

The Orissa Finance Service Rules, 1979

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Rule THE-ORISSA-FINANCE-SERVICE-RULES-1979 of 1979

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The Orissa Finance Service Rules, 1979 Published vide Notification No. 35110-O.F.S.-580/79-F, dated 24th July, 1979, Orissa Gazette Extraordinary 1612/10.8.1979 Notification No. 35110-O.F.S.-580/79-F, dated 24th July, 1979. - 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 regulating method of recruitment to the posts in the condition of service of persons appointed to the Orissa Finance Service, namely:

1. Short title and commencement.

(1) These rules may be called the Orissa Finance Service Rules, 1979. (2) They shall come into force on the date of their publication in the Orissa Gazette.

2. Definitions.

- In these rules unless the context other wise requires-(a) "Commission" means the Orissa Public Service Commission; (b) "Government" means the Government of Orissa; (c) "Service" means the Orissa Finance Service consisting of following cadres, namely : (i) Orissa Financial Service Class II; (ii) Orissa Finance Service Class I (Junior Branch); (iii) Orissa Finance Service Class I (Senior Branch); (iv) Orissa Finance Service in super time scale of pay. (d) "Subordinate Finance Service" means Orissa Subordinate Finance Service; (e) "Year" means financial year.

3.

Recruitment to the different cadres of the service shall be made by the following methods, namely; (1) Recruitment to the Orissa Finance Service Class-II shall be made-(a) by direct recruitment in accordance with Rule 5; (b) by promotion from among members of the Orissa Subordinate Finance Service in accordance with Rule 6; and (c) by selection of non-gazetted officers in accordance with Rule 7. (2) Recruitment to the Orissa Finance Service Class-I (Junior Branch)

shall be made by promotion in accordance with Rule 8.(3) Recruitment to the Orissa Finance Service Class I (Senior Branch) shall be made by promotion in accordance with Rule 9.(4) Recruitment to the super time scale of pay posts in Orissa Finance Service shall be made by promotion in accordance with Rule 10.

4.

Recruitment to the Orissa Finance Service Class II by way of direct recruitment, promotion and selection in any year shall be in the ratio of 5 : 3 : 2, respectively : Provided that if the calculation gives a fractional figure, the fraction will be discarded and the excess whole number thus arrived will go to the direct recruitment quota : Provided further that if the adequate number of candidates are not available by way of promotion or selection the resulting vacancies shall be filled by direct recruits.

5. Recruitment by Competitive Examination to Orissa Finance Service, Class II.

- Direct recruitment to the Orissa Finance Service Class II under Clause (a) of Rule 3 (1) shall be made on the basis of the result of the Combined Competitive Examination conducted by the Commission in accordance with Regulation 3 of the Orissa Administrative Class II (Appointment by Competitive Examination) Regulation, 1978.

6. Recruitment by promotion to Orissa Finance Service Class II.

- No member of the Orissa Subordinate Finance Service shall ordinarily be eligible for promotion to Orissa Finance Service Class II under Clause (b) of Rule 3 (1) unless-(i) he has worked for at least five years in the said service; (ii) he has passed the prescribed departmental examination, if any.

7. Appointment by Selection to Orissa Finance Service Class II.

- No person shall be considered for appointment by selection under Clause (c) of Rule 3(1) to Orissa Finance Service Class II unless-(a) he is of outstanding merit and ability; (b) he has worked for at least 3 years in a post carrying a scale of pay the minimum of which is not less than Rule 400 or the maximum of which is not less than Rs. 620; (c) he has passed the prescribed departmental examination; (d) he is not more than 55 years of age on the 1st day of April of the year in which the selection is made.

8. Appointment by promotion to Orissa Finance Service Class I (Junior Branch).

- No person shall be eligible for promotion to the cadre of Orissa Finance Service Class I (Junior Branch), unless he has completed six years in the cadre of Orissa Finance Service Class II on the 1st day of April of the year in which the promotion is made.

9. Appointment by promotion to Orissa Finance Service Class I (Senior Branch).

- No person shall be eligible for promotion to the cadre of Orissa Finance Service Class I (Senior Branch) unless he has completed 10 years in the cadre of Orissa Finance Service Class A (Junior Branch) and Orissa Finance Service Class II taken together on the 1st day of April of the year in which promotion is made.

10. Appointment by promotion to Orissa Finance Service in super time scale of pay.

- No person shall be eligible for promotion to the cadre of Orissa Finance Service in super time scale of pay unless he has completed 15 years in the cadre of Orissa Finance Service Class II, Orissa Finance Service Class I (Junior Branch) and Orissa Finance Service Class I (Senior Branch) taken together on the 1st day of April of the year in which promotion is made.

11. Constitution of Selection Board.

(1) There shall be constituted a Selection Board to recommend promotion and selection to the Orissa Finance Service. (2) The composition of the Selection Board shall be as notified by Government.

12. Principles for promotion and selection.

(1) The Selection Board shall consider the cases of eligible officers for promotion and selection to different cadres of the service under Rule 3 and scrutinise the records and prepare lists of officers who in the opinion of the board, are suitable for appointment to the different cadres of the service by promotion or selection, as the case may be. The names of officers to be included in the list shall be twice the number of anticipated vacancies within a period of twelve months on the respective cadres. (2) [(a) The selection of persons for inclusion in the list for promotion under Clause (b) of Sub-rule (1) of Rule 3 shall be based on merit and suitability with due regard to seniority in their respective cadres. (b) The selection of persons for inclusion in the lists for promotion under Sub-rules (2), (3) and (4) of Rule 3 shall be based on merit and suitability with due regard to seniority. The names of the officers included in every such list shall be arranged in the order of their seniority in the cadre from which they are selected for promotion : Provided that any junior officer, who, in the opinion of the Selection Board, is of exceptional merit and suitability, may be assigned a place in the list higher than that of the officers senior to him. (c) The selection of persons for, inclusion in the list for appointment by selection under Clause (c) of Sub-rule (1) of Rule 3 shall be on the basis of outstanding merit and ability.](3) While drawing the list of officers for promotion to different cadres, the Board shall consider the officers in the list up to thrice the number of anticipated vacancies within a period of twelve months.

13. Consultation with Commission.

- The lists prepared in accordance with Rule 12 shall then be submitted to the Commission by the Chairman of the Selection Board under intimation to government along with the service records in respect of all persons included in the list and those proposed to be superseded for its concurrence.

14. [Recommendation of Commissioner. [Substituted vide Orissa Gazette Extraordinary No. 1711/19.12.1989-SRO No. 836/89/8.12.1989.]

(1)The Commission shall consider the lists prepared in accordance with Rule 12 and recommended to Government-(a)lists of persons for appointment to different cadres of the service or posts by promotion;(b)lists of persons for appointment to the cadre of the Orissa Finance Service, Class II by selection under Clause (c) of Sub-rule (1) of Rule 3.(2)In recommending the lists under Sub-rule (1), the Commission shall follow the principles laid down in Sub-rule (2) of Rule 12.] [Substituted vide Orissa Gazette Extraordinary No. 1711/19.12.1989-SRO No. 836/89/8.12.1989.]

15. Final list of selected person.

(1)The lists recommended by the Commission under Rule 14 shall be placed before Government and after approval with modification, if any, shall form the final list from which appointment shall be made.(2)The lists shall ordinarily be in force until fresh lists are prepared:Provided that the Government may, at any time in Consultation with the Commission, for grave lapse in conduct or deterioration in standard of performance of duty on the part of any person included in the list remove the name of such person from the list.

16. Reservation for Scheduled Caste and Scheduled Tribe.

- Notwithstanding anything contained in these rules, reservation of vacancies to be filled up by the persons belonging to Scheduled Caste and Scheduled Tribe and the method of filling up the same shall be as may be prescribed in the Orissa Reservation of Vacancies in the Services and Posts (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules framed thereunder.

17. Filling of the vacancies.

(1)Appointment to the service by direct recruitment shall be made in the order in which the names of the persons concerned appear in the list furnished by the Commission.(2)Appointment to the service by promotion and selection shall be made in the order in which the name of the persons concerned appear in the lists finally approved by the Government under Rule 15.

18. Seniority.

(1)The seniority of the persons appointed to the Orissa Finance Service Class II in any year shall be in the following order :(a)Persons appointed to the service on promotion under Clause (b) of Rule

3(1) shall rank inter se in the order in which their names are arranged in the list approved by the Government under Rule 15 and shall en bloc be senior to the persons appointed by direct recruitment and selection under Rule 3 (1);(b)The persons appointed to the service by selection under Clause (c) of Rule 3 (1) shall rank inter se in the order in which their names are arranged in the list approved by the Government under Rule 15 and shall en block be senior to the persons appointed to the service by direct recruitment.(c)Persons appointed to the service by direct recruitment on the basis of the Combined Competitive Examination shall rank in the order in which their names are arranged by the Commission.(2)The seniority of persons appointed to all other cadres in the service shall be in the order in which their names are arranged in the lists approved by Government under Rule 15.

19.

(1)On his appointment against a substantive vacancy an officer shall be placed on probation for a period of two years, if he is a direct recruit, or one year if he is a recruit by promotion or selection :Provided that Government may extend the period of probation or terminate the probation of an officer on grounds of unsatisfactory performance:Provided further that the Government may exempt, relax or reduce the period of probation of an officer, if he has already worked against a vacancy of temporary nature, for a period of two years or more, or a portion thereof, if he is a direct recruit for one year or more or a portion thereof if he is a recruit by promotion or selection, by the time a substantive vacancy occurs (or his absorption).(2)On successful completion of the probationary period and on passing the prescribed departmental examination an officer shall be confirmed against a substantive post.

20. Departmental examination.

- Every person appointed to Orissa Finance Service Class III shall, during the period of probation or appointment against a vacancy of temporary nature, pass such Departmental Examination as may be prescribed by Government from time to time.Provided that Government may, if they so think fit for reasons to be recorded in writing, exempt any person or class of persons from passing the Departmental examination.

21. Repeal and savings.

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

22. Interpretation.

- If any question arises relating to interpretation of these rules it shall be referred to the Government in Finance Department for decision.

23.

The Government may issue such instruction not in consistence with the provisions of these rules, as they consider necessary to regulate the matters not specifically covered by the provisions of these rules.