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GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 22nd August 1983

No. 19744-Gen.—In exercise of the powers conferred under clause (3) of Article 187 of the Constitution of India, the Governor of Orissa after consultation with the Speaker of the Orissa Legislative Assembly is pleased to make the following Rules to regulate recruitment and conditions of service of persons appointed to the Secretariat staff of the Orissa Legislative Assembly, namely :—

Short title

1. (1) These Rules may be called the Orissa Legislative Assembly Secretariat (Recruitment & Conditions of Service) Rules, 1983.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.

Definition

2. In these rules, unless the context otherwise requires—
 - (a) Advisory Committee means the Speaker's Advisory Committee constituted by him to advise on matters whenever he desires.
 - (b) "Finance Department" means the Finance Department of the Government of Orissa.
 - (c) "Secretariat" means the Orissa Legislative Assembly Secretariat.
 - (d) "Secretary" means the Secretary of the Orissa Legislative Assembly.
 - (e) "Selection Committee" means the Selection Committee constituted by the Speaker under rule 10.
 - (f) "Service" means the Service in the Secretariat.
 - (g) "Speaker" means the Speaker of the Orissa Legislative Assembly.
 - (h) "State Government" means the Government of Orissa.

Classification and composition

3. The Secretariat staff of the Orissa Legislative Assembly constituting the service shall consist of the following categories of Class I, Class II, Class III and Class IV posts, namely :—

Class I

- (a) Secretary
- (b) Joint Secretary
- (c) Deputy Secretary

Junior Class I

- (d) Under-Secretary

Class II

- .. (a) Assistant Secretary
- (b) Research Officer
- (c) Chief Marshal-cum-Security Officer
- (d) Accounts Officer
- (e) Editor of Debates

Class III

- .. 1. (a) Section Officer
- (b) Chief Reporter
- (c) Reporter
- (d) Selection grade Reporter
- (e) P. S. to Speaker and Deputy Speaker.
- (f) P. S. to Secretary
- (g) House Officer
- 2. (a) Librarian
- (b) Assistant Librarian
- (c) Legal Assistant
- (d) Research Assistant
- (e) P. A. to Speaker & Deputy Speaker
- (f) P. A. to Secretary
- (g) Garden Overseer
- (h) Assistant Marshall
- (i) Translator
- (j) Accountant-Cashier
- (k) Receptionist
- (l) Senior Assistant
- (m) Assistant Accountant
- (n) Head Typist
- 3. (a) Junior Assistant
- (b) Stenographer
- (c) Personal Staff of Speaker and Deputy Speaker
- (d) Typist
- 4. (a) Despatcher
- (b) Diarist
- (c) Recorder
- (d) Record Supplier
- (e) Copyist
- (f) Driver

Class IV

- .. Peon, Orderly, Zamadar, Darwan, Daftary, Farash, Sweeper, Malis, Watch and Ward.

4. The scale of pay of the posts mentioned in Rule 3 shall be such as determined by Government from time to time.

5. Method of Recruitment—

- (1) Recruitment to the Class I posts of the service shall be made by promotion from among the immediate lower grade of officers of the service or by deputation of Members of the Orissa Superior Judicial Service (Senior Branch) or from any other post or service considered equivalent.

- (2) Recruitment to other posts mentioned in column I of the following Schedule shall be made according to the method and from among the persons holding the posts mentioned against them respectively in column II thereof.

SCHEDULE

| Column I | Column II |
|---|---|
| 1. Under-Secretary | .. By promotion from among Assistant Secretaries. |
| 2. Assistant Secretary | .. By promotion from among Section Officers. |
| 3. Chief Marshal-cum-Security Officer | .. By deputation from the Orissa Police Service not below the rank of a Deputy Superintendent of Police. |
| 4. Research Officer | .. By deputation from State Education Service of the rank of Reader of Political Science or Law or from among members of any service having post-graduate qualification with 5 years experience subject to merit and suitability. |
| 5. Accounts Officer | .. By deputation of officers serving in Orissa Finance Service Class II. |
| 6. Editor of Debates | .. By promotion from amongst Reporters including Chief Reporter. |
| 7. Librarian | .. By direct recruitment with requisite qualification in Library Science or by promotion of Assistant Librarian. |
| 8. Section Officer | .. By selection from amongst Senior Assistant Legal Assistants, Research Assistants Translator and Accountant subject to merit and suitability. |
| 9. Private Secretary to Speaker and Deputy Speaker. | According to the principle laid down in Rule 5 (2). |
| 10. Private Secretary to Secretary | .. By selection from among the Senior Grade Stenographers according to choice of Secretary and if no such suitable candidate is available then from the cadre of Section Officers according to choice of Secretary. |
| 11. House Officers | .. By promotion of a suitable person from Class-II posts of the service or on deputation from the Department of Tourism, Cultural Affairs and Sports or Information and Public Relations or by direct recruitment of a person having post-graduate qualification in English or Economics or Political Science or a Graduate in Law. |
| 12. Chief Reporter | .. By promotion from the Reporters. |
| 13. Legal Assistant | .. By recruitment of Law Graduate, having at least two years' experience in the Bar or from Law Graduates serving in the Class III post of the service having 5 years' office experience. |
| 14. Research Assistant | .. By selection from the Class III posts of the service having post-graduate qualification in Economics or History or Political Science or Graduate in law. |

15. Reporter .. By promotion from among Stenographers of the service having requisite speed in English and Oriya shorthand or direct recruitment after test.
16. P. A. to Speaker .. According to Principle laid down in Rule 6 (2).
17. P. A. to Secretary .. By selection from among Senior Grade Stenographers.
18. Senior Assistant .. By promotion from among Junior Assistants and Receptionist.
19. Translator .. By selection from among Senior Assistants
20. Accountant Cashier .. By promotion from among Assistant Accountants or Senior Assistants having training in Accounts matter.
21. Assistant Accountant .. By promotion from among Junior Assistants having training in Accounts matter.
22. Receptionist .. By selection from among Junior Assistants.
23. Junior Assistants .. Minimum qualification shall be graduate in Arts, Science or Commerce, who have come out successful in the competitive examination conducted by the Selection Committee in accordance with the Rules framed for the purpose. Preference will be given to Law Graduates.
24. Stenographer .. By direct recruitment of persons having requisite speed in English and Oriya shorthand and if no such candidate is available by direct recruitment of persons having requisite speed in English shorthand.
25. Personal staff to Speaker and Deputy Speaker. According to the principles laid down in Rule 6 (2).
26. Assistant Librarian .. By direct recruitment with requisite qualification in Library Science.
27. Caretaker .. From among the Senior Assistants or by direct recruitment.
28. Marshal .. By direct recruitment with minimum qualification of Graduate or by promotion from among Graduates in Grade I cadre of the Service or an Inspector of Police on deputation from Police Department or by promotion of Assistant Marshal.
29. Assistant Marshal .. By direct recruitment with minimum qualification of Graduate or by promotion from the service with Graduate qualification or by deputation of S. I. of Police with Graduate qualification.
30. Despatcher Diarist .. By direct recruitment with minimum qualification of Matriculation or by Selection from Class IV staff.
31. Recorder .. By promotion from Record Supplier
32. Record Supplier .. By promotion from Class IV staff
33. Head Typist .. By promotion from among Typist
34. Typist .. By direct recruitment after test
35. Copyist .. By direct recruitment with minimum qualification of Matriculation.

36. Driver .. By direct recruitment
37. Watch and Ward .. By promotion from class IV staff having Matriculation qualification or by direct recruitment of persons having minimum qualification of Matriculation.
38. Peon, Orderly, Jamadar, Darwan and Daftary. By direct recruitment with minimum qualification of M. E.
39. Farash and Sweeper. .. By direct recruitment
40. Garden Overseer .. By direct recruitment with Degree in Agriculture.
41. Malis .. By direct recruitment

Personal staff of Speaker and Deputy Speaker.

6. (1) The personal staff of the Speaker and Deputy Speaker shall consist of the posts already created and such other posts that may be created from time to time.

(2) Recruitment to the posts of P. A. to Speaker, P. S. to Speaker and Deputy Speaker shall be made according to the choice of the Speaker or Deputy Speaker, as the case may be and the tenure of office of the person so recruited shall be coterminous with the persons holding the office of the Speaker and Deputy Speaker as the case may be.

Appointing Authority.

7. (1) The appointment of Secretary shall be made by the Speaker in consultation with the Leader of the House and in the event of there being no House on account of dissolution of the Assembly, the Speaker shall be competent to make appointment in consultation with the Governor

(2) The appointment to Class I and Class II posts of the service other than Secretary shall be made by the Speaker in consultation with the Committee comprising the Secretary, Orissa Legislative Assembly and three M. L. As. including one from the Opposition Party nominated by the Speaker, and if necessary, associating an expert to be nominated by Speaker.

(3) Appointment to Class III and Class IV posts of the service shall be made by the Secretary out of the list prepared by the Selection Committee constituted under rule 10 and approved by the Speaker.

8. In all other matters regulating Pay, Pension and other conditions of service issued by the Government of Orissa from time to time for their employees in the State Secretariat shall *mutatis mutandis* apply to persons holding corresponding posts in the O. L. A. Secretariat subject to such modifications or exceptions, if any, in such Rules as the Speaker may after consultation with Finance Department, from time to time, by order specify:

Provided that the age of retirement of the Secretary may be extended up to 60 years in the case of promotee.

Disciplinary control.

9. (1) The disciplinary control of the service shall vest—

(a) in the Speaker in respect of the Officers of whom he is the Appointing Authority;

(b) in the Secretary in respect of other employees of the Secretariat.

(2) The Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 as modified from time to time, shall *mutatis mutandis* apply to persons employed in the service and particularly as hereinafter specified.

(i) subject to provisions of Article 311 of the Constitution the power to inflict any punishment on any member of the service shall vest in the appointing authority and consultation with the State Public Service Commission in this regard shall not be necessary;

(ii) any person aggrieved by the order of punishment inflicted by the Secretary shall have the right to appeal against such order to the Speaker within 30 days from the date of the order,

(iii) any person aggrieved by the original order of Speaker inflicting penalty shall have the right to appeal to the Governor within 30 days from the date of the order.

Constitution of Selection Committee.

10. (1) The Speaker shall constitute a Selection Committee to advise Secretary in the matter of appointment to be made to the Class III and Class IV posts of the service by direct recruitment and by promotion.

(2) The Committee shall consist of more than one senior officer of the Secretariat, other than Secretary :

Provided that the services of an expert to aid to the Committee in the matter of candidates for appointment may be requisitioned as and when directed by the Speaker

(3) The Selection Committee may conduct tests and prepare a list of candidates as for direct recruitment to the post in the service.

(4) The Selection Committee for recommending persons for appointment, by provide consider the C. C. Rs. of all eligible persons and prepare a list of candidates on the basis and suitability with due regard to seniority.

Probation

11. Every person appointed to a permanent post by direct recruitment, with a view eventual substantive appointment to that post, shall be on probation for a period of two

Provided that the period of probation may in the case of any particular person be extended by order of the authority competent under rule 7 to make appointment to the the time being held by such person or to such particular post, as the case may be.

Conditions of officers on deputation.

12. An officer while on deputation to the Secretariate may be permitted to retain, the conditions of service which were applicable to him immediately before his deputation to the Secretariate.

Removal of difficulties.

13. Where any difficulty arises in giving effect to the provisions contained in the or as to the interpretation of any of the provisions of these Rules, the matter shall be referred to the Governor, who may issue clarifications and pass orders for removal of difficulties; the decision of Governor on these issues shall be final.

14. Notwithstanding anything contained in these Rules, the Governor shall have power to review or review of any order passed in a disciplinary proceeding in the manner envisaged in Rule 14 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962.

15. Notwithstanding anything contained in these Rules vacancies shall be reserved and filled up by candidates belonging to Scheduled Castes/Scheduled Tribes and the method of the same shall be as prescribed in the Orissa Reservation of vacancies in the Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules framed thereunder.

Repeal.

16. The notification, rules or orders issued earlier governing the matters covered in these rules are hereby repealed from the date of commencement of these rules. Any order or action taken before the commencement of these rules on the basis of the orders, notifications and rules so repealed shall be valid and shall be deemed to have been made under the provisions of these rules.

By order of the Governor

C. NARAYANASWA

Special Secretary to Governor