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## HOME DEPARTMENT

### NOTIFICATION

The 28th January 2011

No. 4630—SPS/1-64/2009(Pt.)-SPS.—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 Police Service Group A (Junior Branch), namely :—

#### 1. Short title and commencement :

(1) These rules may be called the Orissa Police Service Group A (Junior Branch) Recruitment Rules, 2010.

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

#### 2. Definition :

(1) In these rules, unless the context otherwise requires :—

(a) “Commission” means the Orissa Public Service Commission;

(b) “Committee” means the Departmental Promotion Committee constituted under Rule 8;

(c) “Ex-serviceman” means a person as defined in the Orissa Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

(d) “Government” means the Government of Orissa;

(e) “Probationer” means a person appointed to the service on probation and shall include a person appointed to officiate in the Orissa Police Service Group A (Junior Branch) prior to commencement of these rules;

(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) "Select list" means the list finally approved by the Government containing the names of the officers considered suitable for promotion in consultation with the Commission;
- (i) "Service" means the Orissa Police Service Group A (Junior Branch);
- (j) "Sports person" means a person who would be issued with identity Card as sportsman by the Director, Sports as per Resolution No.24808-Gen., dated 18th November, 1985 of General Administration Department. and
- (k) "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 meanings as respectively assigned to them in the Orissa Service Code.

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

The service shall consist of the posts in the Orissa Police Service Group A (Junior Branch)

### **4. Method of Recruitment :**

Subject to other provisions made in these rules, recruitment to the service shall be made by the following methods, namely :

(a) Not more than 50% of the vacancies arising in a recruitment year, subject to a maximum limit as prescribed by Government from time to time, shall be filled up by direct recruitment through Combined Competitive Examination conducted by the Commission :

Provided that the representation of direct recruits shall in no circumstances exceed 1/3rd of the total cadre strength of the service.

(b) The remaining vacancies shall be filled up by promotion of Inspectors of Police, which shall not include—

- (i) Reserve Inspector;
- (ii) Subedar & Subedar Major;
- (iii) Mechanical Inspector/Subedar M. T.;
- (iv) Scientific Officer (FSL);
- (v) Inspector, Building; and
- (vi) Inspector, Fingerprint Bureau/Handwriting Bureau/Photo Bureau/Dog Squad/Computer.

## **5. Reservation :**

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 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, Sports person and Ex-servicemen shall be made in accordance with the provisions made under such rules, orders or instructions issued in this behalf by the Government from time to time.

## **6. Recruitment by Competitive Examination :**

Direct Recruitment to the service shall be governed under the provisions of the Orissa Civil Services (Combined Competitive Recruitment Examination) Rules, 1991.

## **7. Recruitment by Promotion :**

No officer shall be considered for promotion unless :—

(i) On the first day of January of the year in which the vacancy occurs, he/she has rendered at least 5 years of continuous service in the rank of Inspector of Police.

(ii) He/she has passed the Departmental examination, if any, prescribed for the post.

## **8. Constitution of Departmental Promotion Committee :**

(1) There shall be constituted a Committee for selection of officers for promotion to the service with the following members, namely :—

- |  |    |          |
|--|----|----------|
| (a) Principal Secretary to Government,<br>Home Department  | .. | Chairman |
| (b) D. G. & I. G. of Police, Orissa  | .. | Member   |
| (c) An Officer not below the rank of D. I. G. of Police<br>Nominated by the D. G. & I. G. of Police, Orissa. | .. | Member   |
| (d) Under-Secretary /Deputy Secretary to Govt.,<br>Home Department.  | .. | Convener |

(2) The recommendation of the Committee 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.

## **9. Meeting of Departmental Promotion Committee :**

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

(2) The Committee, while considering the promotion cases of suitable officers and preparation of the list, shall follow the provisions of :

- (a) the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder or any other law/ rule in force at the relevant time;
- (b) the Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988;
- (c) the Orissa Civil Services (Criteria for Promotion) Rules, 1992; and
- (d) the Orissa Civil Services (Criteria for Selection for Appointment including (Promotion) Rules, 2003.

#### **10. Consultation with the Commission :**

(1) The list prepared by the Committee in accordance with Rule 9, shall be referred to the Commission for concurrence along with the list of all eligible officers including those who have not been considered for promotion, together with their service particulars.

(2) The Commission shall consider the list prepared by the Committee along with other documents received and furnish its recommendation to the Government for approval.

#### **11. Select list :**

(1) The recommendation of the Commission under sub-rule (2) of Rule 10 after being approved by Government shall form the select list for appointment to the service.

(2) The select list shall ordinarily be in force for a period of one year or until another select list is prepared afresh whichever is earlier :

Provided that the Government may, in consultation with the Commission, for a grave lapse in the conduct or deterioration in the standard of performance on the part of any such officer included in the select list, remove his/her name from the select list.

#### **12. Filling up of Vacancies :**

(1) Appointment to the service by direct recruitment shall be made in the order in which the names of the persons appear in the merit 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.

#### **13. Training :**

(1) Every person so appointed shall undergo such training as may be prescribed by Government in the regulation made for the purpose.

#### **14. Inter se Seniority :**

(1) The *inter se* seniority of officers appointed to the service in a particular year shall be in the order in which their names appear in the list prepared by the Commission :

Provided that the officers appointed on promotion shall en-block be senior to those appointed by direct recruitment for that year.

**15. Probation and Confirmation :**

(1) Every officer appointed to the service shall be on probation for a period of two years in case of direct recruitment and one year in case of promotion from the date of their joiningn :

Provided that the appointing authority may, if thinks fit, in any case or class of casses, extend the period of probation :

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 anytime 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 parent grade in case of promotion or terminated from service in case of direct recruitment.

(3) A probationer after completion of the period of probation to the satisfaction of Government and after successful completion of Training under Rule 13 and passing of the Departmental examination as may be prescribed shall be eligible for confirmation subject to the availability of permanent post in the service.

**16. Other conditions of Service :**

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

**17. 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 in consultation with the Commission.

**18. Interpretation :**

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

**19. Repeal and Savings :**

All rules, regulations, instructions or orders in force immediately before the commencement of these rules in respect of matters relating to the service and covered by these rules are hereby repealed :

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

**20. 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.

By order of the Governor

**U. N. BEHERA,**

Principal Secretary to Government

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