

GOVERNMENT OF ORISSA  
POLITICAL & SERVICES DEPARTMENT

NOTIFICATION

The 4th September 1964

No. 13867-Gen.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa hereby makes the following rules, namely:—

THE ORISSA GOVERNMENT SERVANTS' APPLICATION  
FOR POSTS RULES, 1964

1. *Short title and commencement*—(a) These rules may be called the Orissa Government Servants' Application for Posts Rules, 1964.

(b) They shall come into force at once.

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

(a) "Appointing Authority" means the authority competent to make appointments to the post which the Government servant holds at the time of making application for appointment to any post elsewhere;

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

(c) "Government servant" means a person who is a member of a Civil Service of the State or who holds a Civil Post under the State.

3. *Application through the appointing Authority*—A Government servant applying for appointment to a post elsewhere shall submit his application through the Appointing Authority.

4. *Eligibility for making application*—Notwithstanding anything contained in these rules—

(a) the Appointing Authority shall not forward any application for appointment to a post elsewhere made by a Government servant who does not possess the qualifications and who does not fulfil the conditions, if any, required for the post applied for;

(b) no application of a Government servant shall be forwarded by the Appointing Authority for employment in private firms or undertakings.

5. *Forwarding applications of permanent and temporary Government servants*—(1) No application of a Government servant, who holds a permanent post in the office in which he is working or who is likely to be made permanent in the post held by him or in any other post in the office in which he is working, shall be forwarded by the Appointing Authority for his appointment to a post elsewhere:

Provided that in the interest of public service and of the applicant, the application may be forwarded;

(2) The application of a Government servant, who is not likely to be made permanent in the post held by him or in any other post in the office in which he is working, shall be forwarded by the Appointing Authority.

→ elsewhere means other post

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6. *Forwarding applications of Government servants who received special training at the cost of Government*—No application of a Government servant who has received special training or technical education at Government expense, shall be forwarded by the Appointing Authority for appointment to a post elsewhere before the expiry of the period for which he has executed a bond or an agreement to serve under Government:

Provided that in the interest of public service and of the applicant any such application may be forwarded by Government if the applicant repays Government all the expenses incurred by them together with interest thereof, if any.

7. *Forwarding applications of Government servants to projects and undertakings sponsored by Government*—Notwithstanding anything contained in rule 5, the application of any Government servant may be forwarded by the Appointing Authority for employment in any of the projects or firms or undertakings sponsored by the Government of India or by the State Government or by both.

8. *Refusal to accept the post applied for*—No application for a post elsewhere by a Government servant shall be forwarded by the Appointing Authority, if such Government servant having previously applied for the same post or any such post and having been selected for appointment to the said post has refused to accept the same for reasons which are unsatisfactory in the opinion of the Appointing Authority.

9. *Relief*—The Government servant whose application for appointment to a post elsewhere has been forwarded by the Appointing Authority shall on being selected for appointment to the post be relieved if requested by him within a reasonable time, unless the Appointing Authority considers it necessary in the interest of public service to retain him for such period as may be specified by the Appointing Authority in this behalf. In the latter event, the authority offering the post applied for by the Government servant shall be intimated by the Appointing Authority as to the period of his retention with reasons therefor.

10. *Finality of orders under these rules*—(1) Notwithstanding anything contained in rule 23 or rule 31 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962, the orders of the Government or of the Appointing Authority, as the case may be, under the provisions of these rules shall be final.

(2) Nothing in these rules shall be construed so as to confer any right on any Government servant to have his application for appointment to a post elsewhere to be forwarded by the Appointing Authority.

11. *Repeal*—The Orissa Government Servants' Application for Posts Rules, published in the notification of the Government of Orissa in the Home Department No. 3365-A, dated the 31st March 1937 and all instructions corresponding to these rules and in force immediately before commencement of these rules are hereby repealed.

12. *Interpretation*—If any question arises relating to the interpretation of these rules it shall be referred to the State Government, whose decision thereon shall be final.

By order of the Governor

A. K. BARREN

Additional Chief Secretary