

SL-83

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1527 CUTTACK, WEDNESDAY, AUGUST 7, 2013/SRAVANA 16, 1935

HOME DEPARTMENT

NOTIFICATION

The 27th July 2013

No. 27497—HOME-SPS-RULE-0001/2013-H.—In exercise of the power conferred by the proviso to Article 309 of the Constitution of India, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Police Service, namely :—

PART I

GENERAL

1. Short title and Commencement—(1) These rules may be called the "Odisha Police Service (Method of Recruitment and Conditions of Service) Rules, 2013".

(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) "Appointing Authority" means the Government of Odisha
- (b) "Committee" means the Departmental Promotion Committee constituted under Rule 7.
- (c) "Commission" means the Odisha Public Service Commission.
- (d) "Emergency Recruitment" means the selection to Odisha Police Service Group 'A' (Senior Branch) under Rule 12.
- (e) "Examination" means the examination conducted under the Odisha Civil Services (Combined Competitive Recruitment Examination) Rules, 1991.
- (f) "Ex serviceman" means persons as defined in the Odisha ex Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985.

- (g) "Government" means the Government of Odisha.
- (h) "Group" means classification of officers on the basis of Scales of Pay and Grade Pay attached to each post made by the Government from time to time.
- (i) "Probationer" means a person appointed to the service on probation and shall include a person appointed to officiate in the Odisha Police Service Group 'A' (Junior Branch) prior to commencement of these rules.
- (j) "Scheduled Caste 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 Tribes) 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.
- (k) "SEBC" means "Socially and Educationally Backward Classes as referred to in Clause (e) of Section 2 of the Odisha Reservation of Posts and Services (for Socially and Educationally Backward Classes) Act, 2008".
- (l) "Select List" means the list finally approved by Government under Rule 10.
- (m) "Service" means the Odisha Police Service.
- (n) "Sports Person" means persons who have been issued with identity card as sports person by the Director, Sports as per Resolution No. 24808/Gen, dated the 18th November 1985 of General Administration Department.
- (o) "State" means State of Odisha, and
- (p) "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.

3. Constitution of the Service—The service shall consist of the following grades namely :—

- (a) Group 'A' (Junior Branch)
- (b) Group 'A' (Senior Branch)
- (c) Super timescale
- (d) Superior Administrative Grade
- (e) Deputy Inspector General

PART II

METHOD OF RECRUITMENT

4. Methods of Recruitment—Subject to the other provisions made in these rules, recruitment to different grades in the service shall be made by the following methods, namely :—

(a) Group 'A' (Junior Branch) :

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

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

- (ii) The remaining vacancies shall be filled up by promotion from the rank of Inspectors of Police, which shall not include.

- (a) Inspector (Armed) hitherto designated as Reserve Inspector & Subedar
 (b) Subedar Major
 (c) Mechanical Inspector/Subedar MT
 (d) Scientific Officer (SFL)
 (e) Inspector, Building ; and
 (f) Inspector, Finger Print Bureau/Handwriting Bureau/Photo Bureau/Dog Squad/Computer.

(b) Group 'A' (Senior Branch) :

The post in Group 'A' (Senior Branch) of the service, shall be filled up by way of promotion from the rank of Odisha Police Service Group 'A' (Junior Branch) in accordance with these rules :

Provided that Government, if it is felt necessary to meet any emergency requirement, may fill up to 10% of vacancies in this grade by lateral induction through Emergency Recruitment by way of selection from amongst the released Short Service Commissioned officers of the Indian Army or Suitable serving Group 'A' officers of the Central Armed Police Forces as per exigencies in the public interest as per rules herein provided.

(c) Super timescale, Superior Administrative Grade and Deputy Inspector General :

The posts in Super timescale, Superior Administrative Grade & Deputy Inspector General shall be filled up by promotion in accordance with these rules :

Provided that, the number of posts as mentioned in Clause 4 (a), (b) and (c) to be filled up during a year shall be such as may be decided by Government from time to time.

5. Reservations—Notwithstanding anything contained in these rules reservation posts for—

- (a) Candidates belonging to 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 Caste and Scheduled Tribes) Act, 1975 and the rules made thereunder, and
- (b) Candidates belonging to S.E.B.C., Women, Sportspersons and ex Servicemen 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—(1) No officer shall be eligible for promotion to the post of Group-A (Junior Branch) of the service unless :—

- (i) He/she has rendered at least five years of continuous service in the rank of Inspector of Police under sub-clause (ii) of Clause (a) of Rule 4 on the first day of January of the year in which the Committee meets, and
- (ii) He/she has passed the Departmental examination, if any, prescribed for the post.

(2) (i) No officer appointed to the Odisha Police Service Group 'A' (Junior Branch) by direct recruitment under sub-clause (i) of Clause (a) of Rule 4 shall be eligible for promotion to Odisha Police Service Group 'A' (Senior Branch) unless he/she has completed five years of continuous service in the grade of Odisha Police Service Group 'A' (Junior Branch) including the period of probation as on the 1st day of January of the year in which the Committee meets.

(ii) No officer appointed to the Odisha Police Service Group 'A' (Junior Branch) under sub-clause (ii) of Clause (a) of Rule 4 shall be eligible for promotion to Odisha Police Service Group 'A' (Senior Branch) unless he/she has rendered at least twenty-five years of continuous service as Sub-Inspector of Police after passing Sub-Inspectors' Course of training, Inspector of Police and Odisha Police Group 'A' (Junior Branch) taken together subject to condition that he must have rendered at least three years of continuous service in the grade of Odisha Police Service Group 'A' (Junior Branch) as on the 1st day of January of the year in which the Committee meets.

(3) No officer shall be eligible for promotion to Odisha Police Service (Super timescale) unless he/she has completed three years of continuous service in the grade of Odisha Police Service Group 'A' (Senior Branch) as on the 1st day of January of the year in which the Committee meets.

(4) No officer shall be eligible for promotion to Odisha Police Service (Superior Administrative Grade) unless he/she has completed at least eighteen years of continuous service in the grade of

Odisha Police Service Group 'A' (Junior Branch), Odisha Police Group 'A' (Senior Branch) and Odisha Police Service (Super timescale) taken together as on the 1st day of January of the year in which the Committee meets.

(5) No officer shall be eligible for promotion to Odisha Police Service (Deputy Inspector General) unless he/she has completed at least twenty-five years of continuous service in the grade of Odisha Police Service Group 'A' (Junior Branch), Odisha Police Service Group 'A' (Senior Branch), Odisha Police Service (Super timescale) and Odisha Police Service (Superior Administrative Grade) taken together as on the 1st day of January of the year in which the Committee meets :

Provided that if no officer is eligible for promotion to the posts as mentioned under sub-rules (4) and (5), the Government may fill up the posts either by deputation of suitable officers from the Central Armed Police Forces or other Security Forces or by appointment of suitable retired military officers temporarily in the exigency of public service by keeping such posts in the service in abeyance.

7. Constitution of Departmental Promotion Committee—(1) There shall be constituted a Committee for selection of officers for promotion to different grades other than Group 'A' (Junior Branch) in the service with the following members, namely :—

- | | |
|---|-----------------|
| (a) Chief Secretary | Chairman |
| (b) Principal Secretary to Government
Home Department/Commissioner-cum-Secretary, Home Department. | Member |
| (c) D. G. & I. G. of Police, Odisha | Member |
| (d) Deputy Secretary/Joint Secretary/
Additional Secretary, Home Department
in charge of Establishment. | Member-Convener |

(2) There shall be constituted a Committee for selection of officers for promotion to Group 'A' (Junior Branch) of the service with the following members, namely :—

- | | |
|---|----------|
| (a) Principal Secretary to Government
Home Department/Commissioner-cum-Secretary, Home Department. | Chairman |
| (b) Additional D. G. of Police, State Police
Headquarters, Odisha or in absence of
Additional D. G. of Police of State Police
Headquarters, any Additional D. G. of Police
as nominated by D. G. & I. G. of Police, Odisha. | Member |
| (c) An officer not below the rank of D. I. G. of
Police to be nominated by the D. G. & I. G. of
Police, Odisha. | Member |

(d) Deputy Secretary/Joint Secretary/Additional Secretary to Government, Home Department in charge of the Establishment.

Member-Convener

(3) The recommendation of the Committee shall be valid and can be acted upon notwithstanding the absence of anyone or more of its members other than the Chairman :

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

8. Procedure for selection by the Committee—(1) The Committee shall ordinarily meet at least once in each 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 and anticipated vacancies for the year or No. of posts as decided by Government.

(2) The Committee while considering the cases for promotion of suitable officers, shall follow the provisions of—

- a. the Odisha Civil Service (Zone of Consideration for Promotion) Rules, 1988,
- b. the Odisha Civil Services (Criteria for Promotion) Rules, 1992, and
- c. the Odisha Civil Services (Criteria for 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.

9. Consultation with the Commission—(1) The recommendations of the Committee under sub-rule 3 of Rule 7 shall be referred to the Commission along with service particulars including performance appraisal reports of relevant periods, gradation list, departmental clearance with respect to Vigilance and disciplinary proceedings etc. in respect of all officers included in the list for its concurrence including those whose cases have not been recommended, being found unsuitable.

(2) The Commission shall consider the lists received along with service particulars and furnish its recommendations to the Government.

10. Select list—(1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of Rule 9 shall be considered by Government and the list approved by Government shall form the Select List for appointment to respective grades of the service.

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

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

PART IV

EMERGENCY RECRUITMENT

11. Eligible Criteria—(1) A person shall be eligible for selection to the grade of Odisha Police Service Group 'A' (Senior Branch) of the service under the proviso to Clause (b) of Rule 4, if :—

- a. (i) he/she is a released Short Service Commissioned Officer of the Indian Army having served minimum 5 years in the Indian Army as a Short Service Commissioned Officer and honorably discharged ;
- (ii) within 32 years of age as on 1st day of the month of January of the year in which the notification for selection is issued ; and
- (iii) found to be medically fit.
- b. (i) he/she is a serving Group 'A' Officer of the Central Armed Police Forces having put minimum 5 years of regular and continuous service as Group 'A' Officer in the concerned CAPF ;
- (ii) within 35 years of age as on the 1st day of the month of January of the year in which the notification for selection is issued ; and
- (iii) found to be medically fit.

12. Selection :—The Selection under Rule 11 shall be done by the Commission through open advertisement as per rules made by the Government from time to time.

PART V

OTHER CONDITIONS OF SERVICE

13. 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 various grades of the service by promotion shall be made in the order in which the names of the persons appear in the select list.

(3) Appointment to the Group 'A' (Senior Branch) of the service by emergency recruitment under Rule 12 shall be made in the order in which the names of the persons appear in the merit list furnished by the Commission.

14. Inter se seniority—(1) The *inter se* seniority of officers appointed to the Odisha Police Service Group 'A' (Junior Branch) in respect of particular recruitment year shall be in the following order and in each category the *inter se* seniority shall be determined in the following manner :—

- (i) Officers appointed on promotion shall be ranked *inter se* in the order in which their names appear in the select list.

- (ii) Officers appointed by direct recruitment shall be ranked *inter se* in the order in which their names appear in the merit list prepared by the Commission.
- (iii) Officers appointed on promotion will *en bloc* be senior to the Officers appointed by direct recruitment in OPS-Group 'A' (Junior Branch) in that particular year.

(2) The *inter se* seniority of the officers appointed on promotion in other grade shall be in the order in which their names appear in the select list.

(3) The *inter se* seniority of the officers appointed to the Group 'A' (Senior Branch) of the service by emergency recruitment under Rule 12 shall be ranked *inter se* in the order in which their names appear in the merit list prepared by the Commission :

Provided that the officers appointed to the Group 'A' (Senior Branch) of the service by emergency recruitment under Rule 12 shall *en bloc* be junior to the Odisha Police Group 'A' (Junior Branch) officers who were promoted to the Odisha Police Group 'A' (Senior Branch) in that particular year.

(4) Length of service irrespective of the length of service rendered by them in their parent organizations i.e. the Indian Army or the Central Armed Police Forces as the case may be, the officers appointed to the Group 'A' (Senior Branch) of the service by emergency recruitment under Rule 12 shall deem to have rendered service in the Odisha Police Group 'A' (Junior Branch) equivalent to the minimum years of service rendered by the Odisha Police Service Group 'A' (Junior Branch) officer in that grade who were promoted to the Odisha Police Service Group 'A' (Senior Branch) in that particular year.

15. Probation and Confirmation—(1) (a) On appointment, every officer shall be placed on probation for a period of two years, if he/she is a direct recruit and one year, if he/she is appointed by promotion or by emergency recruitment under Rule 12 from the date of their joining respectively :

Provided that the appointing authority may, if thinks fit, in any case or class of cases extend the period of probation or terminate the appointment of an officer on ground of unsatisfactory performance in case of direct recruit and those appointed by emergency recruitment under Rule 12 or revert to the feeder grade in case of promotees as the case may be :

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 officer shall deem to be reverted to his/her parent grade in case of appointment by promotion or terminated from service in case of appointment by direct recruitment or by emergency recruitment under Rule 12.

(3) On successful completion of the period of probation to the satisfaction of Government and on passing the prescribed departmental examination and training under Rule 16, an officer shall be eligible for confirmation subject to the availability of substantive post in the service.

16. Department Examination and Training—(1) Every person appointed to Odisha Police Service Group 'A' (Junior Branch) by direct recruitment under Rule 4 (a) (i) and to Odisha Police Service Group 'A' (Senior Branch) by emergency recruitment under Rule 12, during their period of probation under Rule 15 shall have to undergo training, which includes Institutional Training, attachment and District Practical Training as may be prescribed by Government in the regulation made for the purpose from time to time.

(2) Every person appointed to Odisha Police Service Group 'A' (Junior Branch) by direct recruitment under Rule 4 (a) (i) and to Odisha Police Service Group 'A' (Senior Branch) by emergency recruitment under Rule 12, shall during the period of probation or appointment against a vacancy of temporary nature, have to pass such departmental examination as may be prescribed by the Government from time to time :

Provided that Government may, if so think fit, for reasons to be recorded in writing, exempt any person or class of persons from passing the Departmental Examination.

17. Other conditions of service —The conditions of service in regards to matter not covered by these rules shall be the same as are or as may from time to time be prescribed by the Government.

PART VI

MISCELLANEOUS

18. 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 of the provisions of these rules in respect of any class or category of officers in consultation with the Commission.

19. Repeal and Saving—(1) The Odisha Police Service Rule, 1938 and the Odisha Police Service Group 'A' (Junior Branch) Recruitment Rules, 2010 are hereby repealed.

(2) Notwithstanding any such repeal anything done or any action taken under the rule so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

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

21. Power to issue instructions—The Government may issue executive instructions, not inconsistent with the provisions of these rules as they may consider necessary to regulate the matter not specifically covered by the provision of these rules.

By order of the Governor

U. N. BEHERA

Additional Chief Secretary to Government