

# The Odisha Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

---

No. 37 CUTTACK, THURSDAY, JANUARY 3, 2013/PAUSA 13, 1934

---

---

## WATER RESOURCES DEPARTMENT

### NOTIFICATION

The 29th December 2012

No. 34600—FE-II-AE (C)-04/2012 (Part-I) WR.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Odisha hereby makes the following rules regulating the methods of recruitment and conditions of service of the persons appointed to the Odisha Engineering Service, namely :—

#### PART-I PRELIMINARIES

1. *Short title and commencement*—(1) These rules may be called the “Odisha Engineering Service (Methods of Recruitment & Conditions of Service) Rules, 2012”.

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

2. *Definitions*—(1) In these rules unless the context otherwise requires,—

- (a) “Commission” means the Odisha Public Service Commission ;
- (b) “Committee” means the Departmental Promotion Committee constituted under Rule 9 ;
- (c) “Ex-Serviceman” means a person as defined in the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (d) “Government” means Government of Odisha;
- (e) “Person with Disabilities” means a person who would be granted a disability certificate by competent authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Odisha Rules, 2003;
- (f) “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 Articles 341 and 342 of the Constitution of India respectively and as amended from time to time;

- (g) "SEBC" means the 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 ;
- (h) "Service" means the Odisha Engineering Service ;
- (i) "Sports person" means a person who would be issued with identity card as sportsmen by the Director, Sports as per Resolution No. 24808-Gen., dated the 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 Odisha Service Code.

3. *Constitution of Service*—(1) The Service shall consist of the following grades under different Departments of Government, namely :—

- (i) Engineer-in Chief
- (ii) Chief Engineer
- (iii) Superintending Engineer, Level-I
- (iv) Superintending Engineer, Level-II
- (v) Executive Engineer
- (vi) Deputy Executive Engineer
- (vii) Assistant Executive Engineer

(2) Each grade of the service shall constitute a separate cadre.

## PART-II METHODS OF RECRUITMENT

4. *Methods of recruitment*—(1) Subject to other provisions made in these rules recruitment to different grades in the service shall be made by the following methods, namely :—

- (a) In respect of the grade of Assistant Executive Engineer both by way of direct recruitment by the Commission and promotion from the Cadre of Assistant Engineer from Odisha Diploma Engineering Service.
- (b) In respect of the grades of Engineer-in-Chief, Chief Engineer, Superintending Engineer (Level-I), Superintending Engineer (Level-II), Executive Engineer and Deputy Executive Engineer by promotion from Chief Engineer, Superintending Engineer (Level-I), Superintending Engineer (Level-II), Executive Engineer, Deputy Executive Engineer and Assistant Executive Engineer respectively.

(2) The number of post to be filled up by way of promotion under clause (a) of sub-rule (1) shall be 33% (thirty-three per centum) of the total posts and the remaining 67% of the posts shall be filled up by direct recruitment.

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

- (a) 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
- (b) SEBC, Women, Sportsperson, Ex-Serviceman 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.

### PART-III DIRECT RECRUITMENT

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

- (a) Nationality : He must be a citizen of India
- (b) Minimum Educational Qualification : He must have possessed a Degree in Engineering or an equivalent qualification from any University or Institution recognized by the Government or he must be an Associated Member of the Institution of Engineers of India.
- (c) Age Limits : He must have attained the age of 21 years and must not be above the age of 32 years on the 1st day of January of the year of recruitment :

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 the respective categories.

- (d) Knowledge in Odia : He must be able to read, write and speak Odia and have—
  - (i) passed Middle School Examination with Odia as a Language subject ; or
  - (ii) passed Matriculation or equivalent Examination with Odia as medium of examination in non-language subject ; or
  - (iii) 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
  - (iv) passed a test in Odia in Middle English School Standard conducted by the School and Mass Education Department/Board of Secondary Education, Odisha.
- (e) Marital Status : A candidate if married must not have more than one spouse living :

Provided that the State 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.

- (f) 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.

7. *Selection by the Commission* —(1) When the Government decides to fill up the vacancies in the post of Assistant Executive Engineers by direct recruitment, Government will communicate the number of vacancies in the posts along with reserved vacancies thereof proposed to be filled up.

(2) The Commission on receipt of the requisition, shall in such manner as it thinks fit, shall invite applications from eligible candidates.

(3) The Commission after receiving all the applications shall take steps to select candidates in the manner given below :

- (a) Selection shall be based on Career Evaluation and objective type written test and *viva voce* test.
- (b) Weightage on Career Evaluation shall be 50% (fifty per cent) and objective type written test 40% (forty per cent).
- (c) The Career Evaluation shall be made in the following manner :—
- |   |         |                          |
|---|---------|--------------------------|
| (i) High School Certificate   | : 12.5% |                          |
|   |         | (Twelve & half per cent) |
| (ii) Higher Secondary School<br>Certificate or Diploma in<br>Engineering. | :12.5%  |                          |
|   |         | (Twelve & half per cent) |
| (iii) Degree in Engineering   | : 25%   |                          |
|   |         | (Twenty-five per cent)   |
- (d) Weightage on the *Viva Voce* Test will be 10% (Ten per cent)

(4) The Commission shall prepare a list of selected candidates arranged in order of merit equal to the number of advertised vacancy on the basis of the marks secured in Career Evaluation, Objective Type Written Test and *Viva Voce* Test.

*Explanation*—The Commission shall prepare a common merit list taking into account all categories along with separate merit list categorywise.

8. *Select List in case of Direct Recruitment* —(1) The merit list received from the Commission shall be placed before the Government for approval and on such approval, it shall form the Select List.

(2) Appointment to the grade of Assistant Executive Engineer 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 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.

PART-IV  
PROMOTION

9. *Constitution of Departmental Promotion Committee*—(1) There shall be constituted two different Committees under the Chairmanship of Chief Secretary for considering promotion of the officers to different grades in the service under sub-rule (1) of Rule 3.

(A) The Committee for promotion to the post of Engineer-in-Chief—

- |    |  |    |                 |
|----|--|----|-----------------|
| 1. | Chief Secretary                            | .. | Chairman        |
| 2. | Secretary, Finance Department              | .. | Member          |
| 3. | Secretary of the Administrative Department | .. | Member-Convenor |

(B) The Committee for promotion to the post of Chief Engineer/Superintending Engineer (Level-I & II)—

- |    |  |    |                 |
|----|--|----|-----------------|
| 1. | Chief Secretary  | .. | Chairman        |
| 2. | Principal of the Administrative Department   | .. | Member          |
| 3. | Engineer-in-Chief/Engineer of equivalent status of the Administrative Department.                                      | .. | Member          |
| 4. | Chief Engineer, Mechanical<br>(In case of promotion of Superintending Engineer, Level-I & II of Mechanical Wing only.) | .. | Member          |
| 5. | Additional Secretary/Joint Secretary/Deputy Secretary of the Administrative Department dealing with the subject.       | .. | Member-Convenor |

(2) There shall be constituted a Committee under the Chairmanship of Secretary of the Administrative Department for considering promotion of the officers to the posts of Executive Engineer, Deputy Executive Engineer and Assistant Executive Engineer.

- |    |  |    |                 |
|----|--|----|-----------------|
| 1. | Secretary of the Administrative Department   | .. | Chairman        |
| 2. | Engineer-in-Chief/Engineer of equivalent status of the Administrative Department                                     | .. | Member          |
| 3. | Chief Engineer, Mechanical<br>(In case of promotion of corresponding posts of Mechanical Wing only.)                 | .. | Member          |
| 4. | Additional Secretary/Joint Secretary/<br>Deputy Secretary of the Administrative Department dealing with the subject. | .. | Member-Convenor |

(3) 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.

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 officers, as are held by them suitable for promotion to the next higher grade.

(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 Schedule Tribes) Act, 1975 and the rules made thereunder, wherever applicable.

11. *Consultation with the Commission*—(1) The recommendations of the Committee under Rule 9, shall be referred to the Commission for concurrence along with the list of all eligible officers, including those who have not been recommended together with the service particulars and other documents, if any.

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

12. *Select List in case of Promotion*—(1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of Rule 11 shall be considered by Government and the list approved by 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.

13. *Appointment to any Grade in the Service*—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 Rule 12.

## PART-V

## OTHER CONDITIONS OF SERVICE

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 grade :

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 Government at any time 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 former grade if he/she is a promotee.

(3) A probationer after completing the period of probation to the satisfaction of Government shall be eligible for confirmation subject to passing of Departmental and Professional Examination under Rule 17 and availability of permanent vacancy in the grade.

15. *Inter-se-Seniority*—The *inter-se* seniority of the officers appointed to any grade in the service in a particular year shall be in the order in which their names appear in the Select List prepared under Rules 8 and 12 as the case may be :

Provided that officers appointed on promotion against the vacancies of a year shall *en bloc* 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.

16. *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 Government.

17. *Departmental and Professional Examination*—Every member of the service shall be liable to pass the prescribed Departmental and Professional Examination during the period of probation.

## PART-VI

## MISCELLANEOUS

18. *Relaxation*— When the Government are of the opinion that it is considered 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 employees in consultation with the Commission.

19. *Repeal and Savings*—(1) The Odisha Services of Engineers' Rules, 1941 are hereby repealed.

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

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

21. *Power to issue instructions*—The Government may issue such 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 order of the Governor

S. C. MOHAPATRA

Principal Secretary to Government