

**ORISSA FINANCE SERVICE RULES, 2011**

**FINANCE DEPARTMENT**

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## FINANCE DEPARTMENT

### NOTIFICATION

The 6th June, 2011

No.26050-OFS-II (P)-98/2011/F.— 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 to regulate the method of recruitment and conditions of service of persons appointed to the Orissa Finance Service, namely:—

### PART-I

### GENERAL

#### 1. Short title and commencement

- (1) These rules may be called the Orissa Finance Service Rules, 2011.
- (2) They shall come into force with effect from 28th February, 2009.

#### 2. Definitions

- (1) In these rules unless the context otherwise requires:—
  - (a) "Commission" means the Orissa Public Service Commission;
  - (b) "Board" means Selection Board constituted under rule-8;
  - (c) "Department" means the Finance Department;
  - (d) "Government" means the Government of Orissa;
  - (e) "Persons with Disabilities (or Physically Handicapped Persons)" means a person who would be granted a disability certificate by competent authority as per the provisions under rule 4 of the Persons with Disabilities (Equal Opportunities, Protection of Right, and Full Participation) Orissa Rules,2003;

- (f) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time under Articles 341 and 342 of the Constitution of India, respectively;
- (g) "SEBC" means the Socially and Educationally Backward Classes of citizens other than the Scheduled Castes and Scheduled Tribes as may be specified by the State Government from time to time in the list under the Orissa State Commission for Backward Classes Act,1993.
- (h) "Sportsperson" means a person who would be issued with identity card as sportsperson by the Director, Sports as per Resolution No.24808/Gen. dated 18th November,1985 of General Administration Department;
- (i) "Ex-servicemen" means a person as defined in the Orissa Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules,1985;
- (j) "Probation" means a member of the service appointed on probation;
- (k) "Select List" means the list finally approved by the Government containing the names of officer considered suitable for promotion in consultation with the Commission;
- (l) "Service" means Orissa Finance Service ;and
- (m) "Year" means the Calendar Year.

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

### **3. Constitution of the Service**

The Service shall comprise the following cadres, namely:—

- (i) Orissa Finance Service Group 'A' (Junior Branch)
- (ii) Orissa Finance Service Group 'A' (Senior Branch)
- (iii) Orissa Finance Service (Supertime Grade)
- (iv) Orissa Finance Service (Superior Administrative Grade)
- (v) Orissa Finance Service (Special Secretary Grade)

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

**4. Methods of Recruitment**

Subject to the provisions of these rules recruitment to the different cadres of the Service shall be made by the following methods, namely:—

(a) Not less than fifty percent of the posts in Group 'A' (Junior Branch) of the Service shall be filled up by direct recruitment through Combined Competitive Recruitment Examination conducted by the Commission in accordance with the Orissa Civil Services (Combined Competitive Recruitment Examination) Rules,1991 and not more than fifty per cent of the posts by promotion from Orissa Taxation and Accounts Service; and

(b) in respect of Group 'A' (Senior Branch), Supertime Grade, Superior Administrative Grade and Special Secretary Grade of the Service, by promotion.

**5. Reservations**

Notwithstanding any thing contained in these rules reservation of vacancies for —

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

(b) SEBC, Women, Sportpersons, Ex-servicemen and Physically Handicapped persons shall be made in accordance with the provisions made under such Acts, rules, orders or instructions issued in this behalf by the Government from time to time.

**PART-III**  
**PROMOTION**

**6. Eligibility Criteria for Promotion to the post of OFS Group 'A' (Junior Branch)—** No member of the Orissa Taxation and Accounts Service shall be eligible for promotion to the Orissa Finance Service Group-A (Junior Branch) unless he / she has completed six years of service in the Orissa Taxation and Accounts Service on the 1st day of January of the year in which the Board meets:

## **7. Eligibility Criteria for Promotion to the posts other than the posts of OFS Group 'A' (Junior Branch)**

(1) No person shall be eligible for promotion to the cadre of Orissa Finance Service Group 'A' (Senior Branch) unless he/ she has completed at least six years of continuous service in the cadre of Orissa Finance Service Group 'A' (Junior Branch) as on the 1st day of January of the year in which the Board meets:

Provided that persons recruited to Orissa Finance Service Group 'B' in accordance with Orissa Finance Service Rules, 1979 shall be eligible for promotion to Orissa Finance Service Group 'A' (Senior Branch) if he/she has completed at least six years of continuous service in Orissa Finance Service Group 'B' and Orissa Finance Service Group 'A' (Junior Branch) taken together on the 1st day of January of the year in which the Board meets:

(2) No person shall be eligible for promotion to the cadre of Orissa Finance Service (Supertime Grade) unless he/she has completed at least ten years of continuous service in the cadre of Orissa Finance Service Group 'A' (Junior Branch) and Orissa Finance Service Group 'A' (Senior Branch) taken together on the 1st day of January of the year in which the Board meets:

Provided that persons recruited to Orissa Finance Service Group 'B' in accordance with Orissa Finance Service Rules, 1979 shall be eligible for promotion to Orissa Finance Service (Supertime Grade) if he/she has completed at least ten years of continuous service in the cadre of Orissa Finance Service Group 'B', Orissa Finance Service Group 'A' (Junior Branch) and Orissa Finance Service Group 'A' (Senior Branch) taken together as on the 1st day of January of the year in which the Board meets:

(3) Appointment to Orissa Finance Service (Superior Administrative Grade) and Orissa Finance Service (Special Secretary Grade) shall be made on promotion from amongst the officers of Orissa Finance Service (Supertime Grade) and Orissa Finance Service (Superior Administrative Grade) respectively on the basis of merit and suitability with due regard to seniority.

## **8. Constitution of Selection Board**

(1) (a) There shall be constituted a Board consisting of the following members to consider the cases of promotion to Group 'A' (Senior Branch),

Supertime Grade, Superior Administrative Grade and Special Secretary Grade of the service namely :—

- |  |                    |
|--|--------------------|
| (i) Chief Secretary  | ...Chairman        |
| (ii) Secretary to Government, Finance Department           | ...Member          |
| (iii) Commissioner, Commercial Taxes, Orissa               | ...Member          |
| (iv) Special Secretary to Government<br>Finance Department | ...Member Convenor |

(b) There shall be constituted another Board consisting of the following members to consider the cases of promotion from Orissa Taxation and Accounts Service to Group 'A' (Junior Branch) of the service namely :—

- |  |              |
|--|--------------|
| (i) Secretary to Government, Finance Department  | ...Chairman  |
| (ii) Commissioner, Commercial Taxes, Orissa  | ...Member    |
| (iii) Director of Treasuries & Inspection, Orissa  | ...Member    |
| (iv) An officer of Finance Department not below<br>the rank of Deputy Secretary ( in-charge of OFS<br>Establishment) | ... Convenor |

(2) The recommendations of the Board 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 Board and the majority of members of the Board attended the meeting.

### **9. Procedure for Selection by the Board**

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

(2) The Board while considering the promotion cases of suitable officers and preparation of the lists shall follow the provisions of –

- (a) the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988;
- (b) the Orissa Civil Services (Criteria for Promotion) Rules, 1992 and;

(c) the Orissa Civil Services (Criteria or Selection for appointment including Promotion) Rules,2003.

Provided that in case of promotion to Group 'A' (Junior Branch) cadre, the Reservation of vacancies in posts and services (for Scheduled Castes and Scheduled Tribes) Act,1975 and the rules made thereunder shall also be followed.

#### **10. Consultation with Commission**

The recommendations of the Board under sub-rule (2) of Rule 8 shall be referred to the Commission along with service particulars in respect of all persons included in the list for its concurrence including those whose cases have not been recommended for promotion.

#### **11. Recommendation of Commission**

The Commission shall consider the lists prepared in accordance with rule 8 and recommend to the Government the lists of persons for appointment to different cadres in the Service by promotion.

#### **12. Select List**

(1) The lists recommended by the Commission under rule 11 shall be placed before Government and after approval shall form the select list,

(2) The lists shall ordinarily be in force for a period of one year or until fresh select lists are prepared which ever is earlier:

Provided that the Government may, at any time in consultation with Commission, for grave lapse in conduct or deterioration in standard of performance of duties on the part of any person included in the select list, remove the name of such persons from the list.

### **PART-IV**

#### **OTHER CONDITIONS OF SERVICE**

#### **13. Appointment to the Service**

(1) Appointment to the Service by direct recruitment shall be made in the order in which the names of the persons appear in the select list furnished by the Commission.

(2) Appointment to the Service by promotion shall be made in the order in which the names of the persons appear in the select list under rule 12.

**14. *Inter se seniority***

(1) The *inter se seniority* of the persons appointed to the Service in a particular year shall be in the order in which their names appear in the select list.

(2) The *inter se seniority* of the persons appointed to Group 'A' (Junior Branch) of the service in a particular year shall be in the order in which their names appear in the list prepared by the Commission.

(3) The persons appointed by promotion in Group 'A' (Junior Branch) of the Service shall en bloc be senior to those appointed by direct recruitment in that year.

**15. Probation and Confirmation**

(1) On appointment against a substantive vacancy, an officer shall be placed on probation for a period of two years, if he/she is a direct recruit, or one year, if he/she is a recruit by promotion from the date of joining in the post:

Provided that Government may extend the period of probation or terminate the appointment on the ground of unsatisfactory performance in case of direct recruit or revert to feeder grade in case of promotee as the case may be:

Provided further that Government may exempt or reduce the period of probation of an officer, if he/she has already worked against a vacancy of temporary nature for a period of two years or more or a portion thereof, if he/she is a direct recruit or one year or more or a portion thereof, if he/she is a recruit by promotion, by the time a substantive vacancy occurs for his/her absorption.

(2) On successful completion of probationary period and on passing the prescribed Departmental Examination an officer shall be confirmed against a substantive post.

**16. Departmental Examination**

Every person appointed to Orissa Finance Service Group 'A' (Junior Branch) of the service, shall during the period of probation or appointment against a vacancy of temporary nature pass such Departmental Examination as may be prescribed by the 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.



**17. Training**

(1) Every person appointed to Group 'A' (Junior Branch) of the Service by way of direct recruitment shall have to successfully complete one year Induction Training during the period of probation at Madhusudan Das Regional Academy of Financial Management for confirmation in Group 'A' (Junior Branch) of the Service.

(2) Every person appointed to Group 'A' (Junior Branch) of the Service by way of promotion shall have to successfully complete four months Institutional Training during the period of probation at Madhusudan Das Regional Academy of Financial Management for confirmation in Group 'A' (Junior Branch) of the Service.

**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 Government.

**PART-V****MISCELLANEOUS****19. Relaxation**

When it is considered by the Government that it is necessary or expedient so to do in public interest, it may, by order, for reasons to be recorded in writing, relax any provision of these rules in respect of any class or category of the employees in consultation with the Commission.

**20. Interpretation**

If any question arises relating to interpretation of these rules, the decision of the Government in Finance Department thereon shall be final.

**21. Repeal and Savings**

Orissa Finance Service Rules, 1979, regulations, instructions or orders in force immediately before the commencement of these rules in respect of the matters relating to the Service and covered by these rules are hereby repealed:

Provided that notwithstanding any order or appointment made or action taken or things done under these rules, regulations, instructions or orders so repealed shall be deemed to have been made, taken or done under corresponding provisions of these rules.

**22. Power to issue instructions**

The Government may also issue executive instructions not in consistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

By order of the Governor

JUGAL KISHORE MOHAPATRA

Principal Secretary to Government