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GOVERNMENT OF ORISSA
POLITICAL & SERVICES DEPARTMENT
NOTIFICATION

The 20th November 1959

No. 14214-Gen.—In pursuance of the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules for the regulation of recruitment to the Orissa Administrative Service, Class II, namely:—

1. *Short title and commencement*—(1) These rules may be called the Orissa Administrative Service, Class II (Recruitment) Rules, 1959.

(2) They shall come into force at once.

2. *Repeal*—The Orissa Administrative Service and the Orissa Subordinate Administrative Service (Recruitment) Rules, 1950 and the Orissa Administrative, Finance and Police Service (Direct Recruitment) Rules, 1950, are hereby repealed to the extent they apply to the Orissa Administrative Service:

Provided that save as otherwise specified in these rules, any order made or action taken under the rules so repealed shall continue to have force and effect.

3. *Definition*—In these rules, unless the context otherwise requires—

(a) “*Commission*” means the Orissa Public Service Commission.

(b) “*Service*” means the Orissa Administrative Service, Class II.

*(c) “*Approved Military Service*” means Military Service performed during the present emergency commencing from 1962 and shall include service in the Armed Force and

* Added *vide* P. & S. Department notification No. 24222-1D-14/66-Gen., dated the 4th December 1967.

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 Services in the Territorial Army on Mobilisation, Auxiliary Air Force, Indian Naval Reserve, Indian Naval Voluntary Reserve and Military Police and Armed Forces Reserve in the Services in Frontier States.

4. *Method of Recruitment*—Recruitment to the Service shall be made by the following methods, namely:—

- (a) direct recruitment by competitive examination;
- (b) promotion from amongst the members of the Orissa Subordinate Administrative Service;
- (c) transfer from such other services or posts as are comparable with the Orissa Administrative Service as may be specified by Government from time to time:

Explanation—Comparable service or post means any service or post specified by Government from time to time responsibilities and emoluments attached to which are declared by Government to be comparable in nature to that of post of Deputy Collector.

- (d) selection; and
- (e) transfer or promotion of persons who are considered suitable for appointment to the service in accordance with the provisions of rule 9.

5. *Recruitment by Competitive Examination*—(1) Every competitive examination for direct recruitment under clause (a) of rule 4 shall be held at such intervals as the State Government may in consultation with the Commission from time to time, determine.

(2) The examination shall be conducted by the Commission in accordance with such regulations as the State Government may make in consultation with the Commission.

6. *Regulations*—(1) Recruitment to the Service shall, subject to the provisions of these rules, be in accordance with such regulations as the State Government may, after consultation with the Commission, make in this behalf.

(2) Such regulations in the case of direct recruitment *inter alia* shall provide for the following matters, namely :—

- (a) syllabus and rules for competitive examination; and
- (b) reservation of seats for Scheduled Castes and Scheduled Tribes in accordance with the orders issued by the State Government from time to time.

7. *Filling of vacancies*—Except as otherwise provided in these rules the method or methods of recruitment to be adopted for the purpose of filling any particular vacancy or vacancies in the Service as may be required to be filled up at any time and the number of persons to be recruited by each method shall be determined by the State Government as and when the occasion shall arise:

Provided that no recruitment to the Service shall be made without the prior consultation with the Commission.

8. *Disqualification for appointment*—(1) No person, who has more than one wife living, shall be eligible for appointment to the Service:

Provided that the State Government may, if satisfied that there are special reasons for doing so, exempt any person from the operation of this sub-rule.

*(2) No woman candidate, who has already married a person who has one or more than one wife living at the time of such marriage, will be eligible for appointment to the Service.

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** (3) No person shall be eligible for direct appointment to the Service unless—

- (a) he is able to speak, read and write Oriya ; and
- (b) he has passed a test in Oriya equivalent to the M.E. Standard.

9. *Relaxation*—Where the State Government are satisfied that the operation of any of the provisions of these rules or regulations made thereunder, or of the rules that have been heretofore in force, causes undue hardship in any particular case, the State Government, with a view to remove such hardship and in particular to remove any anomaly or set right any injustice in the matter of transfer or promotion to the Service under the aforesaid rules and regulations, may in respect of such case after previous consultation with the Commission, dispense with or relax the requirements of the said provisions.

10. *Percentage of recruitment*—(1) The percentage of persons that shall be recruited by way of promotion under clause (b) of rule 4 in any year shall be 50 of the total number of vacancies for the year.

(2) The percentage of persons to be recruited by the method specified in clause (c) of rule 4 shall be 5 of the total number of vacancies for the year.

(3) The percentage of persons to be recruited by way of selection under clause (d) of rule 4 shall be 10 of the total number of vacancies for the year.

(4) The percentage of persons to be directly recruited shall be 35 of the total number of vacancies for the year :

*“Provided that 25 per cent of the posts to be filled up by direct recruitment shall be reserved for candidates who are released from the Army with Approved Military Service. If sufficient number of candidates are not available for filling the vacancies so reserved, remaining vacancies shall be filled up by appointment of other

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* Added *vide* P. & S. Department notification No. ---Gen., dt. 4-12-1967.

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** Substituted by P. & S. Department notification No. 7515-ID-49/65-Gen., dt. 7-4-1966.

candidates in the list prepared by the Commission in accordance with Regulation 7 of the Orissa Administrative Service, Class II (Appointment by Competitive Examination) Regulation, 1959." (3)

(5) If adequate number of candidates are not available under the two methods of recruitment, viz., 'transfer' and 'selection' the resulting vacancies shall be filled up by direct recruitment and promotion in equal numbers.

(6) If the calculation on the percentage basis in sub-rules (1), (2), (3), (4) and (5) above gives a fractional figure the fractions shall go to the direct recruitment quota.

(7) For recruitment to the service by promotion or transfer or selection, under these rules, the State Government shall consult the Commission before appointment.

11. *Seniority*—(1) the seniority of officers appointed to the Service under clauses (a), (b), (c) and (d) of rule 4 in any year shall be in the following order, namely :—

(a) officers appointed to the service by promotion under clause (b) of rule 4, ranked *inter se* in the order in which their names are arranged by the Commission ;

(b) officers appointed to the service by transfer from other service or services or posts under clause (c) of rule 4, ranked *inter se* in the order in which their names are arranged by the Commission ;

(c) officers appointed to the service by selection under clause (d) of rule 4, ranked *inter se* in the order in which their names are arranged by the Commission ;

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(d) officers appointed to the service on the results of a competitive examination in accordance with clause (a) of rule 4, ranked *inter se* in the order in which their names are arranged by the Commission.

(2) The seniority of an officer appointed to the service under clause (e) of rule 4 in any year shall be as may be determined by the State Government with reference to all the officers of the service including those recruited in the previous years.

*(3) A candidate directly recruited to the approved Military Service shall, on his appointment to the service, after release from the Military Service, be allowed to count towards seniority the actual period of his service rendered in the Military. He will be placed above all the direct recruits of the year in which his due date of appointment falls after antedating his date of appointment to the extent of approved Military Service.

12. *Emergency Recruitment*—Notwithstanding anything contained in these rules in order to meet any special situation, the State Government may, after consultation with the Commission, recruit to the service such number of persons as may be required and in accordance with such regulations as may be framed for the purpose.

13. *Probation and Probationers*—(1) Every person recruited to the service under rule 4 shall be appointed to the service on probation.

(2) Every probationer shall be on probation for a period of two years from the date he actually joins the post :

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

*Added vide P. & S. Department notification No. 24222—1 D-14/66, dated the 4th December 1967

Provided further that the State Government may after consulting the Commission, reduce the period of probation in the case of persons recruited to the service under clauses (c) and (d) of the said rules :

Provided further that nothing contained in any other rules shall apply in respect of matters expressly covered by these rules.

14. *Interpretation*—If any question arises relating to the interpretation of these rules and the regulations made thereunder, it shall be referred to the State Government who shall give their decision and such decision shall be final.

By order of the Governor

A. K. MAZUMDAR

Additional Secretary to Government