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GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 25th June, 2011

No.12281-S-II/ID-28/2011/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 to regulate the method of recruitment and conditions of service of persons appointed to the Orissa Administrative Service, namely :—

PART -I

GENERAL

1. Short title and commencement:—(1) These rules may be called the Orissa Administrative Services (Method of Recruitment and Conditions of Service) Rules, 2011.

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

2. Definitions:— (1) In these rules, unless the context otherwise requires,—

- (a) "Board" means the Selection Board constituted under rule 7;
- (b) "Commission" means the Orissa Public Service Commission;
- (c) "Examination" means the Combined Competitive Recruitment Examination;
- (d) "Ex-servicemen" means persons as defined in the Orissa Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (e) "Government" means the Government of Orissa;
- (f) "Probationer" means a member of the service appointed on probation;
- (g) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time

under Article 341 and 342 of the Constitution of India, respectively;

- (h) "SEBC" 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;
- (i) "Select list" means the list finally approved by Government under rule 10;
- (j) "Service" means the Orissa Administrative Service;
- (k) "Sportsperson" means persons who have been issued with identity card as sportsperson by the Director, Sports as per Resolution No. 24808/Gen., dated 18th November 1985 of General Administration Department; and
- (l) "Year" means the calendar year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meanings as respectively assigned to them in the Orissa Service Code.

3. Constitution of the Service:—The Service shall consist of the following, namely:—

- (a) Group 'A' (Junior Branch)
- (b) Group 'A' (Senior Branch)
- (c) Supertime Scale
- (d) Superior Administrative Grade
- (e) Special Secretary Grade

PART - II

METHOD OF RECRUITMENT

4. Methods of recruitment:— Subject to the provisions made in these rules, recruitment to different grades in the service shall be made by the following methods, namely:—

(a) in respect of the post in Group 'A' (Junior Branch)—

- (i) as nearly as may be, but not less than 50% by direct recruitment through Competitive Examination in accordance with Combined Competitive Recruitment Examination Rules, 1991;
- (ii) as nearly as may be, but not more than 50% by way of promotion from amongst the members belonging to the Orissa Revenue Service; and

- (b) in respect of the posts in Senior Branch, Supertime Scale, Superior Administrative Grade and Special Secretary, by promotion in accordance with these rules:

Provided that the number of posts to be filled up during a year would be decided by Government from time to time.

5. Reservations:—Notwithstanding anything contained in these rules reservation of posts or vacancies, as the case may be, for—

- (a) Candidates belonging to Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under; or any other law or rule in force at the relevant time; and
- (b) Candidates belonging to SEBC, Women, Sports person and Ex-servicemen 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.

PART – III

PROMOTION

6. Eligibility criteria for promotion:— (1) A person shall be eligible for promotion to the post in Group-A (Junior Branch) of the service if :—

- (i) he/she is a Graduate,
- (ii) he/she is not more than 50 years of age; and
- (iii) he/she has completed six years of service on regular basis in consultation with the Commission on the 1st day of the January of the year and has passed Departmental Examination, if any, or has been exempted from the same.

Provided that a person whose period of services rendered in any Group 'B' service prior to his absorption in the Orissa Revenue Service will be deemed to be service in terms of Clause (iii).

(2) No officer shall be eligible for promotion to Orissa Administrative Service Group 'A' (Senior Branch) unless he/she has completed six years of continuous service in the grade of Orissa Administrative Service Group 'A' (Junior Branch) as on the 1st day of January of the year in which the Board meets.

(3) No officer shall be eligible for promotion to Orissa Administrative Service (Supertime Scale) unless he/she has completed ten years of continuous service in the grade of Orissa Administrative Service Group 'A' (Senior Branch) and Orissa Administrative Service Group 'A' (Junior Branch) taken together as on the 1st day of January of the year in which the Board meets.

(4) Appointment to Orissa Administrative Service (Superior Administrative Grade) shall be made on promotion from amongst the officers of Orissa Administrative Service (Supertime Scale) on the basis of merit and suitability with due regard to seniority.

(5) Appointment to Orissa Administrative Service (Special Secretary Grade) shall be made on promotion from amongst the officers of Orissa Administrative Service (Superior Administrative Grade) on the basis of merit and suitability with due regard to seniority.

7. Constitution of Selection Board:— (1) There shall be constituted a Board for selection of officers for promotion to different Grades other than Group 'A' (Junior Branch) in the Service with the following members, namely:—

- | | | |
|---|-----|------------------|
| (a) Chief Secretary | ... | Chairman |
| (b) Additional Chief Secretary | ... | Member |
| (c) Member, Board of Revenue | ... | Member |
| (d) Special Secretary, G. A. Department | ... | Member Secretary |

Provided that, when there is no Additional Chief Secretary in position, Development Commissioner / Additional Development Commissioner will be taken as a member of the Board.

(2) There shall be constituted a Board for selection of officers for promotion to Group 'A' (Junior Branch) of the Service with the following members, namely:—

- | | | |
|---|-----|------------------|
| (a) Member, Board of Revenue | ... | Chairman |
| (b) All Revenue Divisional Commissioners | ... | Members |
| (c) Secretary, Revenue & D. M. Department | ... | Member Secretary |

(3) The recommendation of the Board shall be valid and can be acted upon notwithstanding the absence of any one or more of its members other than the Chairman:

Provided that the member or members so absenting was or were duly invited to attend the meeting and the majority of the members constituting the Board attended the meeting.

8. Procedure for selection by the Board:— (1) The Board shall ordinarily meet at least once in each year preferably in the month of January to prepare a list of officers, as are held by them, suitable for promotion to the next higher grade taking into account the existing and anticipated vacancies for the year.

(2) The Board while considering the cases for promotion of suitable officers, shall follow the provisions of –

(a) the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988;

(b) the Orissa Civil Services (Criteria for Promotion) Rules, 1992; and

(c) the Orissa Civil Services (Criteria for Selection for appointment including Promotion) Rules, 2003 :

Provided that in case of promotion to Group 'A' (Junior Branch) cadre, the Reservation of vacancies in posts and services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under or any other law or rule in force at the relevant time shall also be followed.

9. Consultation with the Commission:— (1) The recommendations of the Board under sub-rule (3) of rule 7 shall be referred to the Commission along with service particulars in respect of all officers included in the list for its concurrence including those whose cases have not been recommended, being found unsuitable.

(2) The Commission shall consider the lists received along with service particulars and furnish its recommendations to the Government.

10. Select List:— (1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of rule 9 shall be considered by Government and the list approved by Government shall form the Select List for appointment to respective grades of the service.

(2) The list referred to under sub-rule (1) shall ordinarily be in force for a period of one year from the date of its approval by Government or until another Select List is prepared afresh, whichever is earlier.

(3) Appointment to any grade in the service shall be in the order in which their names appear in the Select List:

Provided that the Government may, at any time in consultation with the Commission, for grave lapses in conduct or deterioration in standard of performance of duty on the part of any person included in the list remove the name of such persons from the list.

PART - IV

OTHER CONDITIONS OF SERVICE

11. *Inter se* seniority:— (1) The *inter se* seniority of OAS Group 'A' (JB) officers in respect of a particular recruitment year shall be in the following order and in each category the *inter se* seniority shall be determined in the following manner :

(i) Promotee officers shall be ranked *inter se* in the order in which their names appear in the select list.

(ii) Direct Recruit officers shall be ranked *inter se* in the order in which their names appear in the merit list prepared by the commission.

(2) The *inter se* seniority of the officers in other grades shall be in the order in which their names appear in the select list.

12. Filling up vacancies:— (1) Appointment to the service by direct recruitment shall be made in the order in which the names of the persons appear in the merit list furnished by the Commission.

(2) Appointment to the service by promotion shall be made in order in which the names of the persons appear in the select list under rule 10 .

13. Probation and Confirmation:— (1) On appointment against a substantive vacancy, an officer shall be placed on probation for a period of two years, if he/she is a direct recruit and one year, if he/she is a recruit by promotion, from the date of joining the post:

Provided that Government may, if it thinks fit in any case or class of cases extend the period of probation or terminate the appointment of an officer on the ground of unsatisfactory performance in case of direct recruit or revert to feeder grade in case of promotee as the case may be:

Provided further that Government may exempt or reduce the period of probation of an officer, if he or she has already worked against a vacancy of temporary nature for a period of two years or more or a portion thereof, if he or she is a direct recruit and one year or more or a portion thereof, if he/she is a recruit by promotion, by the time a substantive vacancy occurs for his/her absorption:

Provided further that such period of probation shall not include:—

(a) extraordinary leave;

(b) period of unauthorised absence; or

(c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may for good and sufficient reasons to be recorded in writing be terminated by Government at any time without previous notice

during the period of probationer including extension of such period, if any, and after such termination, the officer shall deem to be reverted his /her former cadre/post, if he/she has been appointed on promotion.

(3) On successful completion of probationary period and on passing the prescribed Departmental Examination and training under rule 14, an officer shall be eligible for confirmation subject to availability of substantive post in the service.

14. Departmental Examination & Training:— (1) Every person appointed to Orissa Administrative Service Group 'A' (Junior Branch) of the service, shall, during the period of probation or appointment against a vacancy of temporary nature, have to pass such Departmental Examination as may be prescribed by the Government from time to time.

(2) The direct recruits appointed under rule 4(a) (i) shall have to undergo training, which includes Institutional Training, Revenue Training and District Training as may be decided by Government from time to time and also have to pass a Departmental Examination under sub-rule (1) and to submit case records as per rules / instructions as may be made applicable:

Provided that Government may, if so think fit for reasons to be recorded in writing, exempt any person or class of persons from passing the Departmental Examination.

15. Other Conditions of Service:— The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the Government.

PART-V

MISCELLANEOUS

16. Relaxation:— When it is considered by the Government that it is necessary or expedient so to do in public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of officers in consultation with the Commission.

17. Repeal and Savings:— The following rules, regulations and other instructions or orders in force immediately before the commencement of these rules in respect of the matters relating to the Service and covered by these rules are hereby repealed:—

- (i) The Orissa Administrative Service, Class I (Junior Branch) (Recruitment and Appointment by Promotion) Rules, 1977;
- (ii) The Orissa Administrative Service, Class II (Recruitment) Rules, 1978;
- (iii) The Orissa Administrative Service Class I (Recruitment to Senior Branch) Rules, 1979;

- (iv) The Orissa Administrative Service (Supertime Scale) Recruitment and Conditions of Service Rules, 1995;
- (v) The Orissa Administrative Service (Senior Grade in Supertime Scale) Method of Recruitment and Conditions of Service Rules, 1996;
- (vi) The Orissa Administrative Service (Superior Administrative Grade) (Recruitment and Conditions of Service) Rules, 2002; and
- (vii) The Orissa Administrative Service, Class II (Appointment by Promotion and Selection) Regulations, 1978 :

Provided that notwithstanding any order or appointment made or action taken or things done under the rules, regulations, instructions or orders so repealed shall be deemed to have been made, taken or done under the corresponding provisions of these rules:

Provided further that appointment made, action taken or things done under Resolution No.5719 dated.28.02.2009 shall be deemed to have been made, taken or done under the corresponding provisions of these rules.

18. Interpretation:— If any question arises relating to interpretation of these rules, the same shall be referred to Government whose decision thereon shall be final.

19. Power to issue Instructions:—The Government may issue executive instructions, not inconsistent with the provisions of these rules as they may consider necessary to regulate the matter not specifically covered by the provisions of these rules.

By order of the Governor

U.N. BEHERA

Special Secretary to Government