APPENDIX-I

GOVERNMENT OF ODISHA

HOME DEPARTMENT

NOTIFICATION

Bhubaneswar dated the 09.08.2021

No.HOME-JAIL-RULE-0001-201827975**/JAILS,** In exercise of the powers conferred by the provisions to article 309 of the Constitution of India and in supersession of all rules, orders, instructions relating to the service covered by these rules except as respect things done or omitted to be done before such supersession, the Governor of Odisha is pleased to make the following rules to regulate the method of recruitment and conditions of service of the persons appointed to the posts of the Odisha Jail Service, namely:-

1. **Short title commencement.**— (1) These rules may be called the Odisha Jail Pharmacist Service (Method of Recruitment and Conditions of Service of Pharmacist) Rules, 2021.

(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) "Appendix" means appendix appended to these rules;

(b) "Appointing Authority" means Inspector General of Prisons and Director of Correctional Services, Odisha, Bhubaneswar(I.G of Prisons and D.C.S, Odisha);

(c) "Commission" means the Odisha Staff Selection Commission;

(d) "Committee" means the Departmental Promotion Committee constituted under rule-13 of these rules;

(e) "Examination" means the recruitment examination for the post of Jail Pharmacist of the Odisha Jail Pharmacist (Group – C) Service;

(f) "Ex-serviceman" means a person as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

(g) "Government" means the Government of Odisha;

(h) "Gender" means Male, Female and Transgender.(The Transgender shall be under the category of SEBC as per Letter No 31870 dated 09.09.2016 of the Home Department. Further legal recognition of the gender identify such as male, female or Third gender on the basis of self identification given by the Transgender person);

(i)"Person with Disabilities" means person who has been granted with disability certificate by the competent authority as per the provisions of the Rights of Persons with Disabilities Act,2016(49 of 2016);

(j) "Recruitment Year" means the calendar year during which advertisement for recruitment is actually issued;

(k) "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 Article 341 and 342 of the Constitution of India, respectively;

(l) "SEBC" means 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 Odisha State Commission for Backward Classes Act, 1993(Odisha Act 16 of 1993);

(m)"Select List" means the list of successful candidates in service prepared under rule-15;

(n)"Service" means the Odisha Jail Pharmacist Service;

(o)"Sportsmen" means a person, who has been issued identity card as sports man by the Director, Sports as per Resolution No.24808/Gen, dated 18.11.1985 of the General Administration Department as amended from time to time.

(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 Service-** The service shall consist of the following posts, namely:—

(a) Pharmacist;

(b) Senior Pharmacist ;and

(c) Chief Pharmacist.

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

(a) The post of Pharmacist shall be filled up by direct recruitment through a competitive examination to be held ordinarily once in every year by the Commission.

(b) The posts of Senior Pharmacist and Chief Pharmacist shall be filled up by way of promotion in accordance with these rules.

5. **Determination of vacancies**. – Every year in the month of January, the Appointing Authority shall intimate the Chairman of the Commission through the Home Department the number of vacancies of Pharmacist already existing at the time and those likely to occur during the subsequent months of the year.

6.Eligibility Criteria for Direct Recruitment .– (1) In order to be eligible for consideration for appointment to the post of pharmacist a candidate must, -

(a) be a citizen of India;

(b)have attained the age of 18 (eighteen) years and must not be above 32 (thirty two) years as on the first day of January of the year in which application is invited:

Provided that the upper age limit in respect of candidates belonging to any reserved category, referred to Rule- 7 shall be relaxed in accordance with the provisions of the acts, rules, orders or instructions in force, for the respective reserved categories.

(c) have passed +2 Science examination under Council of Higher Secondary Education, Odisha or equivalent examination conducted by Board of Secondary Education or by any other recognized Board;

(d) have passed a minimum of Diploma in Pharmacy examination from State Board of Pharmacy, Odisha or from any of the 03 (three) Medical Colleges and Hospitals of the State or any other recognized private institutions duly approved by All India Council of Technical Education or registered in Odisha Pharmacy Council;

(e) be able to speak, read and write Odia and must have passed Odia as one of the subjects in the High School Certificate Examination or an examination in Odia language equivalent to Middle English standard recognized or conducted by the School and Mass Education Department;

(f)have registered his name in the State Pharmacy Council, Odisha before the date of publication of the advertisement for recruitment;

(g) 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.

(h) be of good character;

(i)have sound health and free from organic defects and physical deformity;

(j) have clear eye-sight so as to distinguish colour.

(2) The Commission shall have power to verify, whether the Candidates fulfill the eligibility criteria , at any stage of the recruitment process.

7. **Reservation of vacancies.**— Notwithstanding anything contained in these rules, the reservation of vacancies or posts as the case may be, for,-

(a) Scheduled Castes and Scheduled Tribes in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the Rules made there under;

(b) SEBC, Women, Persons with Disabilities, Sports men and Ex-Serviceman shall be made in accordance with provisions made under such Act, Rules, Orders, Resolutions or Instructions issued by the Government from time to time;

8. **Recruitment Process.**—

(1)On receipt of the application, the Commission shall arrange to hold the competitive examination at any place or places according to necessity and convenience.

(2)The date, time and place of the examination shall be intimated to the candidate by the Commission.

(3) The written test shall be conducted as per the syllabus to be decided by the Commission.

9. **Allotment of successful candidate.**— The Commission shall prepare a list of successful candidates in order of merit on the basis of total marks secured in the written test and submit the said list to the I.G. of Prisons and D.C.S., Odisha for their appointment.

10. **Medical Examination.**— Every candidate selected for appointment as Pharmacist shall be directed to produce Medical Certificate of fitness for entering in to Government Service from a Medical Officer not below the rank of Chief District Medical Officer.

11. **Verification of documents for appointment**.-(1) Before issue of the appointment order, the following documents shall be verified, namely:-

(a) All the original certificates, such as High School Certificate or equivalent thereof, caste certificate and sports certificate if any, Pharmacy License in respect of the candidates placed in select list shall be verified by the Appointing Authority before the appointment orders are issued to the selected candidates.

(b) Character and antecedents of the selected candidates shall be duly verified.

(c) Appointment pending verification of character and antecedents, if made, shall be subject to satisfactory verification of character and antecedents.

(2) The appointment letters shall be pasted with the photographs of the candidates concerned with seal and signature of the Appointing Authority across the photograph which shall be pasted in the Service Book.

(3) On appointment to the service the duties and responsibilities of the Pharmacist shall be the same as assigned to them in the Prisons or Jail Manual, rules or orders framed under this Manual and in the instructions of the Government issued from time to time.

12. **Eligibility criteria for promotion.**—The eligibility criteria for promotion to the posts of Senior Pharmacist and Chief Pharmacist shall be in the manner as specified in column 4 of the Appendix.

13. **Constitution of the Departmental Promotion Committee(DPC).—**

There shall be constituted a Departmental Promotion Committee consisting of following members for consideration of cases of eligible officers for promotion to the posts of Senior Pharmacist and Chief Pharmacist, namely:-

(a) I.G. of Prisons & D.C.S., Odisha : Chairman

(b) Addl. I.G. of Prisons, Odisha : Member

(c) A representative of the Home Department : Member

not below the rank of Deputy Secretary to Government

(d) Establishment Officer (Field) : Member Convenor

in the Office of the I.G of Prisons and D.C.S., Odisha

14. **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 suitable for promotion to the next higher grade taking into account the existing vacancies and anticipated vacancies of the year in which the Committee meets.

(2) The Committee while considering the promotion cases of suitable employees and preparation of the list, shall follow the provisions of.-

(a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Caste and Scheduled Tribe) Act, 1975 and the rules made there under, wherever required;

(b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988;

(c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992 ;

(d) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003: and

(e) The Rights of Persons with Disability Act,2016(49 of 2016) read with resolution of the SSEPD Department dated 5th November,2017.

15. Select List.—(1) The list prepared by the Commission in case of direct recruitment for the posts of Pharmacist and by the Committee in case of promotion to the posts of Senior Pharmacist and Chief Pharmacist shall form the select list upon publication for general information and approval by the Government and the Government before approving the select list may also verify whether the successful candidates fulfill the eligibility criteria referred to in rule 6.

(2) The lists referred to under sub-rule (1) shall remain valid for a period of one year from the date of its approval or till another select list is prepared afresh, whichever is earlier.

16. Probation.— (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 his joining in the post:

Provided that the Appointing Authority may, if think fit in any case or class of cases for good and sufficient reasons to be recorded in writing, extend the period of probation for another year but not exceeding two years:

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 Government 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 former cadre or post, if he is a promotee.

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

17. **Inter se-seniority.**—(1) The inter se-seniority of candidates so appointed as Pharmacist shall be fixed according to their position in the Select list.

(2) The inter se-seniority of Senior Pharmacist and Chief Pharmacist shall be fixed according to their names appearing in the select list.

18. **Interpretation.**-If any doubt arises relating to the interpretation of these rules the same shall be referred to Government in the Home Department for decision.

19. **Relaxation.**-Where the Government is of the opinion that it is necessary or expedient so to do in the public interest, it may, by order or by resolution, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of persons .

Appendix

(See rule – 12)

Sl. No.	Name of the Post	Method of Recruitment	Eligibility Criteria for Promotion
(1)	(2)	(3)	(4)
1	Senior Pharmacist	Promotion from the rank of Pharmacist	Must have completed 07 (seven) years of continuous regular service as Pharmacist on the 1st Day of January of the year in which the DPC meets
2	Chief Pharmacist	Promotion from the rank of Senior Pharmacist	Must have completed- 02 (two) years of continuous service as Senior Pharmacist on the 1st day of January of the year in which the DPC meets

By orders of the Governor

6.8.2021

Additional Chief Secretary to Government

Memo No. 27976 /JLS., Dt. 09.08.2021

Copy forwarded to the Director, P.S&P, Odisha, Madhupatna, Cuttack/ The Gazette Cell, Commerce Department for publication of the said Notification in the next issue of the extra ordinary Odisha Gazette immediately and supply 500 copies of the Gazette Notification to this Department at an early date.

9.8.2021

Deputy Secretary to Government

Memo No. 27977 /JLS., Dt. 09.08.2021

Copy forwarded to the Account General (A&E/Audit) Odisha, Bhubaneswar for information & necessary action.

9.8.2021

Deputy Secretary to Government

Memo No. 27978 /JLS., Dt. 09.08.2021

Copy forwarded to the Director General of Prisons and D.C.S Odisha, Bhubaneswar for information & necessary action. He is requested to circulate this Notification among all the Jails of the State.

9.8.2021

Deputy Secretary to Government

Memo No. 27979 /JLS., Dt. 09.08.2021

Copy forwarded to all Departments of Government/ all Heads of Department/ all Collectors/ all Sections of Home Department/ Guard file (5) copies for information and necessary action.

9.8.2021

Deputy Secretary to Government

Memo No. 27980 /JLS., Dt. 09.08.2021

Copy forwarded to N.I.C Coordinator, Home (IMU) Department with a request to launch this Notification in the Departmental website for information of all concerned.

9.8.2021

Deputy Secretary to Government