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LAW DEPARTMENT

NOTIFICATION

The 18th August, 2017

S.R.O. No. 368/2017 - 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 or Instruction so far as it relates to posts mentioned in these rules, 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 Group-‘B’ and Group-‘C’ posts in the Law Department’s Library, namely:—

1. Short title and commencement.— (1) These rules may be called the Odisha Secretariat Law Department Library, Group-‘B’ and Group-‘C’ posts (Method of Recruitment and Conditions of Service) Rules, 2017.

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

2. Application. — These rules shall apply to the posts of Librarian, Assistant Librarian and Pasting Clerk and to any other posts as may be created, from time to time, for the Law Department Library by the Government.

3. Definitions. — (1) In these rules, unless the context otherwise requires, —

- (a) “Commission” means the Odisha Public Service Commission;
- (b) “Committee” means the Selection Committee constituted under sub-rule (3) of rule 8;
- (c) “Ex-Serviceman” means a person as defined in the Odisha Ex-Servicemen (Recruitment to the State Civil Services and Posts) Rules, 1985;
- (d) “Government” means the Government of Odisha;
- (e) “OSSC” means the Odisha Staff Selection Commission constituted under the Odisha Staff Selection Commission Rules, 1993;

- (f) "Persons with Disabilities" means persons who have been granted with disability certificates by the competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Odisha Rules, 2003;
- (g) "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 articles 341 and 342 of the Constitution of India, respectively;
- (h) "Socially and Educationally Backward Classes" means the Backward Classes citizens as defined in clause (a) of section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (i) "Sportsperson" means persons who have been issued with identity card as sportsperson by the Director Sports, Odisha as per Resolution No.24808/Gen., dated 18th November, 1985 of General Administration Department; and
- (j) "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.

4. Classification of Posts. — (1) The post of Librarian and the Assistant Librarian shall be in Group-'B' and the post of Pasting Clerk shall be in Group-'C'.

(2) The persons appointed to the posts of Librarian and Pasting Clerk prior to commencement of these rules continuing as such shall be deemed to have been appointed under these rules.

(3) The Government may, by order, determine, from time to time, the number of posts in each category specified in sub-rule (1).

5. Method of recruitment.— Subject to the other provisions made in these rules, the recruitment to the posts in the service shall be made by the following method, namely: —

- (a) in respect of the posts of Assistant Librarian and Pasting Clerk by direct recruitment, respectively, in accordance with rules 9 and 10; and
- (b) in respect of the post of Librarian by promotion in accordance with rule 8.

6. Reservation of posts and other concession. — Notwithstanding anything contained in these rules, reservation, relaxation of age limit and other concessions as provided for the Scheduled Castes and Scheduled Tribes, SEBC, Women, Sportsmen, Ex-servicemen and

Person with Disabilities shall apply in accordance with the provisions made under such Act and rules made thereunder and under Order, Rules, Instructions or Resolutions issued in this behalf by the Government, from time to time.

7. Eligibility criteria for direct recruitment.— (1) Save as provided in these rules, a candidate in order to be eligible for direct recruitment to the post of Assistant Librarian and Pasting Clerks must:—

- (a) be a citizen of India;
- (b) be of good character;
- (c) have not more than one spouse, if married:

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

- (d) be able to speak, read and write Odia and shall have Odia as subject in H.S.C. or in equivalent examination as recognized by the State Government or Central Government or have passed a test in Odia of M.E. School Standard conducted by the Board of Secondary Education, Odisha or the School and Mass Education Department;
- (e) be of good mental condition and physical health and free from any physical defect likely to interfere with the discharge of his duties in the service;
- (f) be not less than twenty-one years and more than thirty-two years as on the 1st day of January of the year of publication of advertisement for the recruitment.

(2) A candidate who after such medical examination, as the Government may prescribe, is not found to satisfy those requirements shall not be appointed to the post of Assistant Librarian or Pasting Clerk, as the case may be.

8. Recruitment of Librarian. — (1) The post of Librarian shall be filled up by way of promotion by the person who holds the post of Assistant Librarian and having experience at least for a period of three years as such.

(2) In case of non-availability of suitable person in the feeder grade for promotion to the post of Librarian, such post may be filled up by way of transfer on deputation by the person holding analogous post or person with five years regular service in the post of Assistant Librarian in the office under Central or State Government possessing requisite educational qualification

prescribed for Assistant Librarian, subject to suitability adjudged by the Selection Committee constituted under sub-rule (3), for a maximum period of three years.

(3) The promotion to the post of Librarian shall be considered by a Selection Committee consisting of —

- (a) Secretary to Government, Law Deptt. - Chairman
- (b) LR-*cum*-Special Secretary to Govt. - Member
- (c) Officer-in-charge of O.E. - Member-Convenor

(4) The recommendation of the Selection Committee for promotion to the post of Librarian shall be referred to the Commission by the Department for consideration/concurrence along with a list of all eligible candidates, including those who have not been recommended together with the service particulars, confidential character rolls and other documents.

9. Recruitment of Assistant Librarian. — (1) The post of Assistant Librarian shall be filled up by direct recruitment made by the OSSC through a competitive examination in accordance with provision provided in these rules.

(2) A candidate in order to be eligible for the post of Assistant Librarian must have possessed —

- (a) a degree in library science or equivalent qualification from a recognized university; and
- (b) basic Knowledge in Computer Application on the subject as mentioned in the Appendix.

(3) In case of non-availability of suitable candidate, it shall be filled up by way of transfer on deputation by the person holding analogous post in a library under the State Government or a person working in a library under the State Government and at least for a period of five years possessing requisite educational qualification prescribed in sub-rule (2) subject to suitability adjudged by the Selection Committee constituted under sub-rule (3) of rule 8.

10. Recruitment of Pasting Clerk. — (1) The posts of Pasting Clerk shall be filled up by direct recruitment made by the OSSC through a competitive examination in accordance with the provisions provided in these rules.

(2) A candidate in order to be eligible for the post of Pasting Clerk must have —

- (a) passed 10+2 examination in any discipline or equivalent examination;
- (b) minimum speed of 45 words per minutes in typing; and

(c) basic Knowledge in Computer Application on the subject mentioned in Appendix.

11. Pattern of examination. — (1) The subject, pattern and the scheme of examination for the post of Assistant Librarian and Pasting Clerk shall be as may be decided by the OSSC in consultation with the Law Department.

(2) The standard of examination shall be of +2 level.

12. Select list. — (1) The select list of the candidates prepared for the posts of Assistant Librarian and Pasting Clerk on merit shall ordinarily be in force for a period of one year from the date of its publication.

(2) Appointment to the post shall be made in the order in which their names appear in the select list.

13. *Inter se*-seniority. — The *inter se*-seniority of the candidates so appointed to the post of Pasting Clerk shall be in the order of merit in which their names appear in the select list.

14. Probation and Confirmation.— (1) Every person appointed to the post by direct recruitment shall be on probation for a period of two years and in case of promotion shall be on probation for a period of one year from the date of joining in the post:

Provided that appointing authority may, if thinks fit, in any case or class of cases extend the period of probation but in no case it shall be more than a year:

Provided further that such period of probation shall not include the period of, —

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

(2) The appointment of a probationer coming through direct recruitment may for good and sufficient reasons to be recorded in writing, be terminated by the appointing authority at any time without previous notice during the period of probation including extension of such period, if any, and in case of the employee who have been appointed by way of promotion shall deem to be reverted to his former cadre or post.

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

15. Relaxation. — When it is considered by the Government that it is necessary or expedient to do so 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 persons.

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

Appendix

[(See rules 9(2)(b) and 10(2)(c)]

BASIC KNOWLEDGE IN COMPUTER APPLICATION

- A. Computer Fundamentals.
- B. MS-Windows.
- C. MS-Office:
 - (i) Word Processing (MS Word)
 - (ii) Spread Sheet (MS Excel)
 - (iii) Presentation Knowledge (MS Power Point)
- D. Usage of internet services available on Internet.

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By Order of the Governor

B.P.ROUTRAY

Principal Secretary to Government