheduled Castes and Scheduled Tribes in accordance with the existing laws in force.

12. *Confirmation*—A probationer upon completion of the period of probation to the satisfaction of Government shall be eligible for confirmation against a permanent post in the service.

13. *Relaxation*—Whenever it is considered necessary in the special circumstances for the interest of the public service, the State Government may, in consultation with the Commission, relax all or any of the provisions of these Rules.

14. *Repeal and saving*—The Orissa Administrative Service, Class I (Recruitment by Promotion) Rules, 1957 and the Orissa Administrative Service, Class I (Appointment by Promotion) Regulations, 1957 are hereby repealed:

Provided that any order made or action taken under the Rules and Regulations so repealed shall be deemed to have been made or taken under the corresponding provisions of these Rules.

15. *Interpretation*—If any question arises relating to the interpretation of these Rules it shall be referred to Government for decision.

By order of the Governor

A. N. TIWARI

Special Secretary to Government