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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 24th December, 2016

S.R.O. No. 642/2016— In exercise of the powers conferred by Section 22 of the Odisha Municipal Services Act, 2016 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 Odisha Municipal Engineering Services, namely:—

CHAPTER-I PRELIMINARY

1. Short title and commencement:— (1) These rules may be called the Odisha Municipal Engineering Service (Recruitment and Conditions of Service) Rules, 2016.

(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) "Act" means the Odisha Municipal Service Act, 2016;
- (b) "Branch" means Civil, Electrical and Automobile branch of the service or any other branch the Government may time to time include;
- (c) "Committee" means the Departmental Promotion Committees constituted under Rule 10;
- (d) "Diploma" means 3 years Diploma Course in Civil, Electrical or Automobile conducted by the Odisha State Council of Technical Education and Vocational Training;
- (e) "Ex-Servicemen" means a person as defined in the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (f) "OPSC" means Odisha Public Service Commission;
- (g) "OSSC" means Odisha Staff Selection Commission;

- (h) "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;
- (i) "Schedule Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes as 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 and as amended from time to time;
- (j) "SEBC" means the Socially and Educationally Backward Classes of Citizens as defined in clause (a) of Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (k) "Service" means the Odisha Municipal Engineering Service;
- (l) "Sportsmen" means persons who hold the identity card as sportsmen issued by the Director of Sports;and
- (m) "Year" means the Calendar Year.

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

3. Constitution of Service:— (1) The Group-"A", of the Service shall consist of the following grades, namely :—

- (i) Superintending Engineer/ City Engineer;
- (ii) Executive Engineer;
- (iii) Deputy Executive Engineer; and
- (iv) Assistant Executive Engineer;

(2)The Group-"B" of the Service shall consist of the grade of Assistant Engineer and Junior Engineer.

CHAPTER-II

METHODS OF RECRUITMENT

4. Cadre Strength and Methods of recruitment.— (1) The initial cadre strength of Odisha Municipal Engineering Service for all the Urban Local Bodies shall be as provided in SCHEDULE-I; and Government shall have power to increase or decrease the Cadre strength by issuing notification after evaluating the administrative necessity.

(2) The qualifications method of selection for different posts and experience under the Service shall be as provided in SCHEDULE-II.

(3) Subject to other provisions made in these rules recruitment to different grades in the service shall be made by the following methods, namely:—

(a) The post of City Engineer shall be filled up by way of promotion from the Cadre of Executive Engineer;

(b) The post of Executive Engineer shall be filled up by way of promotion from the Cadre of Deputy Executive Engineer:

Provided that where in any cadre there is no post of Deputy Executive Engineer post shall be filled up from the post of Assistant Executive Engineer;

(c) The post of Deputy Executive Engineer shall be filled up by way of promotion from the Cadre of Assistant Executive Engineer;

(d) The post of Assistant Executive Engineer shall be filled up both by way of direct recruitment through the OPSC and promotion from the Cadre of Assistant Engineer Group-B:

Provided that the number of posts to be filled up by direct recruitment shall not be less than 50% of the total cadre posts; and by way of promotion shall not be more than 50% of the posts of the cadre;

(e) The post of Assistant Engineer shall be filled up by way of promotion from the Cadre of Junior Engineer; and

(f) The post of Junior Engineer shall be filled up by way of direct recruitment by the OSSC:

Provided that initially 50% of the total number of posts in the cadre of Junior Engineer shall be filled up, by direct recruitment and balance 50% of the posts shall be filled up, by transfer on deputation or absorption from the Cadre or ex-cadre posts of Junior Engineers from Engineering Services of other departments as may be decided by the Government, in consultation with the other departments:

Provided further that all vacancies in the post of the Junior Engineer after three years of constitution of the cadre, shall be filled up, by direct recruitment only.

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

(1) Schedule Castes and Schedule Tribes shall be made in accordance with the Provisions of the Odisha Reservation of Vacancies in Posts and Services (For Schedule Castes and Schedule Tribes) Act, 1975 and the rules made thereunder; and

(2) SEBC, Women, Sportsmen, Ex-Servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such rules, orders or instructions issued on this behalf by the Government from time to time.

CHAPTER-III
DIRECT RECRUITMENT

6. Eligibility Criteria for Direct Recruitment:—In order to be eligible for direct recruitment to the posts of Assistant Executive Engineer and Junior Engineer in the service, a candidate shall have to satisfy the following conditions, namely:—

(1) A candidate must be a citizen of India.

(2) A candidate must have attained the age of 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 recognised 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 & 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) *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.

Provided that this clause, except good mental condition shall not be applicable to the persons with disability.

(6) Minimum Educational Qualification for posts of,—

(a) Assistant Executive Engineer shall be Degree in Engineering, or an equivalent qualification from any University or Institution recognized by the Government or the candidate must be an Associated Member of the Institution of Engineers of India.

- (b) Junior Engineer shall be Diploma in Engineering or an equivalent qualification from the Institution recognized by the Odisha Council of Technical Education and Vocational Training.

7. Selection by the Odisha Public Service Commission (OPSC):— (1) Ordinarily in the month of January of the year the Government shall communicate to the OPSC in case of direct recruitment to the service, the number of vacancies in the post of Assistant Executive Engineer already existing and the vacancies likely to occur in that year indicating therein the number of posts required to be filled up by the persons eligible under rule 5.

(2) The OPSC on receipt of the communication under sub-rule (1) shall publish advertisement in such manner as it thinks fit, inviting applications from eligible candidates.

(3) The applications shall be received in a format prescribed by the OPSC through online method only with provision of acknowledgement.

(4) The OPSC after receiving applications shall publish the list of eligible applicants in their official website and take steps to select candidates in the manner provided hereunder, namely:—

(a) Selection shall be based on written test and viva voce test.

(b) The syllabus of the examination shall be as decided by the Commission in consultation with the Department.

(5) The OPSC shall prepare a list of selected candidates arranged in order of merit equal to the number of vacancy advertised.

(6) The OPSC shall prepare a common merit list taking into account all categories along with separate merit list category wise.

8. Selection of the Junior Engineers by the Odisha Staff Selection Commission (OSSC):— (1) The competitive examination for direct recruitment to the grade of Junior Engineer shall be conducted by the OSSC every year.

(2) Ordinarily in the month of January of the year the Director Municipal Administration shall communicate the total number of vacancies, that is, the existing and the anticipated vacancies likely to occur during the recruitment year to be filled up by direct recruitment to the OSSC indicating the post to be reserved for candidates belonging to different reserved categories and furnish the necessary details in the format prescribed for the purpose by the OSSC.

(3) The OSSC shall, on receipt of the vacancies to be filled up by direct recruitment publish the advertisement in the two widely circulated Odia dailies as well as in the official Website inviting applications from eligible candidates to appear at the examination.

(4) The applications shall be received in a format prescribed by the OSSC through online method only with provision of acknowledgement.

(5) The OSSC after receiving applications shall publish the list of applicants in the official website and take steps to select candidates in the manner provided hereunder namely:—

(a) Selection shall be based on written test. The syllabus of the examination shall be as decided by the Commission in consultation with the Department.

(6) The OSSC shall prepare a list of selected candidates arranged in order of merit equal to the number of vacancy advertised.

(7) The OSSC shall prepare a common merit list taking into account all categories along with separate merit list category wise.

9. Select List in case of Direct Recruitment— (1) The merit lists received from the OPSC and from the OSSC as the case may be, shall be placed before the Government for approval.

(2) Appointment to different grades in the service shall be made in the order the names as they appear in the Select list.

(3) Every candidate included in the Select list shall be examined by a Medical Board and any candidate who fails to qualify the Medical Board shall not be eligible for appointment.

(4) The Select List shall ordinarily remain in force for one year from the date of its approval by the Government under sub-rule (1) or until another select list is prepared, whichever is earlier.

CHAPTER-IV PROMOTION

10. Constitution of Departmental Promotion Committees (DPC).— (1) There shall be constituted two different Committees for considering promotion of the officers to different grades in the service, namely:—

(a) The Committee for promotion to the post of Superintending Engineer/City Engineer:

- | | |
|--|-------------------|
| (i) Additional Chief Secretary | : Chairman |
| (ii) Principal Secretary/secretary of the HUD Department | : Member |
| (iii) Director, Municipal Administration | : Member |
| (iv) Engineer-in-Chief Public Health /Engineer of equivalent status: | Member |
| (v) Additional Secretary/Joint Secretary/Deputy Secretary of
the HUD Department dealing with the subject. | : Member-Convener |

(b) The Committee for promotion to the posts of Executive Engineer, Deputy Executive Engineer, Assistant Executive Engineer and Assistant Engineer:

- | | |
|--|-------------------|
| (i) Principal Secretary/Secretary of the HUD Department | : Chairman |
| (ii) Director, Municipal Administration | : Member |
| (iii) Engineer-in-Chief Public Health /Engineer of equivalent status | : Member |
| (iv) Representative of the ST & SC Development Department,
of the rank of Under Secretary & above. | : Member |
| (v) Additional Secretary/Joint Secretary/Deputy Secretary
of the HUD Department dealing with the subject. | : Member-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.

11. Procedure for Selection by the Committee:—(1) The Committee 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 of the year.

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

- (a) The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988.
- (b) The Odisha Civil Services (Criteria for Promotion) Rules, 1992.
- (c) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.
- (d) The Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder, wherever applicable.
- (e) The recommendations of the Committee shall be placed before Government for approval.
- (f) 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.

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

12. Select List in case of Promotion:—(1) The recommendations of the Committee shall be considered by Government and the list approved by the Government shall form the Select List.

(2) The list 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 on promotion to different grades in the service shall be made in the order in which the names of officers appear in the Select List prepared under sub-rule (1)

CHAPTER-V
OTHER CONDITIONS OF SERVICE

13. Probation:—The period of probation as provided under section 9 of the Act shall not include,—

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

14. *Inter-se-Seniority*:—The *inter-se*-seniority of the Engineer promoted to any grade in the service after commencement of these rules in a particular year shall be in the order in which their names appear in the select list prepared under rule 12 and the *inter-se*-seniority of the direct recruit shall be fixed as per the provisions of the proviso to Section 10 of the Act with reference to rule 9:

Provided that officers appointed on promotion against the vacancies of a year shall en-block be senior to those appointed by direct recruitment against the vacancies of that year, where the posts are being filled up both by way of promotion and direct recruitment.

15. Other Service Conditions:—The other service conditions of the Engineers recruited to the Service not covered in the provisions of the Act and these rules shall be the same as in the existing respective State Government Rules applicable to the Engineers of the Water Resources Department till these are prescribed by the Government in Housing & Urban Development Department separately.

CHAPTER-VI
MISCELLANEOUS

16. Relaxation:—When the Government are of the opinion that it is considered necessary or expedient so to do, in public interest, or to remove the hardship of any particular case; 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 employees, or in respect of any particular employee, in consultation with the General Administration Department.

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

[No. 30167–HUD-13-LEGIS-67-POLICY-15-27/2016/HUD.]

By Order of the Governor

G. MATHI VATHANAN
Commissioner-*cum*-Secretary to Government

SCHEDULE – I
[See rule-4(1)]

POSITION OF CADRE STRENGTH IN DIFFERENT CATEGORY OF ULBs

Sl. No.	NAME OF POST	CADRE	DMA	CAT-1	CAT-2	CAT-3	CAT-4	CAT-5	CAT-6	CAT-7	CAT-8	Total
				1 ULB	1 ULB	3 ULB	4 ULBs	14 ULBs	27 ULBs	56 ULBs	5 ULBs	
1	2	3	4	5	6	7	8	9	10	11	12	13
1.	Suptd. Engg/City Engineer	OMES		1	1							2
2.	Executive Engineer (Civil)	OMES	1	2	1	1						7
3.	Executive Engineer (Elect.)	OMES		1	1							2
4.	Deputy Executive Engineer (Civil)	OMES		3	2	1	1					12
5.	Asst. Executive Engineer (Civil)	OMES	1	4	2	2	1					17
6.	Asst. Executive Engineer (Elect.)	OMES		1	1	1						5
7.	Assistant Engineer (Civil)	OMES	1	5	4	2	2	1	1			65
8.	Assistant Engineer (Elect.)	OMES		3	1	1	1					11
9.	Assistant Engineer (Automobile)	OMES		1	1	1						5
10.	Junior Engineer (Civil)	OMES		12	8	6	4	3	2	1	1	211
11.	Junior Engineer (Elect.)	OMES		4	2	2	2	1				34
12.	Junior Engineer (Automobile)	OMES		1	1	1	1					9
13.	TOTAL	OMES	3	38	25	18	12	5	3	1	1	380

NOTE- The Column 13 shows the total number of posts sanctioned for all the eight categories of ULBs of the particular designated post.

SCHEDULE – II
[See rule 4(2)]

QUALIFICATIONS METHOD OF SELECTION AND EXPERIENCE

Sl. No.	NAME OF CADRE POST	METHOD OF SELECTION	QUALIFICATION/ EXPERIENCE/ SOURCE
(1)	(2)	(3)	(4)
1.	Superintending Engineer/ City Engineer	Promotion	Must have put at least 4 years of service as Executive Engineer.
2.	Executive Engineer (Civil)	Promotion	Must have put at least 4 years of service as Deputy Executive Engineer (Civil) in any ULB.
3.	Executive Engineer (Elect.)	Promotion	Must have put at least 8 years of service as Asst. Executive Engineer (Electrical) in any ULB.
4.	Deputy Executive Engineer (Civil)	Promotion	Must have put at least 4 years of service as Asst. Exe. Engineer (Civil).
5.	Asst. Executive Engineer (Civil) (not less than 50% posts)	Direct Recruitment	Must have Graduation in Civil from an Institution approved by AICTE and must be a computer literate.
6.	Assistant Executive Engineer (Civil) (not more than 50% posts)	Promotion	Must have put at least 8 years of service as Assistant Engineer (Civil).
7.	Asst. Executive Engineer (Elect.) (not less than 50% posts)	Direct Recruitment	Must have Graduation in Elect. from an Institution approved by AICTE and must be a computer literate.
8.	Assistant Executive Engineer (Elect.) (not more than 50% posts)	Promotion	Must have put at least 8 years of service as Assistant Engineer (Elect.).
9.	Assistant Engineer (Civil)	Promotion	Must have put at least 8 years of service as junior Engineer (Civil).
10.	Assistant Engineer (Elect.)	Promotion	Must have put at least 8 years of service as junior Engineer (Elect.).
11.	Assistant Engineer (Automobile)	Promotion	Must have put at least 8 years service as junior Engineer (Automobile).

(1)	(2)	(3)	(4)
12.	Junior Engineer (Civil)	Direct Recruitment	Must have Diploma in Civil from an institution recognised by Directorate of Technical Education of Odisha and must be a computer literate.
13.	Junior Engineer (Elect.)	Direct Recruitment	Must have Diploma in Electrical from an institution recognised by Directorate of Technical Education of Odisha and must be a computer literate.
14.	Junior Engineer (Automobile)	Direct Recruitment	Must have Diploma in Automobile from an institution recognised by Directorate of Technical Education of Odisha and must be a computer literate.