

Government of Orissa
Home Department

Bhubaneswar dated the 16.12.10

No. Jls IE-50/2010 55972/Home.-In exercise of the powers conferred under sub-section (10) of section 59 of the Prison's Act, 1894 (ACT IX of 1894) Government have been pleased to make the following rules regulating the method of recruitment and conditions of service for appointment to the Orissa Jails Audit Service, namely :-

1. Short title and commencement:

(a) These rules may be called the "Orissa Jails Audit Service (Method of Recruitment and Conditions of Service) Rules -2010".

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

2. Definitions:

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

(a) "Appointment Authority" means the I.G. of Prisons & D.C.S. Orissa;

(b) "Committee" means the Selection Committee constituted under rule-9;

(c) "Government" means Government of Orissa;

(d) "Service" means the Orissa Jail Audit Service;

(e) "Ex-Servicemen" means persons as defined in the Orissa Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

(f) "Persons with Disabilities (or Physically Handicapped Persons)" means person who would have been granted disability certificate by the competent authority as per the provisions under rule 4 of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Orissa Rules, 2003;

(g) "Scheduled Castes and Scheduled Tribes" means such Castes and Tribes as notified by the President of India from time to time under Article 341 & 342 of the Constitution of India, respectively;

(h) "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;

(i) "Sportsmen" means persons who would have been issued with identity cards as sportsmen by the Director, Sports 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 Orissa Service Code.

3. Compositions of the Services:

The service shall consist of the posts of Auditors in the Prisons Directorate.

4. Method of Recruitment:

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

(j) By direct recruitment through competitive examination in accordance with rule-5 and

(ii) By promotion through selection in accordance with rule -8.

5. Appointment to the post of Auditors:

Fifty percent of the posts in the service shall be filled up by direct recruitment conducted by the Commission in accordance with the procedure laid down in the Orissa Staff Selection Commission Rules, 1993 and remaining posts by promotion through selection from Accountant Custodial Service.

6. Reservations:

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 there under or any other law or rule in force at the relevant times; and

(b) SEBC, women, sportsmen, Ex-servicemen and Physically Handicapped Persons 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.

7. Eligibility criteria for Direct Recruitment:-

In order to be eligible for direct recruitment a candidate, in addition to the eligibility criteria prescribed in the Orissa Staff Selection Commission Rules, 1993, must have possessed a Bachelor's Degree in Arts, Science or Commerce or equivalent thereto from a recognized University.

8. Eligibility criteria for promotion to the post of Auditors:-

No person shall be eligible to be considered for promotion to the post of Auditor unless he has rendered at least five years of continuous service in Accounts Custodial Service.

9. Constitution of Selection Committee for Promotion:

(1) There shall be a Selection Committee to consider the cases of eligible persons in the Accounts Custodial Service for promotion to the post of Auditors with the following members; namely:

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| (a) I.G.of Prisons & D.C.S.,Orissa | Chairman |
| (b)Addl/Deputy I.G.of Prisons | Member |
| (c) An officer not below the rank of Deputy Secretary to the Government Home Department dealing with the establishment | Member |
| (d) The Audit and Accounts Officer, Prisons Directorate | Member Secretary |

(2) The recommendation of the Committee shall be valid and can be operated 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.

10. 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 employees, as are held by them, suitable for promotion to the service.

(2) The Committee while considering the promotion cases of suitable employees 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 there under 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.

11. Select list-

(1) The list prepared by the Committee after being approved by the appointing authority, shall form the select list for appointment to the service.

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

(3) Appointment to the service shall be made in the order the names of the persons appear in the select list.

12. Seniority:-

The seniority of persons appointed to the service in a particular year shall be regulated in the following manner:-

(a) The seniority of the auditors appointed in a year shall be in the order in which their names appear in the select list prepared by the Commission or the Committee, as the case may be.

(b) Persons appointed by promotion shall en-bloc be senior to those appointed by direct recruitment.

13. Other conditions of service:-

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

14. Probation and Confirmation:-

(1) Every person appointed to the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, 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 the appointing authority at any time 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 former post, if he/she is a promotee.

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

15 Relaxations:-

Government may, if considered necessary or expedient so to do in the public interest, 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 Repeal and Savings:-

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

Provided that 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 these rules.

17. Interpretations:-

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

18. 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 Orders of Governor

(U.N.Behera)

Principal Secretary to Government

Memo No: 55973 /Dt 16.12.10

Copy forwarded to the Director, Printing Stationary and Publication, Orissa, Cuttack for information. He is requested to publish the rule in the next extra ordinary issue of Orissa Gazette and supply 100 printed copies to the Home (Jails) Department.


Special Secretary to Government

Memo No: 55974 /Dt 16.12.10

Copy forwarded to all Departments of State Government for information.


Special Secretary to Government

Memo No: 55975 /Dt 16.12.10

Copy forwarded to the Inspector General of Prisons and D.C.S., Orissa Bhubaneswar for information and necessary action.

Memo No: 55976 /Dt 16.12.10
Special Secretary to Government
16/12/10

Copy forwarded to the Secretary Orissa Public Service Commission Cuttack for information and necessary action.

Memo No: 55977 /Dt 16.12.10
Special Secretary to Government
16/12/10

Copy forwarded to the N.I.C. Coordinator, Home (IMU) Department for information and necessary action.

Special Secretary to Government
16/12/10