

No.GAD-SC-RULES-0015-2011. 24385 /Gen

**GOVERNMENT OF ODISHA**  
**GENERAL ADMINISTRATION DEPARTMENT**

\*\*\*\*\*

Bhubaneswar Dated the 09 Oct.....2012

To

All Departments of Government

**SUB:- MODEL SERVICE RULES**

Departments of Government generally frame rules regulating **Method of Recruitment and Conditions of Service of persons for appointment to different services/ posts under their administrative control**. At the first instance, they seek the concurrence of either the General Administration Department or Law Department on the proposed draft rules. At times, it is seen that proper drafting procedure is not being followed by the Departments of Government while seeking concurrence of General Administration Department and Law Department. Sometimes information required for smooth scrutiny are not furnished while making references. As a result a lot of time is consumed during scrutiny of the draft rules.

2. It is, therefore, felt necessary to prepare a Model Service Rules to facilitate drafting of rules by the Departments of Government. A copy of the **MODEL SERVICE RULES** is annexed herewith for reference.

3. The Departments of Government are also advised to submit the following documents/ information while referring the files seeking concurrence of General Administration Department and Law Department, in order to facilitate smooth scrutiny.

- (1) Copies of existing principles, viz. Rules/ Regulations / Orders/ Instruction, with latest amendments followed for Recruitment and Conditions of Service of the relevant service/ post
- (2) A comparative statement of the principle(s) in vogue and the proposed principles in the draft service rules particularly in respect of following items alongwith reasons in case of differences.

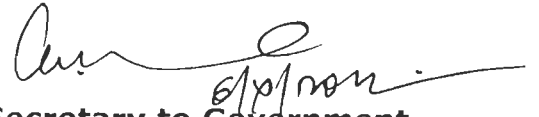
(a) Appointing Authority;

10/10

- (b) Recruiting Agency, viz. OPSC/OSSC/OSSSC/ Selection Committee/ Selection Board, etc;
- (c) Proportion of posts to be filled up by direct recruitment/ Promotion;
- (d) Constitution of DPC/ Selection Committee/ Selection Board in case of Promotion/ Selection;
- (e) Minimum and maximum age limit;
- (f) Eligibility Criteria/ Educational Qualifications/ Experience, etc. required for direct recruitment/ Promotion;
- (g) Physical Standards;
- (h) Recruitment Procedure(s);
- (i) Status of Cadre;
- (j) Probation and Confirmation;
- (k) Principle of fixation of seniority; and
- (l) Concessions, if any, to the reserved categories/ Departmental Candidates.

(3) The promotional hierarchy of the post(s) in a cadre for which the draft rules are proposed alongwith views if the promotional posts are not being incorporated in the said draft rules and the copies of Rules/ Regulations / Orders/ Instruction with latest amendments applicable to the said promotional posts.

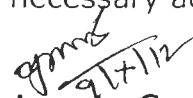
4. The MODEL SERVICE RULES have been concurred in by the Law Department vide their **UOR No.108/L, Dated. 17/01/2012.**



**Special Secretary to Government**

**Memo No. 24386 /Gen Dated. 09 Oct 2012**

Copy forwarded to the Secretary, OPSC, Cuttack/ all Sections of G. A. Department/ Twenty Copies to G.A. Department Library/ Ten Spare Copies to Service Condition Branch for favour of Information and necessary action.



**Under Secretary to Government**

GOVERNMENT OF ODISHA  
(NAME OF THE DEPARTMENT)

\*\*\*

NOTIFICATION  
Service Rule Basics

**PART I**  
**GENERAL**

1. *Short title and commencement-*
2. *Definitions-*
3. *Constitution of Service/cadre-*

**PART II**  
**METHODS OF RECRUITMENT**

4. *Methods of Recruitment-*
5. *Reservations-*

**PART III**  
**DIRECT RECRUITMENT**

6. *Recruitment Procedure-*
7. *Eligibility Criteria for Direct Recruitment*
8. *Constitution of Selection Board/ Selection Committee-*  
*(The same committee constituted u/r 11 may also be given the power for direct recruitment)*

**PART IV**  
**PROMOTION**

9. *Eligibility Criteria for Promotion-*
10. *Combined Gradation list for the purpose of Promotion-*  
*(when no specific percentage is specified for any cadre & promotion proposed to be made from heterogeneous cadre)*
11. *Constitution of Committee/Board-*
12. *Procedure for Selection by the Committee/Board-*
13. *Consultation with the Commission-(for Group A & B posts only)*
14. *Select List-*

**PART V**  
**OTHER CONDITIONS OF SERVICE**

15. *Probation and Confirmation-*
16. *Training & Departmental Examination-(if any)*
17. *Inter-se Seniority-*
18. *Other Conditions of Service-*

**PART VI**  
**MISCELLANEOUS**

19. *Relaxation-*
20. *Interpretation-*
21. *Power to issue Instructions-*

**GOVERNMENT OF ODISHA**

*(Name of Department)*

**NOTIFICATION**

Bhubaneswar dated the .....

No. (file no.).\_\_\_\_\_ /.....- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of the .....Rules/ Regulations / Orders/ Instruction; except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the ..... Services/ posts of ....., namely:-

OR

*(In case rules are being framed by government under the provisions of any Act)*

*For Example- in case of Odisha Police Service*

No. (file no.).\_\_\_\_\_ /.....- In exercise of the powers conferred under section 2 of the Police Act, 1861 and in supersession of the .....Rules/ Regulations / Orders/ Instruction; except as respects things done or omitted to be done before such supersession, the State Government do hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the ..... Services/ posts of ....., namely:-

**PART I  
GENERAL**

**1. Short title and commencement-** (1) These rules may be called the .....(Methods of Recruitment and Conditions of Service) Rules, .....

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

**2. Definitions-** (1) In these rules unless the context otherwise requires-

- (a) "Board" means the Selection Board constituted under rule 11;
- (b) "Commission " means the Odisha Public Service Commission;
- (c) "Commission" means Odisha Staff Selection Commission;
- (d) "Committee" means the Departmental Promotion Committee/ Selection Committee constituted under rule 11;
- (e) "Ex-servicemen" means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (f) "Government" means the Government of Odisha;
- (g) "Persons with Disabilities" means persons who have been granted with disability certificates by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Odisha Rules, 2003;
- (h) "Scheduled Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Article 341 and 342 of the Constitution of India, respectively;
- (i) "SEBC" means the Socially and Educationally Backward Classes referred to in the Orissa Reservation of Posts and Service (for Socially and Educationally Backward Classes) Act, 2008 (Orissa Act 6 of 2009)
- (j) "Service" means the Odisha ..... Service;
- (k) "sportsmen" means persons who have been issued with identity card as sportsmen by the Director, Sports as per Resolution No.

24808/Gen. dated 18<sup>th</sup> November 1985 of General Administration Department; and

(1) "Year" means the Calendar Year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

(These are some of the standard definitions; Administrative Departments may make addition or deletion of definitions in order to meet their requirements)

**3. Constitution of Service/cadre** - The Service/Cadre shall consist of

.....

OR

(When the service is composed of different categories of posts)

The Service shall consist of such Group A, Group B, Group C and Group D posts as specified in column 2 of **APPENDIX A**.

## PART II METHODS OF RECRUITMENT

**4. Methods of recruitment**- Subject to other provisions made in these rules, the recruitment to the Posts in the service shall be made by the following methods, namely:-

- (a) in respect of the post of ..... by competitive examination in accordance with rule ....., and
- (b) in respect of the posts of ..... by promotion in accordance with rule .....

OR

(When the service is composed of different categories of posts)

The method of recruitment to the posts in the service in column 2 of **APPENDIX A** shall be as specified against each in column 3 thereof.

[In case a post is partly filled up by direct recruitment and another part by promotion, the ratio between the two should be clearly mentioned]

**5. Reservations-** Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for-

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under; and

(b) SEBC, women, sportsmen, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, rules, orders or instructions issued in this behalf by the Government from time to time.

### PART III DIRECT RECRUITMENT

**6. Recruitment Procedure-** (1) Recruitment to the post of ..... in the service shall be made by way of competitive examination (or otherwise) to be held once a year.

(2) The competitive examination ( ..... ) shall be conducted by the ..... The date on which and the places at which the examination are to be held shall be fixed by the .....

(3) The standard, syllabus and subjects of examination shall be as set forth in **Appendix B**.

(4) Determination of vacancies, advertisement of vacancies and communication of results shall be as set forth in **Appendix C**.

**7. Eligibility criteria for Direct Recruitment-** In order to be eligible for direct recruitment a candidate shall have to satisfy the following conditions, namely:-

- (1) **Nationality:** A candidate must be a citizen of India.
- (2) **Age Limits:** A candidate must have attained the age of 18/21 years and must not be above the age of 32 years.

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 5 shall be relaxed in accordance with the provisions of the Act, rules, orders or instructions, for the time being in force, for their respective categories.

- (3) **Knowledge in Odia:** He must be able to read, write and speak Odia; and have-

(a) passed Middle School examination with Odia as a language subject; or

(b) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or

(c) passed in Odia as language subject in the final examination of Class VII from a school or educational institution recognized by the Government of Odisha or the Central Government ;or

(d) passed a test in Odia in Middle English School Standard conducted by the School and Mass Education Department.

- (4) **Marital Status:** A candidate if married must not have more than one spouse living:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule.



- (5) **Minimum Educational Qualification:** The candidate must have possessed .....

OR

(When the service is composed of different categories of posts)

The educational qualification of the candidate must be as specified in column 4 of APPENDIX A against respective posts.

- (6) **Physical Fitness:** A candidate must be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.

**8. Constitution of Selection Board/ Selection Committee:**

(This shall be the case where recruitment is not made by any agency such as OPSC, OSSC etc. The committee/ Board constituted u/r-11 may also be assigned to conduct direct recruitment)

**PART IV  
PROMOTION**

**9. Eligibility Criteria for Promotion-** .....

(Besides other criteria, if any, a person must under go a minimum period of continuous service in the feeder grade in order to be eligible for promotion)

The eligibility criteria for Promotion shall be as specified in column 5 of APPENDIX A against respective posts. (When the service is composed of different categories of posts)

Health & Family Welfare Department have prescribed a minimum period of service to be rendered in KBK Districts and TSP Areas as an eligibility criteria for

*promotion in Orissa Health and Medical Service- such provision may find place under rule 9)*

**10. Combined Gradation list for the purpose of Promotion- .....**

- (i) When promotion is made from heterogeneous posts it is necessary to prepare a combined gradation list for the purpose of consideration by the committee on the basis of date of appointment.)
- (ii) When promotion is made from heterogeneous posts proportionately, such a provision is not necessary. However, provision should be there to the effect that while making recommendations for promotion the committee must ensure the position of officers/employees recommended for promotion on the basis of their date of appointment in the feeder grades.)

**11. Constitution of Committee/Board-** (1) There shall be constituted a Selection Committee, Special Recruitment Board, Departmental Promotion Committee or the Selection Board consisting of the following members to consider the cases of promotion from ..... to....., namely:-

- (a) ..... Chairman
- (b)..... Member
- (c)..... Member
- (d)..... Member-Convenor/ Secretary

(2) The recommendation of the Selection Committee, Special Recruitment Board or the Selection Board, as the case may be, shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting

**12. Procedure for Selection by the Committee/Board-** (1) The Committee/Board shall meet at least once in a year preferably in the month of January to prepare a list of officers/employees, as are held by them, suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Committee while considering the promotion cases of suitable officers/employees and preparation of the list shall follow the provisions of –

(a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under,

(b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,

(c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992, and

(d) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

**13. Consultation with the Commission-** (1) The recommendations of the committee shall be referred to the Commission for concurrence along with a list of all eligible candidates, including those who has not been recommended together with the service particulars relating to their academic qualification, teaching experience, research and field experience, if any.

(3) The commission shall consider the list alongwith the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government

(This provision is required for Group A and Group B posts only as per the provisions of the OPSC (Limitations of functions) Regulations, 1989 )

**14. Select List-** (1) The recommendations of the commission in respect of reference made to it under sub-rule (1) of rule 11 shall after being approved by Government form the select list.

(2) The lists referred to under sub-rule(1) shall ordinarily be in force for a period of one year from the date of its approval by the Government or until another select list is prepared afresh whichever is earlier.

(3) Appointment to any post in the service shall be in the order in which their names appear in the select list.

#### **PART V OTHER CONDITIONS OF SERVICE**

**15. Probation and Confirmation-** (1) Every person appointed to any grade/ post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post: \_\_\_\_\_

Provided that the appointing authority may, if think fit, in any case or class of cases, extend the period of probation for another year:

Provided further that such period of probation shall not include-

- (a) extraordinary leave;
- (b) period of unauthorized absence; or
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer may, for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period, if any, and after such termination, the employee shall deem to be reverted to his/ her former cadre/post, if he/she is a promotee.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to the availability of substantive vacancy in the service.

(Where provision of passing of Departmental Examination, Training etc is mandatory during the period of probation, confirmation shall be subject to passing of Departmental Examination, Training, etc)

**16. Training and Departmental Examination-**

(if any).....

**17. Inter-se-seniority-** The inter-se seniority of the persons appointed to any post in the service in a particular year shall be in the order in which their names appear in the select list.

(This shall be the case when appointment is made from a single list prepared either by direct recruitment, promotion or selection)

OR

The *inter se* seniority of the officers/ employees in a recruitment year shall be in the following order and in each category the *inter se* seniority shall be determined in the following manner:-

- (ii) Promotee officers shall be ranked *inter-se* in the order of their dates of appointment to the service.
- (iii) officers appointed by means of selection shall be ranked *inter-se* in the order of their dates of appointment to the service.
- (iv) Direct Recruit officers shall be ranked *inter-se* in the order in which their names appear in the merit list prepared by the commission:

(This shall be the case when appointment is made from different lists prepared for appointment by way of direct recruitment, promotion and selection)

**18. Other conditions of service-** The conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.

**PART IV  
MISCELLANEOUS**

**19. Relaxation-** When it is considered by the Government 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 of the provisions of these rules in respect of any class or category of the employees.

**20. Interpretation-** If any question arises relating to the interpretation of these rules, it shall be referred to Government whose decision thereon shall be final.

**21. Power to issue Instructions-** The Government may also issue instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

**APPENDIX A**  
[see rule 3,4, 7(5)& 9]

Sl No	Name of the Post/ Category(Group A, B, C or D)/Appointing Authority	Method of Recruitment	Minimum qualification for Direct Recruitment	Eligibility Criteria for Promotion
1	2	3	4	5
<b>Example Given Below</b>				
1.	Fire Officer (Group A)/ Government	Promotion from Deputy Fire Officer	-	Two years continuous service as Deputy Fire Officer & must have passed Departmental Examination in Accounts conducted by the Board of Revenue
2.				
3.				
4.	Fireman ( Mechanical) (Group C)/Chief Fire Officer	Direct Recruitment	Must have passed High School Certificate or equivalent examination from any recognised Board or Council or any other institution being affiliated by the appropriate authority with ITI from a recognised Institution --	-
5.				
6.				
7.				
8.				
9.				
10.				

**APPENDIX B**  
[see rule 6(3)]

**STANDARD, SYLLABUS AND SUBJECTS OF EXAMINATION**

**APPENDIX C**  
[see rule 6(4)]

**DETERMINATION OF VACANCIES, ADVERTISEMENT OF VACANCIES  
AND COMMUNICATION OF RESULTS**

By order of the Governor

Secretary to Government