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HOME DEPARTMENT

NOTIFICATION

The 22nd September 2000

No. 55392-SAP.-1-3/99-SPS.—In exercise of powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules regulating the method of recruitment and conditions of Service of persons appointed to the Orissa Special Armed Police Service, namely:—

PART I

Short title
and commence-
ment.

1.(i) These rules may be called the Orissa Special Armed Police (Method of Recruitment and Conditions of Service) Rules, 2000.

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

Definitions

2. (i) In these rules, unless the context otherwise requires:—

(a) "Appointing Authority" means the Government of Orissa;

(b) "Commission" means the Orissa Public Service Commission.

(c) "Committee" means the Departmental Promotion Committee constituted under rule 7;

(d) "Government" means Government of Orissa;

(e) "Group" means classification of the Officers on the basis of scale of pay attached to each post made by the Government from time to time;

(f) "Heads of Battalion" means the Commandant of the Orissa Special Armed Police;

(g) "Heads of Department" means the Director-General and Inspector-General of Police, Orissa;

(h) "Scheduled Caste and Scheduled Tribe" means such castes and tribes as notified by the President of India under articles 341 and 342 of the Constitution of India respectively;

(i) "Select List" means the list approved by the appointing authority containing the names of officers considered suitable for appointment/promotion as the case may be;

(j) "Service" means the Orissa Special Armed Police Service;

(k) "State" means State of Orissa;

(l) "Year" means the calendar year

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

PART II

Constitution
of Service.

3. The Service shall consist of the following categories of posts, namely :—

(a) Group 'A'

- (i) Commandant
- (ii) Deputy Commandant, and
- (iii) Assistant Commandant

(b) Group 'B'

- (i) Subedar Major
- (ii) Subedar ; and
- (iii) Reserve Inspector

Strength of
Service.

4. (i) The Service shall consist of such number of permanent and temporary posts of the categories specified in rule 3 as the Government may from time to time by order create ;

(ii) The scale of pay of the categories of the posts specified in rule 3 shall be such as may be determined by Government from time to time.

PART III

Method of
recruitment.

5. (i) Recruitment to the post of Commandant shall be made by way of promotion from the rank of Deputy Commandant.

(ii) Recruitment to the post of Deputy Commandant shall be made by promotion from the rank of Assistant Commandant.

(iii) Recruitment to the post of Assistant Commandant shall be made by promotion from the rank of Subedar/Subedar Major and Reserve Inspector of the District Reserve Police.

(iv) The promotion to the rank of Assistant Commandant shall be made from two categories of posts such as Subedar/Subedar Major and Reserve Inspector. The ratio of 2:1 is to be made to maintain equal representation from both the categories keeping in view the sanctioned strength of respective feeding category at their base level, i. e. Jamadars for the category of Subedar/Subedar Major and Sergeants for the Reserve Inspector

(v) Recruitment to the post of Subedar/Subedar Major shall be made by promotion from the rank of Jamadar.

(vi) Recruitment to the post of Reserve Inspector shall be made by promotion from the rank of Sergeant.

Eligibility

6. (i) In order to be eligible to be considered for the post of Commandant, a Deputy Commandant shall have the experience of at least 2 (two) years as such on the first day of January of the year in which the Departmental Promotion Committee meets.

(ii) In order to be eligible to be considered for the post of Deputy Commandant, an Assistant Commandant shall have the experience of at least 6 (six) years as such on the first day of January of the year in which the Departmental Promotion Committee meets.

(iii) In order to be eligible to be considered for the post of Assistant Commandant:—

- (a) a Subedar/Subedar Major/Reserve Inspector of the District Reserve Police shall have the experience of at least 10 (ten) years of continuous service as such on the first day of January of the year in which the Departmental Promotion Committee meets.
- (b) he must have passed Departmental Accounts Examination (both preliminary and final) conducted by the Board of Revenue.

(iv) In order to be eligible to be considered for the post of Subedar/Subedar Major and Reserve Inspector.

- (a) a Jamadar and Sergeant respectively shall have the experience of at least 10 (ten) years as such on the first day of January of the year in which the Departmental Promotion Committee meets, and
- (b) he must have passed necessary training course conducted by the Director-General and Inspector-General of Police.

PART IV

7. (i) The composition of the Departmental Promotion Committee for promotion to the rank of Commandant and Deputy Commandant shall be as follows :—

Departmental
Promotion
Committee.

- | | | |
|---|----|----------|
| (a) Chief Secretary, Orissa | .. | Chairman |
| (b) Secretary to Government, Home Department | .. | Member |
| (c) Director-General and Inspector-General of Police, Orissa. | .. | Member |
| (d) Deputy Secretary/Joint Secretary, Home Department. | .. | Convener |

(ii) The composition of Departmental Promotion Committee for promotion to the rank of Assistant Commandant shall be as follows :—

- | | | |
|--|----|----------|
| (a) Secretary to Government, Home Department | .. | Chairman |
| (b) Director-General and Inspector-General of Police, Orissa. | .. | Member |
| (c) Additional Director-General and Inspector-General of Police to be nominated by the Director-General of Police. | .. | Member |
| (d) Deputy Secretary/Joint Secretary, Home Department. | .. | Convener |

(iii) The composition of the Departmental Promotion Committee for promotion to the post of Subedar/Subedar Major and Reserve Inspector shall be as follows:—

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|---|----|----------|
| (a) Director-General and Inspector-General of Police | .. | Chairman |
| (b) Additional Secretary to Government, Home Department | .. | Member |
| (c) One Inspector-General of Police/Deputy Inspector-General of Police to be nominated by the Director-General of Police. | .. | Member |
| (d) Deputy Secretary/Joint Secretary, Home Department | .. | Convener |

8. In January of each year the Director-General and Inspector-General of Police shall determine the existing and anticipated vacancies likely to arise during that year and prepare list of eligible officers and shall furnish the list to the Government in the Home Department who shall take steps to convene the meeting of the Departmental Promotion Committee to fill up of the vacancies.

Determination of
vacancies.

Meeting of
the Departmental
Promotion
Committee.

9. The respective Departmental Promotion Committee for promotion to Group 'A' and Group 'B' post shall meet at least once in a year preferably in the month of January and prepare the list of officers considered and found suitable for promotion.

Preparation
of List.

10. The Committee shall scrutinise the service records and other documents along with confidential character rolls of the officers placed before it and shall recommend the names of suitable candidates for promotion to the respective groups.

Application
of Rules.

11. The process of promotion shall be governed by the following Act and Rules, namely :—

- (a) The Orissa Civil Services (Criteria for Promotion) Rules, 1992 ;
- (b) The Orissa Civil Services (Zone of Consideration for Promotion) Rules, 1988 ;
- (c) The Orissa Reservation of Vacancies in Posts and Services for (Scheduled Castes and Scheduled Tribes) Act, 1975 and rules made thereunder.

NOTE—G. A. Department Office Memoranda No. 3928-Gen., dated the 18th February 1994, No. 14640-Gen., dated the 4th July 1995 and No. 29699, dated the 1st November 1997 shall be followed while considering the cases of promotion.

Consultation
with
Commission.

12. The list of the officers considered and found suitable for promotion shall be sent along with the necessary service records of the officers to the Commission for their recommendation.

PART V

Select List.

13. (i) The list of officers recommended by the Commission and approved by the Government shall be treated as the Select List for appointment to the service;

(ii) Appointment shall be made from the Select List in order in which the names appear;

(iii) The Select List will remain valid for a period of one year from the date of approval by the Government;

Provided that the State Government may at any time in consultation with the Commission for grave lapses in the conduct of deterioration in the standard of performance of duties on the part of any officer included in the Select List, remove the name of such officer from the Select List.

PART VI

Probation.

14 (i) Every person on appointment to a post in the service shall be on probation for a period of one year.

(ii) The probation period shall not include the following:—

- (a) extraordinary leave;
- (b) period of unauthorised absence; and
- (c) any of the period for which the person concerned is held not to be on actual duty.

(iii) The appointing authority may extend the period of probation of a person appointed on probation or revert him/her previous post during the period of his/her probation if the work and conduct of the person is found to be unsatisfactory.

Confirma-
tion.

15. An officer appointed to a post in the service may be confirmed against a substantive post, if available, on successful completion of the probation period and subject to passing the departmental examination, if any.

PART VII

Gradation
List.

16. (i) The appointing authority shall maintain a gradation list;

(ii) The gradation list shall contain the name, date of birth, home district, qualification, date of joining in the post and date of confirmation along with the position of the officers concerned in that cadre.

Inter se
Seniority.

17. (i) The *inter se* seniority of the promotee in each rank except the rank of Assistant Commandant shall be determined as per the position assigned to them in the Select List basing on which they were promoted;

(ii) The *inter se* seniority in the rank of Assistant Commandant shall be fixed on the basis of their length of service in the rank of Subedar/Subedar Major and Reserve Inspector.

PART VIII

Relaxation

18. Government may 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 in the interest of public service.

Interpreta-
tion

19. If any question arises, relating to the interpretation of these rules, it shall be referred to the Government in Home Department for decision.

Savings

20. All appointments made prior to the issue of these rules shall be deemed to have been made in accordance with the provisions of these rules.

By order of the Governor

TARUN KANTI MISHRA

Commissioner-cum-Secretary to Government