

The Orissa Secretariat Service (Junior) Rules, 1981

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Rule

THE-ORISSA-SECRETARIAT-SERVICE-JUNIOR-RULES-1981 of 1981

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The Orissa Secretariat Service (Junior) Rules, 1981Published vide Notification No. 56790/A, dated 2nd December, 1981, Orissa Gazette Extraordinary No. 1816, dated 31.12.1981Notification No. 56790/A, dated 2nd December, 1981. - 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 recruitment to the Orissa Secretariat Service (Junior), namely:

1. Short title and commencement.

(1)These rules may be called The Orissa Secretariat Service (Junior) Rules, 1981.(2)They shall come into force at once.

2. Definition.

- In these rules, unless the context otherwise requires-(a)"Committee" means the Selection Committee constituted under Rule 6;(b)"Department" means a Department of the Secretariat as prescribed in the Rules of Business framed under Clause (3) of Article 166 of the Constitution;(c)"Government" means the Government of Orissa;(d)"Service" means the Orissa Secretariat Service (Junior);(e)"Select List" means the list prepared under Rule 9;(f)["Senior Assistant" means an Assistant belonging to the cadre constituted in pursuance of the Resolution of Government in the Finance Department No 18035, dated the 7th April, 1981 as amended from time to time;] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.](g)"Year" means the calendar year.

3. Constitution of cadre.

- The cadre of the service shall consist of the post of Section Officers of different Departments and such other posts as the Government may from time to time, by a resolution, direct.

4. Cadre strength.

- The cadre of the service shall consist of such number of permanent and temporary posts of the categories specified in Rule 3, as the Government may from time to time, direct in this behalf.

5. Eligibility to the service.

(1)The posts of Section Officers in the cadre of the service shall be filled up by promotion, from among the permanent and officiating Senior Assistant working in the different Departments.(2)No Senior Assistant, who has not completed [nine years of service as such] [Inserted vide Orissa Gazette Part III-A No. 50/13.12.1985.] on or before the 1st January of the year in which the Committee meets, shall be eligible to be considered for promotion to the service.[Explanations - (a) Service as Senior Assistant shall include service as a Grade I or Grade II Assistant or as both prior to formation of the cadre of Senior Assistants;(b)For the purpose of computing nine years of service as Senior Assistant the actual date or deemed date of promotion, as the case may be, to such post shall be taken into consideration.]

6. Constitution of Selection Committee.

(1)There shall be constituted a Selection Committee for selection of Senior Assistants for promotion to the service.(2)The Committee shall consist of-

- (i) The Secretary to Government, Home Department ... Chairman
[Special Secretary or the Additional Secretary] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.]to Government,General Administration ... Member
- (ii) Department
- (iii) The Committee may co-opt one or more Secretary or Secretariesof the Departments as a member of the Committee;
The concerned[Joint Secretary or] [Inserted vide Orissa Gazette Part III-A No. 50/13.12.1985.]Deputy Secretary of theHome Department shall act as non-member Secretary of theCommittee.
- (iv)

7. Meeting of the committee.

- The Committees shall meet at intervals ordinarily not exceeding one year to transact its business; provided that the Committee may meet more that once in a year if the list has been exhausted or for any other good and sufficient reasons to be recorded in writing.

8. Supply of particulars of service and records by Department.

(1) Ordinarily by the 1st May of each calendar year the Department shall communicate to the Home Department in the form set forth in Appendix I to these rules the total number of vacancies [* * *] [Deleted vide Orissa Gazette Part III-A No. 50/13.12.1985.] in the service found at the time or likely to occur during the period of twelve months commencing from the said date. (2) [The Home Department shall prepare a consolidated list of vacancies reported by the Home Department of Government and place the same before the committee alongwith the gradation list prepared and maintained by the Home Department service particulars in the form set forth in Appendix II to these rules and Confidential Character Rolls of all the eligible Senior Assistants to be considered for promotion to the Service by the Committee.] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.] (3) On the request of Home Department the Department shall also furnish up-to-date confidential character rolls of all eligible Senior Assistants together with four attested copies of each of the same.

9. Preparation of fiat by the Selection Committee of Senior Assistants suitable for promotion to service.

- [(1) For preparation of the list of Senior Assistants fit for promotion to the Service as Section Officers, the Committee shall take into consideration the cases of Senior Assistants, four times number of vacancies included in the consolidated list placed before it under Sub-rule (2) of Rule 8 and prepare a list of Senior Assistants found fit for promotion to the Service.] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.] (2) Selection of Senior Assistants for inclusion in the list prepared by the Committee under Sub-rule (1) shall be based on merit and suitability with due regard to seniority. (3) Names of Senior Assistants considered fit for promotion to the service shall ordinarily be arranged in the order of their respective position in the gradation list as referred to in Sub-rule (2) of Rule 8 : Provided that any Senior Assistant who is of exceptional merit may be assigned a place higher than that of such Assistant Senior to him in the said gradation list. (4) The Committee shall set forth briefly the reasons for not recommending or for superseding a Senior Assistant. (5) The Committee shall subject to availability of Senior Assistants having minimum continuous service specified in Sub-rule (2) of Rule 5. having regard to the criteria for selection laid down, recommend not less than double the expected number of vacancies to the posts in the service during the year : Provided that the Committee may recommend less than double the number of expected vacancies, if adequate number of officers suitable for promotion, are not available or for reasons to be recorded in writing, they consider it inexpedient to recommend double the number of expected vacancies as aforesaid.

10. Approval of the list by Governmental.

- The list prepared by the Committee under Sub - rule (1) of Rule 9 shall be placed before the Government for approval and after such approval the list shall become final and shall be called as the select list. (2) The select list shall remain in force for a period of one year from the date of its approval by the Government or till the preparation of the next select list whichever is earlier.

11. Appointment to the service.

(1) Appointment to post in the service shall be made by Secretary, Home Department in order in which the names appear in the select list prepared. (2) When the select list is not in force or has been exhausted and it is necessary to make appointment urgently, appointment may be made to the service on ad hoc basis till the finalisation [on the basis of gradation list referred to in Sub-rule (2) of Rule 8.] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.]

12. Probation.

- Every officer appointed to the service shall be on probation for a period of one year : Provided that period of ad hoc appointment made under Sub-rule (2) [of Rule 11] [Inserted vide Orissa Gazette Part III-A No. 50/13.12.1985.] shall not count towards the period of probation : [Provided further that Government in the Home Department may, for good and sufficient reasons, extend the period of probation of Officer appointed to the service for a further period of one year and where the probationer's performance is found unsatisfactory and if no improvement is noticed during the extended period of probation, the probation may be terminated and the officer shall be reverted to the grade from which he was promoted.] [Substituted vide Orissa Gazette Part-III A-No. 9/2.3.1990.]

13. Removal of name from the select list.

- Government in the Home Department, may, at any time for grave lapse in the conduct or deterioration in the standard of performance of duties on the part of a Senior Assistant included in the select list, remove his name from such list : Provided that before removal of the name of any Senior Assistant from the select list, the persons concerned shall be offered an opportunity of being heard in the matter.

14. Inter se seniority.

- The inter se seniority of officers appointed to the service under these shall be in the order in which their names appear in the select list.

15. Conditions of service.

(1) Secretary to Department of Government will be the disciplinary authority in respect of section officers working in that Department. But in case of major penalty specified in Clause (iv) to (ix) of Rule 13 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 Secretary, Home Department will be the disciplinary authority. (2) The rules framed by the Government from time to time, governing the leave, pension, allowances and other conditions of service of the general State Service in Orissa, shall apply to the Officers of the service in so far as they are not inconsistent with these rules.

16. Interpretation.

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

17. Reservation of vacancies for Scheduled Castes and Scheduled Tribe.

- Vacancies in the service shall be reserved for appointment in favour of candidates belonging to Scheduled Castes and Scheduled Tribes and the same shall be filled up in accordance with the provisions contained in the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and rules made thereunder. Appendix I [See Rules 8 (1)]

1. Department

2. Number of vacancies in the rank of Section Officer [Level-II] [Added vide Orissa Gazette Part III-A/8.8.1986.] as on the 1st May of the year.

3. Number of vacancies likely to arise during the period from the 1st May of the year till the 30th April of the next year Certified that the above information is correct, on the basis of records Deputy Secretary to Government

[Appendix II] [Substituted vide Orissa Gazette Part III-A No. 50/13.12.1985.] [See Rule 8 (2)]

1. Name of Senior Assistant with name of Department at present working.

2. Date of birth.

3. Date of appointment to Government Service

4. Date of continuous officiation as Senior Assistant.

5. Total length of continuous valid service in the grade of Senior Assistant as on the first day of January of the year of report.

Joint/Deputy Secretary to Government.....Department.] [Inserted vide Orissa Gazette Part III-A No. 50/13.12.1985.]