

U.W.S. OFFICERS Cadre Rule



GOVERNMENT OF ORISSA

**Orissa Welfare Service (Method of Recruitment and
Condition of Service) Rules, 1992**

HARIJAN AND TRIBAL WELFARE DEPARTMENT

HARIJAN AND TRIBAL WELFARE DEPARTMENT

NOTIFICATION

The 24th July 1992

S. R. O. No. 977/92—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 to regulate the method of recruitments and conditions of service of the persons appointed to the Orissa Welfare Service, namely:—

1. Short Title and Commencement :—

(1) These rules may be called 'Orissa Welfare Service (Method of recruitment and conditions of Service Rules, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette

Definitions :—

In these rules, unless the context otherwise requires :—

(a) "Committee" means the respective Departmental promotion committee constituted under Rule 6;

(b) "Commission" means the Orissa Public Service Commission;

(c) "Government" means the Government of Orissa;

(d) "Scheduled Caste" and "Scheduled Tribe" means such castes and tribes as have been and notified from time to time by the President of India under Articles 341 and 342 of the Constitution of India, respectively;

(e) "Service" means the Orissa Welfare Service (General)

(f) "Year" means the calendar year;

(g) The expression "recruitment year" in respect of a particular vacancy in the Service is the Calendar Year in which the vacancy is filled up in accordance with these rules.

Constitution of Service and Composition of Cadres:—

(1) The service shall comprise of Class-I and Class-II posts each consisting of different grades of posts as follows, namely:—

(a) Class-I Service:—

(i) The posts of Joint Directors and such other posts declared equivalent thereto shall be in Class-I Senior grade;

(ii) The posts of Deputy Directors and such other posts declared equivalent thereto shall be in Class-I Jr. Grade; and.

(b) Class-II Service:—

(i) The posts of District Welfare Officers and such other posts declared equivalent thereto by Government shall be in Class-II grade.

(2) The strength of each grade of the Service shall be such as may be determined and ordered by Government from time to time.

4. Method of Recruitment

The posts in different grades of the Service shall be filled up in accordance with these rules and in the following manner, namely :—

- (1) The posts in class-I senior grade shall be filled up by promotion of persons holding the posts of Deputy Director and those equivalent thereto in the Class-I Junior Grade.
- (2) The posts in Class-I Junior grade shall be filled up by promotion of persons holding the posts of District Welfare Officer and those equivalent thereto in Class-II Service.
- (3) The posts of District Welfare Officer of the service shall be filled up in the following manner namely:—
 - (a) By Promotion of the Assistant District Welfare Officers to the extent of two-thirds of the vacancies required to be filled up in any recruitment year ;
 - (b) By direct recruitment to the extent of the remaining one-third of the vacancies required to be filled up in any recruitment year from the merit list of the Commission from the Orissa Civil Services (Combined Competitive Recruitment) Examination.

5. Condition of Eligibility for Promotion :

- (1) No Deputy Director and Officers equivalent shall be eligible for promotion to the posts in Class-I Senior Grade, unless he has completed two years of service as such on the first day of August of the year in which the vacancies are proposed to be filled up.
- (2) No Officer belonging to the grade of District Welfare Officers shall be eligible for promotion to the posts in the Class-I, Jr. Grade unless he has completed five years of service as such on the First day of August in the year in which the vacancies are proposed to be filled up.
- (3) No Officer from among the Assistant District Welfare Officers shall be eligible for promotion to the posts in the grade of District Welfare Officer unless he has completed five years of Service as such on the first day of August of the year in which the vacancies are proposed to be filled up.

6. Constitution of Departmental Promotion Committee :

- (1) There shall be a Departmental promotion Committee to consider the cases of eligible officers for promotion to the vacancies in Class-I Senior and Junior Grade posts of the Service which shall consist of :

(i) Chief Secretary to Government	..	Chairman
(ii) Secretary to Government, Harijan & Tribal Welfare Department	..	Member
(iii) Director (Tribal Welfare), Harijan & Tribal Welfare Department	..	Member
(iv) Deputy Secretary (Establishment), Harijan & Tribal Welfare Department	Secretary	

The Chief Secretary to Government shall preside over the meetings of the Committee.

- (2) There shall be another Departmental Promotion Committee to consider the cases of eligible Officers for promotion to the posts in Class-II Grade of the Service which shall consist of :

(i) Secretary to Government, Harijan & Tribal Welfare Department	..	Chairman
(ii) Director (Tribal Welfare), Harijan & Tribal Welfare Department	..	Member
(iii) Deputy Secretary (dealing with Welfare Gazetted matters).	..	Member-cum-Secretary

The Secretary to Government, Harijan & Tribal Welfare Department shall preside over the meeting of the Committee.

7. Meeting of the Committee

The respective Committees shall ordinarily meet once in a year in which recruitments is to be made to consider the eligible Officers and to prepare the list of suitable Officers for promotion to the next higher posts in accordance with these rules.

8. Procedure for Selection of Officers and Preparation of the List

(1) (a) The respective Secretary of each committee shall convene the meeting

(b) The committee shall take into consideration the cases of all eligible Officers falling within the Zone of consideration in accordance with the Orissa Civil Services (Zone of consideration for Promotion) Rules, 1988.

(c) The Committee after scrutinising the cases and after going through the service records and character rolls prepare a list of Officers considered suitable for promotion to the next higher posts and furnish their recommendations to Government.

(2) The selection for inclusion in the list shall be on the basis of merit-cum-suitability with due regard to seniority.

(3) The recommendations of each Committee shall be valid and can be acted upon notwithstanding the absence of any one of the member other than the Chairman ;

Provided that the members so absent was duly invited to attend the meeting

(4) The lists prepared in pursuance of sub-rule (1) shall then be referred to the Commission by Government along with the service records of all the Officers along with copies of up-to date gradation list and following comments :—

(a) Date of retirement of Officers coming within the Zone of consideration

(b) Position of representations of such Officers against the adverse remarks, if any

(c) Disciplinary proceedings, if any pending against any such Officer and the position of the proceedings as on the date of meeting of the Departmental promotion Committee.

(d) Whether any Officer within the Zone of consideration has been placed under suspension and if so, from which date.

(5) The Commission shall consider the cases of all persons included in the list prepared in pursuance of sub-rule (1) as well as persons who, although falling within the Zone of consideration, were excluded therefrom and recommend to Government a list of candidates equal in number to the number of vacancies proposed to be filled up.

(6) The Commission shall follow the principle laid down in sub-rule (2) in considering the suitability of the Officers for promotion.

(7) list recommended by the Commission under sub-rule (5) shall be placed before the Government and after approval with modification, if any, shall become the select list from which appointment shall be made in the order in which the names appear.

(8) The select list shall remain valid for a period of one year from the date of its approval by Government.

9. RESERVATIONS:

(1) Notwithstanding any thing contained in these rules, posts shall be reserved in cases of direct recruitment and promotion in favour of candidates/officers belonging to the Scheduled Castes and Scheduled Tribes in accordance with the Orissa Reservation of vacancies in posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules framed thereunder.

(2) Three per cent of the posts meant for direct recruitment in a particular year shall be reserved for handicapped persons as per the General Administration Department Resolution No. 15338-Gen. Dated the 4th May 1981, as amended from time to time.

(3) One per cent of the posts meant for direct recruitment in a particular year shall be reserved for sportsmen as stipulated in General Administration Department Resolution No. 24808-Gen., dated the 18th November, 1985.

(4) The per cent of the posts meant for direct recruitment shall also be reserved for ex-Services men as per the General Administration Notification No. 22586-Gen., dated the 16th October, 1985.

10. PROBATION AND CONFIRMATION:

(1) Every person appointed to a post in the Service shall be on probation which shall be for two years in case of direct recruits and one year in case of promotees from the date he actually joins the post:

Provided that the Government may, if it so think fit, extend the period of probation in any case or class of cases for good and sufficient reasons to be recorded in writing.

(2) A probationer shall undergo such training as the Government may from time to time specify.

(3) If Government are satisfied at the end of probation or extended period of probation, as case may be, that an Officer's continuance in the post in the service to which he has been appointed on probation would not be in the public interest, they may order the termination of the probation where upon the person concerned shall, if recruited directly, be deemed to have been removed from the service and, if appointed by promotion, be deemed to have been reverted to his original post or cadre from which he was promoted.

EXPLANATION:—Government shall be the sole judge of a probationer's performance and its consistency with public interest.

(4) A probationer, subject to the availability of vacancies, shall be eligible for confirmation in the Service on completion of period of probation if he:

- (a) has passed the Departmental Examination completely where such examination has been prescribed; and
- (b) is considered by Government to be fit for confirmation.

(5) A probationer shall draw the first increment in the time scale on completion of one year of service.

(6) No probationer shall draw the second increment in the time scale until he passes the Department examination completely where such examination has been prescribed in the regulations.

11. Departmental Examination

Every probationer during the period of probation shall pass the Departmental Examination completely in accordance with such regulations as Government may make in this behalf.

12. Seniority

The seniority of officers appointed to a particular grade of the Service in any particular year shall be regulated in the following manner, namely:

- (a) Persons appointed to the post in the Class-I Senior-grade and Class-I Junior-grade shall rank *inter se* in the order in which their names are arranged in the select list.
- (b) Persons appointed to the posts in Class-II grade of the service by promotion, shall rank *inter se* in the order in which their names are arranged in the select list.
- (c) Persons appointed to District Welfare Officers by direct recruitment shall rank *inter se* in the order in which their names are arranged by the Commission in the list.
- (d) As between the persons referred to in clause (b) and clause (c) the former shall, in the year of recruitment, be *in bloc* senior by the latter.

13. Relaxation

Where Government are of opinion that it is necessary or expedient to do so, they may, by order reasons to be recorded in writing and in consultation with the Commission, relax any of the provisions of these rules in respect of any class or category of persons/posts in the public interest.

14. Interpretation

If any question arises relating to the interpretation of these rules, it shall be referred to the Government for decision.

15. Repeal and Savings

All rules and orders corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed:

Provided that, notwithstanding such repeal, any order made or action taken under the rules and orders so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

[No. 23432—H. & T.W.]

By order of the Governor

Sd./ D. P. BHATTACHARYA

Principal Secretary to Government H. & T. W. Department
and Commissioner, H. & T. W.

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 2176 CUTTACK, THURSDAY, NOVEMBER 27, 2008 / MARGASIRA 6, 1930

S.T. & S.C. DEVELOPMENT DEPARTMENT

NOTIFICATION

The 1st November 2008

No. 38239—FE (DA)-50/2008-SSD.— In exercise 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 further to amend the Orissa Welfare Service (Method of Recruitment and Conditions of Service) Rules, 1992, namely :—

1. (1) These rules may be called the Orissa Welfare Service (Method of Recruitment and Conditions of Service) (Amendment) Rules, 2008.

(2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. In the Orissa Welfare Service (Method of Recruitment and Conditions of Service) Rules, 1992 (hereinafter referred to as the said rules), in the Rule 2 :—

(i) after clause (b), the following clause shall be inserted, namely :—

“(b-1) ‘Ex-servicemen’ means a person as defined in the Orissa Ex-serviceman (Recruitment to State Civil Services and Posts) Rules, 1985;

(ii) after clause (c), the following clause shall be inserted, namely :—

“(c-1) ‘Persons with Disabilities (or Physically Handicapped Persons)’ means a person who would be granted a disability certificate by competent authority as per the provision under Rule 4 of the Persons with Disabilities (Equal Opportunities, Protection of Right, and full Participation) Orissa Rules, 2003;

(iii) after clause (d), the following clause shall be inserted, namely :—

“(d-1) ‘S.E.B.C’ means the Socially and Educationally Backward Classes of citizens other than the Scheduled Castes and Scheduled Tribes as may be specified by the State Government from time to time in the list under the Orissa State Commission for Backward Classes Act, 1993; and

(iv) after clause (e), the following clause shall be inserted, namely :—

"(e-1) 'Sportsmen' means a person who would be issued with identity card as sportsman by the Director, Sports as per Resolution No. 24808-Gen., dated the 18th November 1985 of General Administration Department".

3. In the said rules, for the words and numericals 'Class-I' and 'Class-II' wherever they occur, the words and letters 'Group-A' and 'Group-B' shall respectively be substituted.

4. In the said rules, in Rule 4, for sub-rule (3), the following sub-rule shall be substituted, namely:—

"(3) The posts of District Welfare Officers and other equivalent posts of the service shall be filled up in the following manner, namely:—

(a) By promotion from among the eligible Assistant District Welfare Officers to the extent of two-thirds of the total cadre strength in Group-B of the service.

(b) By direct recruitment to the extent of one-third of the total cadre strength in Group-B of the service required to be filled up in any recruitment year from the merit list prepared by the Commission from the Orissa Civil Services (Combined Competitive Recruitment) Examination".

5. In the said rules, for Rule 5, the following rule shall be substituted, namely:—

"5. Eligibility for promotion: (1) No Officer in Group A (Junior Grade) of the service shall be eligible for promotion to the posts in Group-A (Senior Grade) unless he has completed at least two years of service in Group-A (Junior Grade) on the first day of January of the year in which the Committee meets.

✓(2) No Officer belonging to the grade of District Welfare Officers shall be eligible for promotion to the Group-A (Junior Grade) of the service unless he has completed five years of continuous service as such on the first day of January of the year in which the Committee meets.

✓(3) No Officer from among the Assistant District Welfare Officers shall be eligible for promotion to the posts in Group-B of the service in the grade of District Welfare Officer unless he has completed one year of continuous service as such on the first day of January of the year in which the Committee meets.

6. In the said rules, for Rule 6, the following rule shall be substituted, namely :—

"6. Constitution of Departmental Promotion Committee: (1) There shall be a Committee to consider the cases of eligible officers in respective feeder grade for promotion to the posts of Group-A (Senior Grade) and Group-A (Junior Grade) of the service, consisting of the following members namely:—

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| (a) Chief Secretary to Government | .. | Chairman |
| (b) Secretary to Government
(Scheduled Tribes and Scheduled Castes
Development Department). | .. | Member |
| (c) Director (S.C./S.T.)-cum-Additional Secretary
to Government (Scheduled Tribes and Scheduled
Castes Development Department) | .. | Member - Convenor |

(2) There shall be a Committee to consider the cases of eligible officers in feeder grade for promotion to Group-B posts in the service, consisting of the following members, namely:—

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| (i) Secretary to Government,
Scheduled Castes & Scheduled Tribes
Development Department. | .. | Chairman |
| (ii) Director (S.C./S.T.)-cum-Additional Secretary
to Government, Scheduled Tribes and
Scheduled Castes Development Department. | .. | Member |
| (iii) Under -Secretary/Deputy Secretary to Government,
Scheduled Tribes & Scheduled Castes
Development Department.
(in-charge of Gazetted Establishment) | .. | Member - Convenor |

7. In the said rules, for Rule 7, the following rule shall be substituted, namely:—

"7. Meeting of the Committee: The respective Committee constituted under Rule 6 shall meet at least once in a year preferably in the month of January to consider the cases of eligible officers and prepare a list of officers considered suitable for promotion to the next higher grade of the service".

8. In the said rules, in Rule 9, for sub-rule-(2), the following sub-rule shall be substituted, namely:—

"(2) The Committee while preparing the list shall follow the provisions of,—

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| (a) The Orissa Civil Services (Criteria for Promotion) Rules, 1992 ; and |
| (b) The Orissa Civil Services (Criteria for Selection for Appointment including
Promotion) Rules, 2003". |

9. In the said rules, for Rule 9, the following rule shall be substituted, namely:—

"9. Reservations: Notwithstanding anything contained in these rules reservation of vacancies/post for—

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| (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with
the provisions of the Orissa Reservation of Vacancies in Posts and Services (for |
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Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there-
under or any other instruction/ order in the subject in force at the relevant time ; and
(b) S.E.B.C, Women, Sportsmen, Ex-servicemen and Physically Handicapped
Persons shall be made in accordance with the provisions made under such rules ,
orders or instructions issued in this behalf by the Government from time to time”.

By order of the Governor

TARADUTT

Commissioner-cum-Secretary to Government