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Refers to Government of Orissa
Home Department letter No. 10242-
(4)-A dated 26 May 1944

SUMMARY OF CONDITIONS OF SERVICE APPLICABLE TO POSTS UNDER
THE CONTROL OF THE GOVERNMENT OF ORISSA IN WHICH PERSONS WHO
HAVE RENDERED WAR SERVICE WILL BE ELIGIBLE

1. The Government of Orissa have accepted the definition of "WAR SERVICE" announced by the Government of India. War Service includes:-

- (a) service of any kind in unit or formation liable for service overseas or in any operational area;
- (b) service in India under military positions or stores authorities with a liability to serve overseas or in any operational area;
- (c) all other service involving subjection to Naval, Military or Air Force Law;
- (d) a period of training with a military unit or formation involving liability to serve overseas or in operational areas;
- (e) service in any civil defence organisation specified in this behalf by the Central or Provincial Governments;
- (f) (i) any service connected with the prosecution of the war which a person is required to undertake by a competent authority under the provisions of any law for the time being in force and
(ii) such other service as may hereafter be declared as "War Service" for the purpose of this definition.

2. Only whole time service of any of the kinds specified above will be recognised as "War Service".

3. Before filling up vacancies in various posts under their control, all departments of Government should ascertain from the Civil Defence Department if there are suitable candidates on the waiting list maintained by that Department. Persons Memorandum No. 6325(8)-Poll dated the 2nd December 1944 other than those who have been discharged from the civil

Defence Department may be appointed only when there is no suitable candidates in the Civil Defence Department. The Civil Defence Department will reserve the right in any emergency

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to recall officers and men who may be re-employed in other Departments of Government.

According to the definitions laid down in paragraph 1(e) above, members of civil defence services are treated as War Service candidates. Hitherto, this Government have not passed a similar order or an order reserving certain appointments for other classes of war service candidates. This omission is primarily due to the fact that on present estimates there are a relatively few persons from this province in other classes of war service who would ordinarily be qualified to hold posts in the provincial, subordinate and ministerial services. The Government of Orissa agree that a general understanding should be given now to place war service candidates of classes other than civil defence services on the same footing as members of the Civil Defence Services. For the present, the Government of Orissa do not think it necessary to order the reservation of a specific proportions of posts for war service candidates. Only if a suitable war service candidate for a particular post is not available, will candidates without war service to their credit ~~xxxxxxx~~ be considered. Persons who have held temporary posts under the Government of Orissa during war time will be considered for permanent appointment after the claim of war service candidates are satisfied. This concession will last till two years after the date of de-mobilisation.

The Government of Orissa reserve the right to revise this order in the light of experience.

II(a) Domicile. At present the Government of Orissa give preference to candidates who are natives of Orissa or who are domiciled in Orissa if they are otherwise qualified, but the provincial Government have full power to appoint natives of other ~~xxx~~ provinces if such an appointment is considered necessary in the public interest.

(b) Communal Representation. In making appointments to services and posts under their control, the Government of Orissa do not observe any rules for the purpose of safeguarding the representation of different communities in those services.

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III. Age. (a) There are various age limits prescribed for recruitment to different services enumerated in Schedule-I and II. In calculating the age of a war service candidate, the whole or part of the period of his war service will be deducted at his option.

(b) The only proof of age ordinarily accepted by Government is the age or date of birth entered in a Matriculation Certificate or in the Secondary School Leaving Certificate or in a certificate recognised by an Indian University as equivalent to Matriculation or an extract from a register maintained by a University which extract must be certified by the proper authority of the University.

Where a Matriculation Certificate or similar certificate is required and is not forthcoming, the Provincial Government may in exceptional cases accept an affidavit of a responsible person, a near relation of the candidate.

IV. Educational Qualification. The educational qualification required ordinarily have been shown in Schedule-I and II. The Government of Orissa have decided that, where a University Degree is the prescribed qualification, a war service candidate who has passed the Intermediate examination of a University will be eligible. The Army Special Certificate will be treated as equivalent to Matriculation. For technical services such as the Engineering, Medical and Agricultural services, the appointing authority in his discretion will be competent to relax educational standards in favour of war service candidates after taking into account their individual experience and fitness. The minimum qualifications for educational services such as Professors, Demonstrators, Teachers will not be relaxed.

V. Conditions of Service, Pay, seniority and pension. War Service rendered between 3rd September 1939 and 1st April 1946 will count for initial pay, seniority and pension. Leave other than extraordinary leave (while in service) granted by a competent authority will be regarded as a part of War Service.

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Pay - (1) The pay of a permanent or temporary Government servant holding lien on a permanent post or a superior claim, on a temporary post, after his reversion to that post from war service will be fixed according to Rule 79(b) of Orissa Service Code.

(2) In the case of a War Service candidate, who having been directly recruited to war service, had no lien or any post under Government before undertaking war service ~~xxxxxx~~ the initial pay, on appointment to a temporary or a permanent post under Government will be fixed after taking into account the total period of his war service irrespective of the posts held and pay drawn by him while in war service.

(3) The pay of a Government servant having a superior claim on a temporary post or a lien on a permanent post, when appointed to a permanent or temporary post in another department after returning from war service will be fixed in the new post exactly in the same way as in the case of war service candidate who had no lien on any posts under Government before undertaking war service as clarified in sub-para(2) above.

(4) (1) The concession of counting war service for fixation of initial pay is admissible once only at the choice of the candidates and choice once made is irrevocable.

(ii) If a person has availed of concessions he will have no right of a further choice.

(iii) Choice in respect of the posts at present held should be made within three months from the date of the order.

(iv) If any one reserves his choice for a future post, he should exercise the option within three months from the date of joining such post.

(v) In case of those who will avail of the concessions in their post at present held, arrears of pay will be allowed with effect from the 1st April 1958, provided the present posts were held earlier than that date or with effect from a later date on which the present posts were actually held.

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(5) All war service candidates will be subject to the prescribed rules, if any of appointment and confirmation in respect of the posts to which they are appointed. When the initial pay of a war service candidate exceeds the limit of the time scale which is allowed after confirmation or an efficiency bar no further increment will be allowed till the conditions of confirmation or of passing of the efficiency bar are fulfilled by the candidates concerned.

(6) (a) War service over any fractional period of a year or a month will count for the purposes of increment. If a candidate who began his war service on March 1st 1948, is appointed to a post under the Government of Orissa on the time scale of B 500-50-1000 on January 1st 1946, without a break in his war service, on January 1st 1946, he will be entitled to his pay which he would have drawn if he had been drawing pay on the same scale of B 500-50-1000 since March 1st 1940. The candidate in the above example would be entitled to the next increment in pay on the 1st March 1946, that is to say two months after his first appointment under the provincial Government.

(b) Seniority. The actual period of service rendered by a war service candidate should count towards seniority. In other words a war service candidate should be allowed to date his seniority by the total length of his actual war service, the break in between the war service rendered by the candidate and the break in between termination of war service and commencement of civil service being ignored for consideration. The seniority of war service candidate should be fixed according to war service in the cadre in which his initial pay is fixed according to such service and not thereafter.

Under the rules now in force in this province, persons appointed to a particular service by promotion take precedence over persons recruited directly in the same year, the Government of Orissa have decided that a war service candidate will be placed above directly recruited candidates but below officers recruited by promotion in the year in which he began the war

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service. The provincial Government or any authority to whom it may entrust the power will exercise its discretion in determining the order of seniority in which war service recruits will be placed. While they will take into account the age of the recruits they will not be bound by this factor alone. In determining the order of seniority of war service candidates, the authorities concerned will take into account the qualifications and experience of individual candidates and the report of the Selection Boards.

(c) Pension. The concessions granted in Articles 357 A and 357 B of the Civil Service Regulations relating to pensions will be applicable to war service candidates. In the event of any difference of opinion on the interpretation of any rule granting any concession to war service candidates, the interpretation of the Provincial Government will be final.

N. Senapati,
Chief Secretary to Government

GOVERNMENT OF ORISSA
HCME DEPARTMENT

No.10242-(4)-A., dated Bhubaneswar the 26 May 1949.

To

All Departments of Government
All Heads of Departments

Subject: Conditions of service applicable to posts under the control of the Government of Orissa to which persons who have rendered war service will be eligible.

The undersigned is directed to say that various orders have been issued by the Government from time to time in the past granting concessions to persons who volunteered for war service, in the matter of pay, seniority, relaxation of age limit and of educational qualifications etc. A summary of these orders was issued in print in 1945. Subsequently, Government in their memo No. 3333(22)-A., dated the 1st May 1946 issued further instructions in the matter of fixation of initial pay of war service candidates appointed to posts under the Government of Orissa, after their release from the War. It has come to the notice of Government that there are certain palpable defects in the previous orders issued on the subject which require to be removed and that there are also certain doubtful points which require clarification. After very carefully considering the matter, Government have been pleased to revise the summary of conditions of service applicable to war service candidates incorporating modifications which appear to them essential for removal of palpable defects in the orders previously issued on the subject. The orders contained in the enclosed summary supersede all previous orders of Government on the subject. Government trust that it will be possible now to expedite disposal of claims of war service candidates to the concessions to which they are entitled. In order to mitigate cases of hardship where war service personnel have been deprived of the enjoyment of any concession

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due to delay which has occurred in clarifying the implications of the previous orders, Government have been pleased to prescribe that arrears of pay will be allowed with effect from the 1st April 1948 to certain categories of war service personnel as mentioned in paragraph V(v) of the enclosed summary.

These orders should be communicated to all ~~appropriate~~ appointing authorities in the Province.

N. SENAPATI
Chief Secretary to Government

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