

The Orissa Private Secretaries to Secretaries to Departments of Government Rules, 1974

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Rule

THE-ORISSA-PRIVATE-SECRETARIES-TO-SECRETARIES-TO-DEPARTMENTS-OF-1974

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The Orissa Private Secretaries to Secretaries to Departments of Government Rules, 1974Published vide Notification S.R.O. No. 125/74, dated 23rd February, 1974, Orissa Gazette Extraordinary No. 288/26.2.1974Notification S.R.O. No. 125/74, dated 23rd February, 1974. - 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, namely :

1. Short title and commencement.

(1)These rules may be called "The Orissa Private Secretaries to Secretaries to Departments of Government Rules, 1974".(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"Board" means the Selection Board constituted under Rule 5;(b)"Commission" means the Orissa Public Service Commission;(c)"Government" means the Government Of Orissa;(d)"Personal Assistants" means Personal Assistants belonging to the Orissa Secretariat Cadre of Stenographers and Personal Assistants and includes the personal Assistants to Governor of Orissa;(e)"Secretary" means a Secretary to the Government and includes a Special Secretary, an Additional Secretary, and ex-officio Secretary and an ex-officio Additional Secretary;(f)"Service" means the service of Private Secretaries constituted under these rules;(g)"Select List" means the list prepared under Sub-rule (1) of Rule 10;(h)"Year" means the calendar year.

3. Constitution of the cadre and cadre strength.

(1)The cadre of the service shall consist of the post of Private Secretary to the Chief Secretary and to each of the Secretaries to the Government and such other posts of private Secretaries as Government may, from time to time, specify by a resolution.(2)The cadre of the service shall consist of such number of permanent and temporary Posts of the categories specified in Sub-rule (1) as the Government may, from time to time by a resolution, determine.

4. Eligibility to the service.

(1)The Private Secretaries in the cadre of the service shall be filled up by promotion of permanent and officiating Personal Assistants.(2)No Personal Assistants, who has not completed five years of continuous service as a Personal Assistant on or before the 1st January of the year in which the Board meets, shall be eligible for promotion to the service :Provided that if in a particular year adequate number of Personal Assistants having continuous service of five years as Personal Assistants are not available, the [State Government] [Substituted vide Orissa Gazette Part III-A No. 6/11.2.1994.] may, for reasons to be recorded in writing and having regard to consideration of efficiency, reduce the aforesaid continuous service to such extent as they deem fit.

5. Constitution of Selection Board.

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

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|-------|---|----------|
| (i) | The Chairman or Member of the Orissa Public Service Commission, nominated by its Chairman | Chairman |
| (ii) | The Secretary to Government, Home Department | Member |
| (iii) | The Special Secretary to Government, Political and Services Department | Member |
| (iv) | The Secretary to Government, Finance Department | Member |

6. Meetings of the Selection Board.

- The Board shall ordinarily meet in the month of August at intervals ordinarily not exceeding one year :Provided that the Board may meet more than once in a year, if the list has been exhausted or for any other good and sufficient reason to be recorded in writing.

7. Preparation of a list by the Selection Board of Officers suitable for promotion to the service.

(1)The Board constituted under Rule 5 shall prepare a list of Personal Assistants fit for promotion to the service.(2)The selection of Personal Assistants for inclusion in the list prepared by the Board under Sub-rule (1) shall be based on merit and suitability with due regard to seniority and experience.(3)The names of Personal Assistants' considered fit for promotion to the service shall be

arranged, in order of their seniority inter se in the grade of Personal Assistants :Provided that any Junior Personal Assistant who in the opinion of the Board is of exceptional merit and suitability, may be assigned a place in the list higher than that of Personal Assistants senior to him.Explanation. - In case any doubt arises about the seniority inter se in the grade of Personal Assistants the seniority in the grade of Personal Assistants shall be determined with reference to the date of continuous officiation as Personal Assistant.(4)The Board shall set forth briefly, for the perusal of the Commission, the reasons for not recommending or for superseding a Personal Assistant, who is otherwise eligible to be considered, for promotion to the service.(5)The Board shall, subject to availability of Personal Assistants having the minimum continuous service specified in Sub-rule (2) of Rule 4, 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 period of twelve months commencing from the date of the meeting of the Board :Provided that the Board may recommend less than double the expected number of vacancies, if adequate number of Personal Assistants having continuous service of five years are not available or for reasons to be recorded in writing they consider it inexpedient to recommend double the number of expected vacancies during the period of twelve months aforesaid.

8. Consultation with the Commission.

(1)The list prepared under Sub-rule (1) of Rule 7 shall be referred to the Commission by the Home Department, together with a statement in the proforma prescribed in Appendix I. The confidential records of each Personal Assistant included in the said list together with confidential records of all Personal Assistants, who,are senior to the Personal Assistants included in the list shall be referred to the Commission.(2)The Commission shall consider the list along with the documents and confidential records received from the Home Department under Sub-rule (1) and may concur in the list unless it considers any change necessary:Provided that the Commission may call for such other information, or documents as in the opinion of the Commission, may be relevant for the purpose of consideration of the list prepared under Sub-rule (1) of Rule 7.

9. Review.

(1)The list prepared under Sub-rule (1) of Rule 10 shall be reviewed and revised every year by the Board in respect of officers who have not been confirmed in the service :Provided that the case of an officer, who has officiated in the service continuously for a period of three years on the basis of the list on the first day of January in the year in which the Board meets, shall be reviewed or his position in the list revised.(2)Personal Assistants, who are selected for the first time in any year under Rule 7 shall not be placed above the officers, whose names appear in the previous list and are officiating as such on the date on which the Board meets.(3)The Board shall set forth briefly, for the perusal of the Commission, the reasons for not recommending continuance of an officer in the list or for superseding an officer, whose name appeared in the previous said list.(4)The list of officers considered fit to continue in the said list by the Board, prepared in accordance with the provisions of this rule, shall be referred to the Commission by the Home Department together with the confidential record of each officer included or excluded from the previous list.(5)The Commission shall consider the reviewed list prepared by the Board along with documents received from the

Home Department under Sub-rule (4) and shall concur in the list unless it considers any change necessary :Provided that the Commission may call for such other information or documents as in the opinion of the Commission relevant for the purpose of the recommendations of the Board in this regard.

10. Preparation of the Select List.

(1)The lists prepared by the Board under Rule 7 and Rule 9 and the opinion of the Commission under Rule 8 and under Sub-rule (5) of Rule 9, shall be placed before the Government for approval after which the said list shall be final.(2)The list approved by Government under Sub-rule (1) shall ordinarily remain in force one year with effect from the date on which the said list has been approved by Government or until the next list is finalised whichever is later.

11. Removal of an officer from the Select List.

- Government may, at any time for grave lapse in the conduct or deterioration in the standard of performance of any officer included in the list, remove the name of such officer from the said list in consultation with the Commission.

12. Appointment to the service.

- Substantive and officiating appointment to the posts in the service shall be made by Government in the order in which the names appear in the list prepared under Rule 10 and for the time being in force.

13. Probation.

- Officers appointed to officiate in the service, shall be on Probation for a period of one year:Provided that continuous officiation in a post in the service shall count towards the probationary period :Provided further that Government may for good and sufficient reason extend the Period of probation of an officer of the service.

14. Seniority.

- The seniority inter se of officers appointed to the service shall be in the order indicated in the list approved by Government under Rule 10.

15. Pay and general conditions of service.

- [(1) Officers, appointed to the service shall draw pay in the scale of pay applicable to the Assistant Secretaries in the cadre of the Orissa Secretariat Service under the Orissa Secretariat Service Rules, 1980 as determined by the Government from time to time.] [Substituted vide Notification No. 11483-ST/4.3.1985.](2)In so far as they are not inconsistent with these rules, the rules framed by the

Government from time to time, governing the leave, pension, allowances and other conditions of service of officers of the State services in Orissa, shall apply to the officers of the service.

16. Interpretation.

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

1. Name of the officer.....

2. Educational qualifications.....

3. Date of birth.....

4. Date of first appointment to Government service and name of the post.....

5. Date of continuous officiation as Personal Assistant.....

6. Date of confirmation as Personal Assistant, if confirmed.....

7. Last post held and pay.....