

# The Orissa Children's and Women's Welfare Service Rules, 1989

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### Rule

### THE-ORISSA-CHILDREN-S-AND-WOMEN-S-WELFARE-SERVICE-RULES of 1989

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The Orissa Children's and Women's Welfare Service Rules, 1989Published vide Notification Orissa Gazette Extraordinary No. 660/27.4.1989-S.R.O. No.301/89/24.4.1989S.R.O. No.301/89. - 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 for regulating the method of recruitment and conditions of service of persons appointed to the Orissa Children's and Women's Welfare Service, namely-

#### 1. Short title and commencement.

(1)The rules may be called the Orissa Children's and Women's Welfare Service Rules, 1989.(2)They shall come into force on the date of their publication in the Orissa Gazette.

#### 2. Definitions.

- in these rules, unless the context otherwise requires-(a)"Committee" means the Departmental Promotion Committee constituted under Sub-rule (4) of Rule 13;(b)"Director" means the Director of Social Welfare;(c)"Government" means the Government of Orissa;(d)"Project" means the Integrated Child Development Project;(e)"Recruitment year" means the calendar year in which the recruitment is actually made;(f)"Scheduled Castes" and "Scheduled Tribes" shall have same meaning as respectively assigned to them under Articles 341 and 342 of the Constitution of India;(g)"Selection Committee" means the Selection Committee constituted under Sub-rule (2) of Rules 6; and(h)"Service" means the Orissa Children's and Women's Welfare Service.

### **3. Cadre of the service and scales of pay.**

(1)The Service shall comprise of two grades, namely :-(a)the Orissa Children's and Women's Welfare Service (Junior Grade); and(b)the Orissa Children's and Women's Welfare Service (Senior Grade).(2)(a)The Junior Grade of the Service shall consist of the posts of Supervisors and such other posts in such time-scales of pay as the Government may, from time to time, determine.(b)The Junior Grade posts in each district shall constitute a cadre.(3)(a)The Senior Grade of the Service shall consist of the posts of Child Development Project Officers and such other posts in such time-scales of pay as the Government may, from time to time, determine.(b)All the Senior Grade posts in the Service shall constitute a single cadre.

### **4. Method of recruitment.**

(1)Recruitment to the posts in the Service shall be made by the following methods, namely(a)in respect of posts in each cadre of the Junior Grade, in accordance with Rules 6 to 9; and(b)in respect of posts in the cadre of the Senior Grade, in accordance with Rule 13.(2)Notwithstanding anything contained in Sub-rule (1) a member of the family of a Government servant who dies or is permanently incapacitated while in service may be appointed to the Junior Grade of the Service without recourse to the method of recruitment as specified in Rules 6 to 8, provided such member is eligible to appointment on compassionate grounds in accordance with the scheme governing such appointment in force for the time being.

### **5. Reservation of vacancies.**

(1)Vacancies in each grade of the Service shall be reserved for candidates belonging to the Scheduled Castes and Scheduled Tribes as per the provisions of the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules framed thereunder and shall be filled up in the manner provided in the said Act and Rules.(2)Vacancies in the Junior Grade posts which are filled up by direct recruitment shall also be reserved for such categories of persons and to such extent as may be determined by Government from time to time.

### **6. Method of recruitment to Junior Grade of Service.**

- [(1) The posts in the Junior Grade of the service shall be filled up in the following manner(a)Thirty percent of the total number of vacancies arising in a recruitment year shall be filled up, in accordance with rule 7 by way of direct recruitment.(b)The remaining vacancies shall be filled up, in accordance with the provisions of rule 8 by way of selection in the following manner.(i)not more than thirty percent, from amongst Anganwadi Workers of the district, and(ii)remaining forty percent of vacancies from amongst the lady Village Level Worker (LVLW) of the district;Provided that in case of non-availability of sufficient eligible candidates for promotion by way of selection under clause (b), the vacancies remaining unfilled during the year shall be filled up by way of direct recruitment.(2)Selection of candidates for direct recruitment under clause (a) of Sub-rule (1) and selection from amongst the eligible Anganwadi Workers and Lady Village Level Workers, under

clause (b) of sub-rule (1) to a post in the Junior Grade of the service shall be made through a Selection Committee consisting of -

- (a) The Collector of the District - Chairman;
- (b) Chief District Medical Officer - Member;
- (c) District Welfare Officer - Member;
- (d) District Social Welfare Officer - Member-Secretary

(3) If the Collector of the district is not able to attend the Selection Committee, he may nominate the Additional District Magistrate to be the Chairman for the meeting.] [Substituted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.]

## **7. Procedure of filling up vacancies in the Junior Grade by direct recruitment.**

(1) In order to fill up the vacancies through direct recruitment in any recruitment year, the vacancies shall be notified to the Employment Exchanges of the district. An advertisement shall also be published in one Oriya newspaper inviting applications directly from the eligible candidates for consideration. (2) In order to be eligible for consideration for direct recruitment, a candidate must satisfy the following condition, namely : (a) The candidates must be a woman of not less than twenty-one years and not more than [thirty two years] [Substituted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.] of age on the first day of [January] [Substituted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.] of the recruitment year: Provided that the upper age-limit shall be relaxed by five years in case of Anganwadi workers, Balsevikas and candidates belonging to the Scheduled Castes and the Scheduled Tribes and ten years in case of physically handicapped candidates; (b) she must be a citizen of India; (c) she is able to speak, read and write Oriya and has- (i) passed the final Class VII examination with Oriya as a language subject, or (ii) passed the High School Certificate Examination or an equivalent examination with Oriya as the medium of examination in non-language subjects or passed a test in Oriya of Middle English School standard conducted by the Education Department; (d) she must have at least a Bachelor's Degree in Arts, Science or Commerce; and (e) she has not married a person who has a wife living; Provided that the Government may, if satisfied that there are special reasons for doing so exempt a candidate from the operation of this clause. (3) On receipt of applications directly from the eligible candidates and names from the Employment Exchanges, candidates should be asked to submit, by the specified date, true copies of the certificates and mark-sheets of every examination they have passed beginning with and including the High School Certificate Examination or an equivalent examination. (4) The names of candidates will firstly be arranged in order of the percentage marks obtained by them in each examination up to the degree stage. In other words, the percentage of marks obtained in the High School Certificate examination or equivalent examination shall be added to the percentage of marks obtained in the Higher Secondary or equivalent examination and the degree examination. To these total marks, the following extra marks shall be added : (a) 5 marks if she had Home Science, Domestic Science, Psychology or Sociology as a subject in her degree examination; (b) 10 marks if she is a graduate in Home Science or has passed her degree examination with Honours in Home Science, Domestic Science, Psychology or Sociology; and (c) 10 marks if she has a post-graduate degree in Home Science, Domestic Science, Psychology or Sociology. Notes- (1) If the candidate has

earned a credit of 10 marks in pursuance of Clause (b), she will not earn any further credit for her post-graduate degree.(2)A post-graduate degree in any other subject will not earn the candidate any credit.(5)A list of candidates shall be drawn up by the Selection Committee on the basis of the total academic marks secured by the candidates in pursuance of Sub-rule (4).(6)From the list referred to in Sub-rule (5), candidates numbering five times the number of vacancies that have arisen and are likely to arise during the recruitment year will be selected in order of their inter se position in the said list and be asked to appear at a viva voce test to be conducted by the Selection Committee.(7)The viva voce test will carry thirty marks and will aim at assessing the candidate's general knowledge personality, aptitude for the job and her attitude to work in rural areas.(8)The marks obtained in the viva voce test will be added to the candidate's total academic marks as referred to in Sub-rule (5) so as to draw up a final list of candidates in order of merit. The final list so drawn up by the Selection Committee shall be submitted to the Collector for approval and upon such approval the list will become the Select List.(9)Candidates will be offered appointment in the order in which their names appear in the Select List prepared in pursuance of Sub-rule (8). The appointment shall be subject to-(a)the production of a certificate from a Medical Officer not below the rank of an Assistant Surgeon to the effect that she is of sound health, good physique and free from organic defects; and(b)the production of certificates of good character from the Principal or Professor on the institution in which she last studied or from a Member of the Orissa Legislative Assembly or Parliament or a gazetted officer (not being a relation).(10)The Anganwadi Worker and Balsevikas who are graduates in Arts, Science or Commerce and who have rendered at least five years of service on the 1st day of April of the recruitment year shall be eligible for direct recruitment along with others.

## **8. Procedure of filling up vacancies in Junior Grade of Service by promotion.**

- [(1) In order to be eligible for appointment to the cadre of Junior Grade of service by selection-(a)an Anganwadi Worker must have,-(i)passed at least the High School Certificate (HSC) or equivalent examination from Board of Secondary Education; Orissa or equivalent Board/Council, and(ii)rendered, on the First day of January of the recruitment year, minimum of 10 years of service as such; and(b)a Lady Village Level Worker (LVLW) must have rendered on the first day of January of the recruitment year, a minimum of 10 years of service as such.(2)A list of eligible candidates shall be prepared in accordance with sub-rule (3) and placed before the Selection Committee for consideration.(3)(a)The appointment to the Junior grade service shall be made by way of selection from Anganwadi Workers on the basis of seniority.If Selection Committee finds any candidate not suitable, the same shall be recorded in the proceeding of the meeting.(b)The eligible Lady Village Level Workers shall be considered for appointment by way of selection on the basis of their service records with due regard to seniority and suitability as per provisions of the Orissa Civil Services (Criteria for Promotion) Rules, 1992.

**4. (a) The final list of Lady Village Level Workers selected for appointment to the post of supervisors prepared as per clause (b) of sub-rule (3) shall be submitted to the Collector for approval.**

(b)The final list of Anganwadi Workers selected for appointment as Supervisors prepared on the basis of seniority and suitability in pursuance of clause (a) of sub-rule (3), shall be submitted to the Collector for approval.(c)The list shall remain valid for a period of one year from the date of such approval.]

## **9. Appointing authority.**

- The Collector of the District shall be appointing authority in respect of persons recruited to the posts in the Junior Grade of the Service.

## **10. Probation.**

(1)Every person recruited to the Junior Grade of the Service by either method of recruitment shall be appointed on probation which shall be for two years from the date of actually joining the post :Provided that the appointing authority may, if he so thinks fit, extend the period of probation in any case for a further period not exceeding one year for reasons to be recorded in writing and communicate the extension to the person concerned.(2)The probationer shall undergo such training as the Director may from time to time determine.(3)If the appointing authority is satisfied at the end of the extended period of probation that her standard of performance is not adequate to allow her to continue in service in public interest, he may order the termination of the probation whereupon the person concerned shall, if appointed through direct recruitment, be deemed to have been removed from the service and if appointed on promotion, be deemed to have reverted to the rank of Lady Village Level Worker [or Anganwadi Workers as the case may be] [Inserted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.].Explanation- The appointing authority shall be the sole judge of a probationer's performance and its consistency with public interest.

## **11. Seniority.**

- The Inter se seniority of officers appointed to the post in the Junior Grade of the Service in any recruitment year shall be regulated' in the following manner, namely :(a)officers appointed by direct recruitment shall be ranked inter se in the order in which their names appear in the select list prepared in pursuance of Sub-rule (8) of Rule 7.(b)[ officers appointed by way of selection- [Substituted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.](i)In case of Anganwadi Workers shall rank in the order in which their names are arranged by the Selection Committee in pursuance of clause (a) of sub-rule (3) of rule 8.(ii)In case of Lady Village Level Workers.shall rank in the order in which their names are arranged by the Selection Committee in pursuance of clause (b) of sub-rule (3) of rule 8 :Provided that between Lady Village Level workers (LVLW) and Anganwadi Workers (AWW) appointed to Junior Grade service in any recruitment year, the LVLW shall be en-block senior to AWWs in that year.] [Substituted vide W.C.D.D. Notification No. 23230 dated 8.10.2007.](c)as between officers referred to in Clause (a) on the one hand and those referred to in Clause (b) on the other, the latter shall, in the year of recruitment, be en block senior to the former in that year.

## **12. Direct recruitment quota to be increased in the case of nonavailability of candidates eligible for promotion.**

- If, during any recruitment year, the vacancies earmarked for being filled up by promotion cannot be so filled up on account of non-availability of candidates eligible for promotion, the unfilled vacancies shall be filled up by direct recruitment.

## **13. Method of recruitment to the Senior Grade of Service.**

(1) Vacancies in the Senior Grade of the Service arising in any recruitment year shall be filled up by way of promotion from the Junior Grade of the Service. (2) In order to be eligible for consideration for promotion to a post in the Senior Grade, a member of the Junior Grade of the Service must (a) be a graduate; and (b) have rendered, on the first day of April of the recruitment year, a minimum of five years of service in the Junior Grade. (3) The Director shall prepare a list of candidates eligible for consideration for promotion to the posts in the Senior Grade of the Service restricting the zone of consideration to three times the number of vacancies to be filled in. The names of the candidates shall be arranged according to the dates of issue of their orders of appointment in the cadre of Junior Grades of the respective districts and, as among candidates appointed to a cadre of the Junior Grade on the same date, their names shall be arranged in accordance with their seniority in that cadre. (4) The list prepared in pursuance of Sub-rule (3) shall be placed before the Committee consisting of-

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|---|------------------|
| (a) The Secretary to Government, Community Development and Rural Reconstruction Department.         | Chairman         |
| (b) The Director of Social Welfare  | Member           |
| (c) Joint Secretary or Deputy Secretary to Government General Administration Department.            | Member           |
| (d) The Director of Community Development   | Member           |
| (e) The Director of Special Projects  | Member           |
| (f) The Joint Secretary or Deputy Secretary in charge of the Integrated Child Development Scheme    | Member           |
| (g) Deputy Secretary, Field Establishment Community Development and Rural Reconstruction Department | Member-Secretary |

(5) The Committee shall consider the Service records of the candidates included in the list prepared in pursuance of Sub-rule (3). The selection of persons by the Committee shall be made on the basis of the merit and suitability in all respects with due regards to seniority. The Committee shall prepare a list of candidates found suitable for promotion which shall contain the names numbering twice the number of vacancies that have arisen and are likely to arise during the recruitment year. The said list shall be placed before the Secretary to Government in the Community Development and Rural Reconstruction Department for approval and upon such approval will become the final list. The said final list shall, notwithstanding anything to the contrary in these rules, remain valid for a period of one year from the date of its approval by the Secretary, or till the preparation of the next final list,

whichever is earlier.(6)Persons included in the final list as referred to in Sub-rule (5) shall be offered appointment by the Director in the order in which their names appear in the final list.(7)If any member of the Junior Grade of the Service, on being promoted to the Senior Grade of the Service, in accordance with the provisions of these rules, fails, within such time as may be allowed in that behalf by the Director, without good and sufficient reason, to join the new post, her promotion shall be cancelled by the Director :Provided that the decision of the Secretary to Government in the Community Development and Rural Reconstruction Department on the representation of the person affected by the operation of this sub-rule shall be final.

#### **14. Appointing authority.**

- The Director shall be the appointing authority of persons recruited to the Senior Grade of the Service.

#### **15. Probation.**

(1)Every person appointed to the Senior Grade of the Service shall be on probation for a period of two years from the date of actually joining the post :Provided that the Director may, if he so thinks fit, extend the period of probation in any case for a period not exceeding one year for reasons to be recorded in writing and shall communicate the extension to the person concerned.(2)The probationer shall undergo such training as the Director may from time to time determine.(3)If the Director is satisfied prior to the end of the extended period of probation of the officer that her standard of performance is not adequate to allow her to continue in service in public interest, he may order termination of the probation, whereupon the person concerned shall be deemed to have been reverted to the Junior Grade of the service from that date.Explanation - The Director shall be the sole judge of a probationer's performance and its consistency with public interest.

#### **16. Seniority.**

- The inter se seniority of officers appointed to the Senior Grade of the Service in any recruitment year shall be in the order in which their names appear in the final list.

#### **17. Right to appointment.**

- Inclusion of a candidate's name in the final list shall confer no right to appointment.

#### **18. Gradation list.**

(1)There shall be prepared and maintained a gradation list of persons appointed to-(i)the senior grade of the service, by the Director; and(ii)the junior grade of the service, by the respective Collectors.(2)The gradation list for either grade of the service shall be revised from time to time.

## **19. Relaxation.**

- Where the Government is of the opinion that it is necessary or expedient so to do in the public interest it may, by order, for reasons to be recorded in writing, relax any or more of the provisions of these rules in respect of any class or category of persons.

## **20. Repeal and saving.**

- Any rules, regulations or orders corresponding to these rules and in force immediately before the commencement of these rules, are hereby repealed :Provided that any order made or action taken under the rules, regulations or orders so repealed shall be deemed to have been made or taken under these rules.

## **21. Interpretation.**

- If any question arises relating to the interpretation of these rules, decision of Government thereon shall be binding.