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Government of Orissa,
General Administration Department.

No.2R/1-22/91. 18500 /Gen.,Dt. 17/7/91

To

All Departments of Government.

Sub:- Clarification to Orissa Civil Services (Zone of consideration for promotion) Rules, 1988.

The undersigned is directed to say that it has been pointed out by the Chairman, Orissa Public Service Commission that some Departments of Government are not following the procedure laid down in the Orissa Civil Services (Zone of consideration for promotion) Rules, 1988 in the matter of promotion to different posts and services particularly in the meetings of D.P.C/Selection Boards held for the purpose.

2. According to the Orissa Civil Services (Zone of considerations for promotion) Rules, 1988 which came into force on 8.8.88, where the estimated number of vacancies is more than 3, the zone of consideration is three times the number of vacancies and where the estimated number of vacancies is not more than 3 the zone of consideration shall be 10. The above rules over-ride any zone of consideration which may have been prescribed in different rules "except in cases where the provisions of the Orissa Reservation of vacancies in posts and services (for S.C and S.Ts) Act, 1975 and the rules framed there under are applicable".

3. Section 10(I) of the ORV Act lay down the procedure for promotions to be made on the basis of seniority subject to fitness. Section 10(3) of the said Act provides that there shall be no zone of consideration in respect of promotions based on seniority subject to fitness. In such cases the S.C/S.T candidates shall be promoted to the next higher post or grade against the reserved vacancies irrespective of their position in the gradation list subject to satisfaction of prescribed minimum qualification and experience and found fit for such promotion.

(Contd....2)

3.2. In the event of non-availability of suitable S.C/S.T candidates, the reserved vacancy shall not be filled up without de-reservation by the competent authority next higher to the appointing authority as per provision under Rule 5(2) of the ORV Rules.

3.3. In case of general candidates, the zone of consideration shall be as in para 2 above.

4. In the case of promotion made by selection where the element of direct recruitment does not exceed 50% the detailed procedure laid down in Rule 7(a) and 7(b) of the ORV Rules is to be followed. Rule 7(a) read with ^{section} 11-A(2)(b) deals with cases of promotion from Class-III to Class-II, within Class-II, from Class-II to Class-I and within Class-I. In these cases the selection will be made only from those S.C and S.T Officers who are within the common zone of consideration, numbering seven times of the estimated number of vacancies.

Illustration.

Total no. of vacancies	10
S.C	1
S.T	3
Unreserved	6

(I) Common zone of consideration for S.T and S.C $10 \times 7 = 70$.

(ii) Zone of consideration for unreserved category $6 \times 3 = 18$.

4.2 In the event of non-availability of suitable S.C/S.T candidates for promotion, the reserved vacancy shall be filled up by suitable general candidates according to provision under Rule-5(3) of ORV Rules. No dereservation is necessary in such cases as per second proviso to section-7 of the O.R.V.Act.

5. In the cases of promotion to Class-III posts and within Class-III posts on the basis of selection, the zone of consideration numbering 7 is separate for the S.C and S.T Officers as per Rule-7(b) of the O.R.V.Rules read with section II-A(2)(a) of the O.R.V.Act.

(Contd...3)

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Illustration

No. of vacancies	...	10
S.C	...	1
S.T	...	3
Unreserved	...	6
Zone of consideration for		
S.C	...	1 x 7 = 7
S.T	...	3 x 7 = 21
General	...	6 x 3 = 18

5.2. In case of non-availability of suitable S.C/S.T candidates the reserved vacancy shall not be filled up without de-reservation by the competent authority i.e the next higher authority to the appointing authority as per provision under Rules-5(2) of the O.R.V. Rules.

6. The above instructions may be brought to the notice of all concerned in their Departments and the respective Heads of Department, Public Sector Undertakings and Urban Local Bodies, etc under their administrative control for their future guidance. H & T.W. Department have concurred in the instructions in their U.O.R.No.68 dt.21.6.91.

(Signature)
17.7.91
Special Secretary to Government.

Memo No. 18501 / Gen., D^t

17-7-91

Copy forwarded to Chairman, Orissa Public Service Commission, Cuttack for favour of information with reference to his D.O letter No.6813 dt.24.12.90.

(Signature)
17.7.91
Special Secretary to Government.

MJ.16791.

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