

THE ORISSA MINISTERIAL SERVICE (METHOD OF
RECRUITMENT AND CONDITIONS OF SERVICE
OF CLERKS AND ASSISTANTS IN THE DIST-
RICT OFFICES AND OFFICES OF THE
HEADS OF DEPARTMENTS) RULES, 1963.

Notification No. 4650—RT.[1. 1] 62 Gen. dated 2nd April 1963—
In exercise of the powers conferred by the proviso to Art. 309 of the
Constitution of India, the Governor of Orissa is pleased to make the
following rules regulating the method of recruitment and conditions of
service of the persons appointed to the posts of clerks and assistants
of the District Offices and Offices of the Heads of Departments, namely :

PART I

Preliminary

1. Short title and commencement—(1) These rules may be called
the Orissa Ministerial Service (Method of Recruitment and Conditions
of Service of Clerks and Assistants in the District Offices and Offices
of the Head of Departments) Rules, 1963.

¹[(2) They shall come into force with effect from 15.4.1963.]

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

(a) *District offices* means the offices of District Collector and
includes the Office of Settlement Officer, Deputy Director of
Consolidation of Holding and Deputy Director of Survey
and Map Publication, Orissa.

(b) *Offices of the Heads of Departments* means the Office of
the Board of Revenue and Offices of the Revenue Divisional
Commissioner.

Explanation—The Office of the Board of Revenue, for the purpose
of this rule, includes the Office of the Inspector-General of
Registration-cum-Excise Commissioner, Commissioner of
Land Reforms, Commissioner for Consolidation of Holding,
Director of Land Records and Survey and Director of
Consolidation;

1. Vide G. A. Deptt. Notification No. 4804/R., dated 5-4-1963.

- (c) *Commissioner* means the Revenue Divisional Commissioner of the Revenue Division ;
- (d) *Departmental Examinations* means the Preliminary and Final Accounts Examination held by the Board of Revenue under Rule 163-A of the Bihar and Orissa Board's Miscellaneous Rules 1928 :
- (e) *Government* means Government of Orissa ;
- (f) *Revenue Divisions* means the Revenue Divisions constituted under Section 2 of the Orissa Revenue Divisional Commissioners Act, 1957 (Orissa Act 19 of 1967);
- (g) *Head of the District Office* means in the case of an office of the District Collector, the District Collector and Additional District Magistrate and in the case of an office of the Settlement Officer, the Settlement Officer, in case of office of Deputy Director, Consolidation of Holdings, the Deputy Director of Consolidation; and in the case of office of the Deputy Director of Survey and Map Publication ;
- (h) *Posts of Senior Clerks* means the posts of Senior Clerks and other equivalent posts in district offices and offices subordinate thereto—
- (i) *Post of Head Clerks* means the posts of (i) Head Clerks and their equivalent and other interchangeable categories of posts including the posts of Record Keeper, Judicial Peskar, Revenue Peskar, Touzi Navis, Revenue Assistant and Judicial Assistant in district offices and offices subordinate there to. and
- (ii) Head Assistants in district offices which were existing in the scale of pay Rs. 400—750 prior to the 1st January, 1985.

NOTES—Omitted by rule 2 *District Offices Staff* includes Civil Supplies Staff. [5-3-1982—CLT 365 FB].

Sub-rules h, (i) and (j) have been substituted *vide* Notification No. 57788, dated 31-8-1982.

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1. Substituted by Notification No. 57788, dt. 31-8-1982.

PART II

District Offices

3. The ministerial service of each of the District Offices and the subordinate offices thereunder shall form a separate cadre and shall consist of such number of posts of different grades and designations with such time scales of pay as Government may, from time to time, determine.

NOTES—Rule 3 has been substituted *vide* Notification No. 57788, dated 31-8-1982.

4. (1) Recruitment to the posts of Junior Clerks in the district office and the subordinate offices thereunder shall be made in accordance with the provisions contained in the Orissa Ministerial Service (Method of Recruitment to the Posts of Junior Clerks in the District Offices) Rules, 1982.

(2) Recruitment to the posts other than Junior Clerks shall be made by promotion in accordance with Rule 9.

NOTES—Rule 4 has been substituted *vide* Notification No. 57788, dated 31-8-1982.

5. [* * *]

NOTES—Rule 5 has been deleted *vide* S. R. O. No. 77/84, dated 18-1-1984.

6. Probation and confirmation—(1) All appointments to the permanent posts of Lower Division Clerks shall be made on probation for a period of two years from the date of appointment :

Provided that if during the period of probation a candidate's work or conduct is found unsatisfactory or shows that he is unlikely to become efficient the Head of the Office may either discharge him from the service or extend his period of probation for such further period as he may think fit.

(2) No person shall be confirmed in the permanent post of Lower Division Clerk unless he has satisfactorily completed the probationary period as aforesaid.

7. Seniority of Lower Division Clerks and Upper Division Clerks—(1) The seniority of the Junior Clerks *inter se* shall be determined in accordance with the positions secured by them in the competitive examination held in a particular year. But where a candidate

of a particular year could not be appointed in that year and is appointed out of the previous year's list in the subsequent year under Rule 11 of the Orissa Ministerial Service (Method of Recruitment to the Posts of Junior Clerks in the District Offices) Rules, 1982, he shall take rank just below the successful candidates of the year in which he is appointed.

(2) The seniority *inter se* of the Junior Upper Division Clerks or the Senior Upper Division Clerks shall be determined according to the year and date of selection. Where the date of selection is same in respect of two or more persons *inter se* seniority shall be determined according to the order of selection.

NOTES—Sub-rule (1) of Rule 7 has been substituted *vide* Notification S. R. O. No. 77/84, dated 18-1-1984.

8. Success in the examination confers no right to appointment—

(1) Success in the examination confers no right to appointment unless Government are satisfied after such enquiry as may be considered necessary that a candidate is suitable in all respects for appointment to the public service.

(2) The name of the candidate who does not accept a post in the Lower Division when so offered shall be struck off the list.

19. Promotion to higher posts in the cadre of district offices—
Promotion to the higher post (s) in the Cadre of Ministerial Service of the District Offices shall be subject to the passing of Departmental examinations and such other tests, if any, as may be ordered by the Heads of the District Office in that behalf and shall be based on seniority subject to elimination of the unfit and be made in the following manner, namely :—

(a) Promotion to the posts of Senior Clerk shall be made for amongst the Junior Clerks who have—

(i) rendered at least 4 years of service as such and

(ii) passed the Preliminary Accounts Examination as laid down in rule 24.

(b) Promotion to the posts of Head Clerk shall be made from amongst the Senior Clerks who have—

(i) rendered at least 4 years of service as Senior Clerk and

1. Substituted by R & E. Deptt. Notification No. 19635-IIE-(G), 3/91, date 30-4-91 Published in OGE No. 584, dated 20-5-91.

(ii) passed the Final Accounts Examination as laid down in rule 24,"

(c) [omitted] :

"(d) promotion to the post of Office Superintendant shall be made from amongst the Head Clerks of all the District Offices of the State of Orissa on the basis of selection made by the Board constituted in accordance with Rule 11."

NOTES—(a) In Rule 9, Clause (a) has been substituted *vide* notification No. 57788, dated 31-8-1982.

10. Constitution of a Selection Board for selection of Head Assistants in the District Offices—There shall be constituted a Selection Board under the Chairmanship of the Collector of the district concerned for selection of Head Clerks in the district office. The Additional District Magistrate in charge of the Establishment and the Establishment Officer shall be the Member of the Selection."

11. Constitution of a Board for selection of Office Superintendent—(1) There shall be constituted a Board consisting of the Member, Board of Revenue as the Chairman and the Commissioners as its members for selection to the post of Office Superintendents. [× ×] in the District Offices.

(2) The Board shall meet once a year preferably in the month of June of every year and prepare a list of the [Head Clerks] who are held by the Board to be suitable for promotion to the said posts of Office Superintendent.

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

(4) The names of [Head Clerk] included in the list shall be arranged in order of merit.

(5) If in the process of selection, it is proposed to supersede any [Head Clerk] by a junior, the Board as aforesaid shall record its reason for the proposed supersession.

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1. Omitted by Orissa Gazette Ext. No. 344, dated 1-3-1989 *vide* Notification No. 5828, date 27-1-1989.
 2. Substituted by O.G.E. No. 584, dt. 20-5-91.

NOTES—in Rule 11, Sub-rule (2), the words *once a year ... June* have been substituted for the words *in the month of May of every year* vide Notification No. 3725, dated 18-1-1984.

In Rule 11, Sub-rule (1) the words *Non-Gazetted* have been omitted, and in Sub-rules (2), (4) and (5) the words *Head Clerks* have been substituted for the words *Head Assistants* vide Notification No. 5828, dt-27-1-1989.

12. **Transfer of Lower Division Clerks, Upper Division Clerks, Head Assistant and Office Superintendent**—(1) (a) Any Junior Clerk, Senior Clerk or Head Clerk may be transferred from the head office to any other office within the administrative control of the Head of the District Office and *vice versa* and the Head of such District Office shall be the competent authority to pass orders of such transfer.

(b) The Commissioner shall be competent to transfer any Senior Clerk or Head Clerk from one district to another district under his administrative control within the Revenue Division. The Director of Land Records and Survey and the Director of Consolidation shall also be competent to transfer any Senior Clerk or Head Clerk from one District Office to another under their respective administrative control within the Revenue Division :

Provided that the seniority of such a Senior Clerk or Head Clerk shall be determined in the office to which he is transferred with reference to the date of his original appointment as Senior Clerk or Head Clerk, as the case may be.

(2) (× × ×)

(3) The Office Superintendent (× ×) of the District Office may be transferred from one District Office to another within the State of Orissa and in no event he shall be allowed to remain in any particular District Office for more than three years. The Member, Board of Revenue, shall be the competent authority to pass orders of such transfer.

(4) If any Junior Clerk or Senior Clerk or Accounts Clerk or (Head Clerk). Office Superintendent (omitted) as aforesaid falls within such time as may be allowed in that behalf to join the office to which he is transferred in pursuance of the provisions of this rule, he shall be liable to be removed from Government service.

NOTES—(a) Sub-rule (1) of Rule 12 has been substituted *vide* Notification No. 57788, dated 31-8-1982.

In Sub-rules (3) and (4) of Rule 12 the words *Non-Gaztted* has been omitted and in Sub-rule (4) the words, *Head Clerks* have been substituted for the words *Head Assistant* *vide* Notification No. 5828, dt. 27-1-1989.

13. **Transfer of Lower Division or Upper Division Clerk from one seat to another**—Any Clerk in the Lower Division or Junior or Senior Upper Division on completion of two years period in any particular seat shall be transferred to any other seat in the Head Office or Subdivisional Office or other Subordinate Office within the same station. Any Clerk in the Lower Division or Junior or Senior Upper Division on completion of five years' period in any particular station shall be transferred, where possible to any other office at a different station. The Head of District Office shall be competent authority to pass orders of such transfer. The Subdivisional Officer shall also be competent to pass order of such transfer in case of employees working in offices under his administrative control such as Tahasil Offices and Block Offices subject to review by the Head of the District Office. The subordinate officers under the administrative control of the Head of the District Office shall be competent to order such transfer in respect of the offices under their immediate control ;

Provided that any Clerk as aforesaid shall be transferred before he completes two years' period in any particular seat or five years' period in any station, as the case may be, if in the opinion of the Head of the District Office of Head of the Office such transfer is necessary in the interest of administration.

PART III

Office of the Heads of Departments

14. The Ministerial Service of each of the Offices of the Heads of Departments shall form a separate cadre and shall consist of such number of posts of different grades and designations with such time-scales of pay as Government may, from time to time, determine.

NOTES—Rule 14 has been substituted by Notification No.57788, dated 31-1-1982.

15. (1) Recruitment to the posts of Junior Assistant in the Offices of the Heads of Departments shall be made in accordance with the provisions contained in the Orissa Ministerial Service (Method of Recruitment to Posts of Junior Assistants in the Office of the Heads of Departments) Rules, 1975.

(2) Recruitment to the posts of Senior Assistants shall be made by promotion in accordance with Rule 21.

NOTES—Rule 15 has been substituted by Notification No. 57788, dated 31-8-1982.

16. **Competitive Examination**—Deleted *vide* S. R. O. No. 734/76, dated 8-1-1976.

17. **Probation and confirmation**—(1) All appointments to the permanent posts of Lower Division Assistants shall be made on probation for a period of two years from the date of appointment:

Provided that if during the period of probation a candidate's work or conduct is found unsatisfactory or shows that he is unlikely to become efficient, the Head of Department may either discharge him from the service or extend his period of probation or such further period as he may think fit.

(2) No person shall be confirmed in the permanent posts of Lower Division Assistant unless he has satisfactorily completed the probationary period as aforesaid.

18. **Seniority of Lower Division Assistants, Upper Division Assistants and Head Assistants**—(1) The seniority of the Junior Assistants *inter se* shall be determined in accordance with the positions secured by them in the competitive examination held in a particular year. But where a candidate of a particular year could not be appointed in that year and is appointed out of the previous year's list in the subsequent year under Rule 11 of the Orissa Ministerial Service (Method of Recruitment to the Posts of Junior Assistants in the Offices of the Head of Departments) Rules, 1975, he shall take rank just below the successful candidates of the year in which he is appointed.

(2) The seniority *inter se* of the Upper Division Grade II Assistants or the Upper Division Grade I Assistants or Head Assistants shall be determined according to the year and date of respective selection.

Where the date of selection is same in respect of two or more persons the seniority *inter se* shall be determined according to the order of selection.

¹(3) [Deleted]

NOTES—Sub-rule (1) of Rule 18 has been substituted by Notification No. 57788, dated 31-8-1982. The old sub-rule has been deleted by SRO No. 734, dated 8-6-76.

19 Success in the examination confers no right to appointment—

(1) Success in the examination confers no right to appointment unless Government are satisfied after such enquiry as may be considered necessary that candidate is suitable in all respects for appointment to the public service.

(2) The name of the candidate who does not accept a post of the Lower Division Assistant when so offered shall be struck off the list.

20. Recruitment of Lower Division Clerks of District Offices to the posts of Lower Division Assistants of Heads of Departments ;—

21. (1) Promotion to the posts of Senior Assistants in an office of the Head of Department shall be made on the basis of merit and suitability in all respects with due regard to seniority, from amongst the Junior Assistants of the said office who have passed the Preliminary Accounts Examination as laid down in Rule 24 :

Provided that ten percent of the vacancies in the posts of Senior Assistant in an office of the Head of Department shall be kept reserved to be filled up from amongst the Senior Grade Typists, Senior Grade Diarists and Upper Division Recorders of the said office who must have—

(a) passed Matriculation or an equivalent examination; and

(b) rendered not less than ten years of continuous service inclusive of an officiating service of three years in the post of Senior Grade Typist or Senior Grade Diarist or Upper Division Recorder.

(2) The Head of Department shall draw up the select lists of the candidates of both the categories separately every year.

NOTES—Rule 21 has been substituted by No. 57788, date 31-8-1982.

22. [* * *]

1. Deleted by SRO—734/8-6-76.

NOTES—Rule 22 has been deleted by Notification No. 57783, dated 31-1-1952.

22. Constitution of Selection Board for selection to the post of Office Superintendent of Heads of Departments—(1) There shall be constituted a Selection Board consisting of the Member, Board of Revenue, as the Chairman and the three Commissioners as its members for selection to the posts of Office Superintendent (Non-Gazetted in the Offices of Head of Departments.

(2) The Selection Board shall meet in June every year and prepare a list of the Head Assistants who are held by the selection Board to be suitable for promotion to the aforesaid posts.

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

(4) The name of Head Assistants included in the list shall be arranged in order of selection.

(5) If in the process of selection it is proposed to supersede any Head Assistant by his Junior, the Board as aforesaid shall record its reasons for the proposed supersession."

23. Transfer of the Office Superintendent, Head Assistants and Upper Division Grade I Assistants—(1) The Senior Assistant of an Office of the Head of Department may be transferred to any other Office of the Head of Department. The Member, Board of Revenue, shall be the competent authority to pass orders of such transfer :

Provided that the seniority of such a Senior Assistant shall be determined in the office to which he is transferred with reference to the date of his original appointment as Senior Assistant.

(2) If any Senior Assistant fails within such time as may be allowed in that behalf to join the office to which he is transferred in pursuance of the provisions of this rule, he shall be liable to be removed from Government service.

NOTES—(a) In Rule 23, in Sub-rule (1), the words *Senior Assistant of an Office* have been substituted for the word *Officer Superintendent (Non-Gazetted)* the *Head Assistants and the Upper Division Grade I Assistants of the office* vide Notification No. 57788, dated 31-8-1982.

(b) Proviso to Sub-rule (1) of Rule 23 has been inserted *ibid*.

(c) In Sub-rule (2) the words *Senior Assistant* have been substituted for the words *Office Superintendent (Non-Gazetted) or any Assistant as aforesaid* by Notification No. 57788, dated 31-8-1982.

PART-IV Miscellaneous

24. Department Examination—(1) The Junior Clerks of the District Offices and the Junior Assistant of the Offices of the Heads of Departments shall be required to pass the Preliminary Accounts Examination which is held by the Board of Revenue under Rule 163-A of the Bihar and Orissa Board's Miscellaneous Rules, 1928.

(2) The Senior Clerks of the District Offices and the Senior Assistants of the Offices of the Heads of Departments shall be required to pass the Final Accounts Examination which is held by the Board of Revenue under Rule 163-A of the Bihar and Orissa Board's Miscellaneous Rules, 1928.

(3) No one shall be exempted from passing the departmental examinations.

NOTES—(a) In Rule 24 in Sub-rule (1) the word *Junior Clerks* have been substituted for the words *Lower Division clerks* and the words *Junior Assistants* have been substituted for the words *Lower Division Assistants* *vide* Notification No. 57788, dated 31-8-1982.

(b) Proviso to Sub-rule (1) has been deleted *vide* Notification No. 41833, dated 5-6-1980.

(c) In Sub-rule (2) the words *Senior Clerks* and *Senior Assistant* have respectively substituted for the words *Junior Upper Division Clerks* and *Upper Division Grade II Assistant* *vide* Notification No. 57788, dated 31-8-1982.

(d) There occurred the words *within five years from the date of their appointment* at the end of Sub-rule (1) and the words *within five years from the date of their promotion* at the end of Sub-rule (2) which have been deleted *vide* Notification No. 41833, dated 5-6-1980.

25. [x x x]

NOTES—Rule 25 has been deleted *vide* Notification S.R. O. No. 689/20, dated 5-6-1981.

26. **Gradation List**—There shall be maintained a gradation list of the persons appointed to the Ministerial Service, in the respective District Office and the Offices of Heads of Departments and the list be revised by the 15th January every year.

NOTES—Sub-rule (2) of rule 26 has been deleted and brackets and figure I have in consequence also been deleted *vide* Notification No. 3705, dated 18-1-1984.

27. **Failure to join the post on promotion debars from promotion in future**—Without prejudice to any other liability that may be incurred under any of the provisions of these rules, if any member of the Ministerial Service in the District Offices or in the Office of the Head of Department, who on being promoted to a higher post in accordance with the provisions of these rules fails within such time as may be allowed in that behalf to join the new post shall be liable to be debarred from being eligible for any such promotion in future.

28. **Repeal and Savings**—All rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed :

Provided that any order of appointment made, action taken or things done under the rules so repealed shall be deemed to have been made, taken or done under these rules.

29. **Application of Rules**—For the removal of doubts it is hereby declared that nothing in these shall apply to Supervisors, Inspectors, Assistant Inspectors of Civil Supplies; the Assistants District Welfare Officers, Inspectors and Social Workers of the Tribal and Kural Welfare Department ; Supervisors and Audit Inspectors of the Grama Panchayat Department ; Assistant District Public Relation Officers and Publicity Workers of the Home (Public Relations) Department ; and Revenue Supervisors, Non-Gazetted Tahasildars, Naib-Tahasildars, Revenue Inspectors, Patwaris and Amins.

30. **Reservation of vacancies for Scheduled Castes and Scheduled Tribes**—In the Orissa Ministerial Service (Method of Recruitment and Conditions of Service of Clerks and Assistants in the District Office and Offices of the Heads of Departments) Rules, 1963, rule 30 as inserted

1. Omitted by Notification No. 12882- IIE (g)-164/89-R., dated 26-3-90 of R&E Department published in O.G.P. III-A No. 15, dated 15-4-90.

by notification of the Government of Orissa in the Revenue Department No. 38071 (II) E-(G)-44/66-R., dated the 16th, June 1966 shall be deemed to have been omitted with effect from the 6th January 1973.

31. Not less than three per cent of vacancies in the posts of Junior Clerks/Junior Assistants shall be reserved for the qualified but orthopaedically handicapped persons, deaf persons and deaf and dumb persons as stipulated in General Administration Department Resolution No. 15338—Gen., dated the 4th May 1981, as amended from time to time.

NOTES—Rule 31 has been substituted *vide* Notification No. 15338, dated 4-5-1981.

32. A member of the ministerial service of a District Office, including the subordinate offices thereunder, or an office of the Head of Department may be deputed to serve under other offices, undertakings or institutions, including foreign boilers, as the case may be, on such terms and conditions as may be decided from time to time.

NOTES—Rule 32 has been added *vide* S. R. O. No. 77/84, dated 18-1-1984.

Appendix-I

[Deleted *vide* Notification No. 57788, dated 31-8-1982]

Appendix-II

[Deleted *vide* Notification No. 3725, dated 18-1-1984]

Appendix-III

[See Rule 14 (2)]

Heads of Departments

1. Office Superintendent	Rs. 420-20-500-25-550
2. Senior Head Assistant	Rs. 350-10-360-15-420-20-440
3. Junior Head Assistant	Rs. 300-15-375-20-395
4. Grade I Assistant	Rs. 135-10-235-15-250-E. B.-15-280-20-300
5. Grade II Assistant	Rs. 125-5-130-6-160-10-190
6. Lower Division Assistant	Rs. 90-3-120-E. B.-5-150

Appendix-IV

[Deleted *vide* Notification S. R. O. No. 734/76, dated 8-6-1976]

Appendix-V

1. Political & Services Department Notification No. 4804—RT-/62-Gen., dated 5-4-1963.

2. Revenue Department Circular No. IIE--(G)-510/72--950-R., dated 6-1-1973.

3. Revenue Department Notification No. 1141--IIE. (G)-455/72-R., dated 6-1-1973.

4. Revenue Department Notification No. 70012--IIE-(G)-325/73-R., dated 1-11-1973 (S. R. O. No. 931/73).

5. Revenue Department Notification No. 79580--IIE-(G)-77/74-R., dated 3-12-1974 (S. R. O. No. 971/74).

6. Revenue Department Notification No. 44715--IIE-(G)-244/75-R., dated 16-6-1975 (S. R. O. No. 377/75).

7. Revenue Department Notification No. 27164--IIE-(G)-61/76-R., dated 13-4-1976 (S.R.O. No. 435/76)

8. Political & Services Department Notification No. 1--2M. 49/74 Gen., dated 1-1-1976 (S. R. O. No. 7/76)

9. Revenue Department Notification No. 43866--IIE-(G)-245/76-R., dated 8-6-1976 (S. R. O. 734/76).