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## STATE POLLUTION CONTROL BOARD, ORISSA

(DEPARTMENT OF FOREST & ENVIRONMENT, GOVT. OF ORISSA)  
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### NOTIFICATION

Bhubaneswar, the 21<sup>st</sup> September, 2011

**No. I-Estt(Misc)8-05/15674** In exercise of powers conferred by Sub-Section 3(A) of Section-12 of the Water (Prevention & Control of Pollution) Act, 1974, (Central Act-6 of 1974), the State Pollution Control Board, Orissa hereby makes "The Recruitment Conditions of Service of Employees of the State Pollution Control Board, Orissa, Regulation-2011" with the approval of the Govt. of Orissa communicated by the Forest & Environment Department Government of Orissa vide No.ENV-F.E-2/2009/16130/F&E, Dt.05.09.2011, which has been duly concurred by the G.A Department, Govt. of Orissa vide UOR No.161/GAD, Dt.15.04.2011 and vetted by Law Department, Govt. of Orissa vide UOR No.1418/L, Dt.30.07.2011 to regulate the methods of recruitments to different cadre and terms and conditions of service of Officers and Employees of the State Pollution Control Board, Orissa.

By order of Chairman  
[Siddhanta Das]  
Member Secretary

## PART I

### 1. Short Title, Commencement and Application

- (1) These regulations may be called The Recruitment and Conditions of Service of Employees of the State Pollution Control Board, Orissa, Regulations, 2011.
- (2) These regulations shall come into force on the date of their publication in the State Gazette.
- (3) These regulations shall apply to all the employees of the State Pollution Control Board, Orissa appointed in accordance with these regulations:

### 2. Definitions (1): In these regulations, unless, the context otherwise requires,:-

- (a) "Appointment" means appointment duly made by the Board.
- (b) "Appointing Authority" in relation to an employee of the Board means, the authority prescribed under the Orissa Water (Prevention and Control of Pollution) Rules, 1983
- (c) "Bachelor's Degree", "Master Degree", "Degree" or "Doctorate" means such Degree or Doctorate awarded by University established under any Enactment;
- (d) "Board" means, the State Pollution Control Board, Orissa;
- (e) "Cadre" means, the strength of a service or part of a service sanctioned by the Board for a period exceeding three years and includes deputation reserve, training reserve and leave reserve posts;
- (f) "Chairman" means, the Chairman of the State Pollution Control Board, Orissa;
- (g) "Competent Authority" means the Chairman and the Member Secretary and/or any other officer of the Board to the extent power delegated to him/her;
- (h) "Family" means - Husband or wife of the employee, as the case may be, and the children, step children and parent of the employee who are wholly dependant on him/her;
- (i) "Fee" means - Recurring or non-recurring payment to any officer or staff from a source other than the Board's fund whether made directly or indirectly through the intermediary but does not include:
  - (i) unearned income, such as income from property, dividends and interest on security; and
  - (ii) income from literary, cultural or artistic efforts, if such efforts are not

aided by knowledge acquired by the officer or staff in the course of his service;

- (j) "Foreign Service" means - Service in which an officer or staff of the Board receives the pay to be sanctioned by the Board from any source other than Board's fund;
- (k) "Government" means, the Government of Orissa;
- (l) "Member Secretary" means - The Member Secretary of the State Pollution Control Board, Orissa appointed by the Government of Orissa ;
- (m)"Schedule" means, schedule appended to these Regulations;
- (n) "Scheduled Caste" means, caste specified in " The Constitution (Scheduled Casts) Order, 1950", and "Scheduled Tribe" means, Caste specified in "The Constitution (Scheduled Tribe) Order, 1950";

2(2) Words and expressions used in these regulations but not specifically defined shall have the same meaning as respectively assigned to them in the Orissa Service Code.

**Creation of Post** 3. The Board can create posts either on temporary basis or on permanent basis for its efficient performance;

**Classification of Posts** 4. The posts in the Board shall be classified as follows:

(a) Group "A"	(b) Group "B"
(c) Group "C" and	(d) Group "D"

Group-A, Group-B, Group-C and Group-D posts are the posts carrying scales of pay identical to the scales of pay of the posts belonging to such Groups in Government;

**Method of recruitment** 5. Recruitment to any post or categories of posts shall be made by direct recruitment which may be either by competitive examination or by selection, or by promotion: The methods of recruitment and qualification in relation to each post or categories of posts shall be as specified under Part II of these regulations;

Provided that where the method of recruitment is specified by selection, such selections shall be made after the interview conducted by the Advisory or Selection Committee or the Appointing Authority where no such Advisory or Selection Committee has been constituted, as the case may be:

Provided further that for the purpose of promotion by selection, the number of persons to be considered shall be such number of persons eligible for promotion in the order of seniority, as equal to three times the number of vacancies to be filled and where the number of persons eligible for promotion is less than three, such number of persons available shall be considered:

Provided also, that all appointments and terms of employment shall be in accordance with the directions of the Board.

- Disqualification for appointment 6.** (1) No person shall be eligible for appointment in the Board unless he/she is a citizen of India;
- (2) No person, who has more than one spouse living, shall be eligible for appointment in the Board;
- (3) No person who attempts to obtain extraneous support by any means for his candidature from officials or non-officials, shall be eligible for appointment in the Board;
- (4) No applicant for appointment to a post in the Board shall be eligible for appointment if he/she is at the time of his/her application, in permanent or temporary employment in any Department of Government or under any other State Government or Central Government or any other authority specified by the Board in this behalf and has made the application without the consent of the Head of the Department or of the Government or of the Authority, as the case may be, under whom he is employed;
- (5) No person shall be eligible for appointment in the Board, if he or she,-
- (a) is or has been a Member of, or has associated himself or herself with, any body or association after such body or association is declared as an unlawful body or association;
  - (b) has participated in or is associated with, any activity or programme -
    - (i) aimed at subversion of the Constitution of India;
    - (ii) aimed at organized breach of defiance of law involving violence;

- (iii) which is prejudicial to the interests of the sovereignty and integrity of India or the Security of the State; and
  - (iv) which promotes, on the grounds of religion, race language, caste or community, feelings of enmity or hatred between different section of the people;
- (c) is dismissed from service under the Government of India or any State Government or the Board;
- (d) is or has been permanently debarred or disqualified by the Union or any State Public Service Commission from appearing for any examinations or Selections conducted by it;
- (6) No person who is or has been convicted of an Offence involving moral turpitude or who is or has been temporarily debarred or disqualified by the Union or any State Public Service Commission from appearing for examinations or selections conducted by it shall ordinarily be appointed to Board service unless, the Board after review of all the circumstances consider him suitable for such service;
- (7) No person shall be eligible for appointment if he is not able to read, write and speak Oriya: and must have-
- (a) passed Middle School examination with Oriya as a language subject;
  - (b) passed Matriculation or equivalent examination with Oriya as medium of examination in non-language subject ;
  - (c) passed in Oriya as language subject in the final examination of Class VII from a school or educational institution recognized by the Government of Orissa or the Central Government; and
  - (d) passed a test in Oriya in Middle English School Standard conducted by the School and Mass Education Department.
- (8) 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. A candidate, who after such medical examination as the Board may prescribe, is not found to satisfy these requirements shall not be appointed to the service.

**Age limit for  
appointment**

7. (1) For determination of minimum and maximum age limit of fresh candidate/candidates in the Board, the rules of Government of Orissa as prescribed from time to time in respect of general candidates, schedule castes and schedules tribes and other categories will be followed,

(2) Notwithstanding anything contained in sub-regulation(1), the maximum age limit for appointment shall be deemed to be enhanced in the following cases to the extent mentioned, namely;

(a) in the case of a candidate who is or was holding a post under the State or Central Government or local authority or Corporation established by a State Act or a Central Act or established by the government under a State Act or Central Act and owned or controlled by the Government, by the number of years during which he is or was holding such post or five year whichever is less;

(b) in case of a candidate who is an ex-serviceman by three years plus the number of years of service rendered by him in the Armed Forces of the Union;

(c) In case of a candidate engaged by the Board earlier, by the number of years as decided by the Board.

*Note : These provisions of age will not be applicable in cases where appointments will be made on compassionate grounds for rehabilitation of a family member of a deceased employee.*

**Proof of age**

8. Every person on entering into Board service shall declare his/ her date of birth which shall not differ from any such declaration expressed or implied for any public purpose before entering service. The date of birth shall be supported by documentary evidence such as Matriculation Certificate, Municipal Birth Certificate and entry in his/her service record. No alteration of the date of birth of any employee shall be made except in case of clerical error without prior approval of the Competent Authority. An application for effecting a change in the date of birth shall be summarily rejected if -

(a) filed after five years of entry into Board service, or

(b) the change would so lower the applicants age that he/ she would have been ineligible to appear in any of the academic or recruitment

examinations in which he/she had appeared or for consideration for appointment to any service or post under the Board.

**Superannuation** 9. The age of superannuation and the date of retirement of the employees of the Board shall be the same as prescribed by the Government for its employees from time to time.

**Foreign Service** 10. The service of an employee of the Board shall not be lent to any other organization or office without the approval of the Board. The Board can recall an employee whose services are borrowed by the Government or an organization or office in the event of necessity.

**Provisions for reservation in appointment** 11. Notwithstanding anything contained in these regulations 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 time; 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 State Government from time to time.

**Appointment by direct recruitment** 12. (1) The direct recruitment shall be made on the basis of the percentage of total marks secured in the qualifying examinations specified in respect of each post or categories of posts as specified in these Regulations and the total marks secured at the interview, by the Selection Committee.

(2) For selection of candidates for interview, the Selection Committee shall prepare a list of names of candidates on the basis of percentage of marks secured in the qualifying examination or examinations in the order of merit and where the percentage of marks in the qualifying examinations is the same in respect of two or more candidates, then the order of merit in respect of such candidates shall be fixed on the basis of percentage of marks secured in the interview and written test.

(3) From among the candidates whose names are included in such list such number of candidates as is equal to five times the number of vacancies notified, selected in the order of merit shall be eligible for interview;

Provided that where in respect of any post or categories of posts, any preferential or desirable qualification (whether academic or otherwise) is specified, then all the candidates possessing such qualification shall also be eligible for interview irrespective of the marks obtained by them in the qualifying examinations.

**Application Form and Fees**

13. In the case of direct recruitment, every candidate shall submit his application in the form prescribed by the Board. Every candidate for direct recruitment to any service or post may be required to pay such fees, if any, as may be prescribed by the Board;

Provided, that a candidate belonging to Scheduled Caste, Scheduled Tribe shall not be required to pay the prescribed fees.

**Conditions relating to suitability and certificate of character**

14. (1) No person shall be appointed to any service or post unless the appointing authority is satisfied that he has a good moral character and in all respects suitable for appointment in the service of the Board after due verification by the Police.

(2) Every candidate selected by direct recruitment shall furnish to the appointing authority certificates given not more than six months prior to the date of his selection by two respectable persons unconnected with his college or University and not related to him/her to testify his/her character in addition to the Certificate or Certificates which may be required to be furnished from the educational institutions last attended or from the employer of the organization where he was working prior to his selection.

(3) If any doubt arises, regarding suitability of candidate for the post or service of the Board, the decision of the Appointing Authority shall be final.

**Recruitment Committee**

15. For the purpose of direct requirement, there shall be a Selection Committee as indicated hereunder



<b>For Group – "B" Posts</b>		
1.	Chairman State Pollution Control Board, Orissa	CHAIRMAN
2.	An Officer of the Scheduled Caste and Scheduled Tribe Department (Not below the rank of Deputy Secretary) to be nominated by the Secretary of the SC & ST Department, Government of Orissa	MEMBER
3.	Director (Environment), Forest and Environment Department, Government of Orissa or his nominee	MEMBER
4.	One Specialist to be nominated by the Chairman of the Board	MEMBER
5.	Member Secretary of the Board	MEMBER CONVENER

<b>For Group – "C" and Group – "D" Posts</b>		
1.	Member Secretary, State Pollution Control Board, Orissa	CHAIRMAN
2.	An Officer of the Scheduled Caste and Scheduled Tribe Department (Not below the rank of Under Secretary) to be nominated by the Secretary of the SC & ST Department, Government of Orissa	MEMBER
3.	Director (Environment), Forest and Environment Department, Government of Orissa or his nominee	MEMBER
4.	One Specialist to be nominated by the Chairman of the Board	MEMBER
5.	Administrative Officer of the SPC Board	MEMBER CONVENER

Payment of travelling allowance and daily allowance to candidates

16. Candidates called for interview shall appear for such interview at their own cost at the appointed time and place. No traveling allowance/Daily Allowance will be paid to them in this regard.

Interview

17. The Selecting Authority, namely the Advisory Committee or Selection Committee or if no such Committee is appointed, the Appointing Authority shall interview the eligible candidates selected in accordance with the procedure specified by the Selection Committee constituted for that purpose.

Where the marks are given on the basis of their performance in the interview, the maximum marks for the interview shall be as determined by the Chairman of the Interview Committee.

List of selected candidates

18. (1) The Selecting Authority shall, on the basis of aggregate of total marks secured in the qualifying examinations and determined in accordance with these regulations and of the marks secured at the interview as determined and taking into consideration the orders in force regarding reservations of posts for Scheduled

Castes, Scheduled Tribes etc., as specified by the Government from time to time and in the manner stated in regulations prepare in order of merit a list of candidates eligible for appointment to the cadre or post.

(2) Where the marks obtained by two or more candidates are the same, the ranking shall be fixed in accordance with percentage of marks secured in the interview and test.

(3) The lists so prepared shall be in force until the next Select list is prepared.

**Appointment of candidates** 19. Candidates whose name are included in the list specified in regulation 18 may be appointed by the Appointing Authority against the vacancy in the particular cadre or post in the order in which the names are found in select list. Mere inclusion of names of the candidates in the select list does not confer any right in favour of such candidates for such appointments.

**Appointment by transfer within the service of the board** 20. The Chairman may, in public interest and for reasons to be recorded in writing and also subject to any general or special orders that may be issued by the Board in this behalf, appoint by transfer any officer or staff belonging to Group - A, B, C & D service from a post in one unit of service to a post carrying an equivalent scale of pay/grade in another unit of service, under the Board.

**Appointment on compassionate grounds** 21. If any officer/employee of the Board dies while in service, one of his/her dependants shall be appointed to any vacant post in the Board (where merit based selection can be dispensed with) on compassionate grounds in accordance with the provisions approved by the Board in this behalf.

**Joining Time** 22. A candidate appointed by direct recruitment shall assume charge of the post specified by the Appointing Authority as soon as possible after the date of receipt of the order of appointment but not later than 30 days.

The Chairman of the Board may, at the request of the candidate and if satisfied that there are good and sufficient reasons for doing so, by order in writing, grant such further time as he deems necessary, but not more than three months under any circumstances. The candidate who does not assume charge of the post within the time so granted shall forfeit his claim for appointment.

**Record of Service** 23. The Board shall maintain Record of Service for all the employees. The record shall be kept in such form and shall contain such information, as prescribed by the Government for its employees.

**Misconduct** 24. A candidate who is found guilty of impersonation or of submitting fabricated documents which have been tampered with or of making statements which are incorrect or false or of suppressing the material information or of using or attempting to use unfair means in the process of selection for recruitment or otherwise resorting to any other irregular or improper means or bringing undue pressure in connection with his recruitment may in addition to rendering himself liable to criminal prosecution and to disciplinary proceedings wherever found necessary, be debarred either permanently or for a specified period by the Appointing Authority, for any post in relation to which he is the Appointing Authority.

**Counting of Past Service** 25. A person belonging to other organization, other than those on deputation, when joins in the Board's service shall be treated as joining the first post in the Board and his / her past service shall not count towards duty performed in the Board. In case of a Government employee who has been permanently absorbed in Board's service, the past service shall count towards duty performed in the Board. For the purpose of counting of qualifying service for pension, his previous service may be considered as stipulated by the State Government under the OCS Pension & Commutation of Pension Rules, 1992.

**Resignation** 26. An employee of the Board may resign from service by giving 3 calendar months notice in writing to the Chairman or by paying one month's basic pay in lieu of notice. In case the period of notice is less than three calendar months, he/she shall be liable to pay to the Board one month's basic pay in lieu of such notice.

Provided, that no resignation shall be effective unless it is accepted by the Board or the Chairman, as the case may be, a resignation shall not be accepted in the event of -

- (a) disciplinary proceeding have been instituted or contemplated against the employee;
- (b) the employee is under any obligation to serve the Board for a specific period;
- (c) the employee owes any sum of money in the shape of advance or otherwise to the Board; and
- (d) For any other sufficient grounds to be recorded in writing by the Chairman of the Board, as the case may be.

**Probation** 27. Every person appointed to any grade or post in the Board 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 further that such period of probation shall not include, -

- (a) Extraordinary leave;
- (b) Period of unauthorized absence; and
- (c) Any other period held to be not being on actual duty.

The period of probation may for reasons to be recorded in writing be extended by the Appointing Authority by such period not exceeding one year and by the Board for a period exceeding one year provided that in case of promotion the period of probation shall be one year for each grade/post.

The order of discharge from service in respect of a probationer shall come into effect only after the order of discharge is confirmed by the Appointing Authority with due approval of the Board. The order of discharge of a Probationer shall indicate the grounds for discharge but no inquiry shall be necessary. No order terminating the services of a probationer on the grounds of misconduct shall be passed except after an enquiry is held in which the employee is informed of the charge against him and is given a reasonable opportunity of being heard.

An order discharging the service of a probationer without holding an enquiry is liable for an appeal. Appeal against an order passed by the Chairman shall lie to the Board.

**Increment and Pay** 28. When a probationer is declared to have satisfactorily completed his probation, he shall draw as from the date such order takes effect, the pay he would have drawn had he been allowed the increments for the whole of his service from the date of his appointment on probation.

**Training, Examination & liability to be discharged** 29. The candidate selected for appointment shall during the period of probation be required to undergo training for a specific period if required and shall be required to pass the Departmental Examinations prescribed for the post to which he is appointed on probation. A candidate who fails to complete the training, if any, or who fails to pass the prescribed examinations or who is otherwise found unsuitable to hold the post, is liable to be discharged at any time during or at the end of the probationary period.

**Medical Examination** 30. All candidates selected for appointment by direct recruitment except where appointment is purely temporary, the tenure of which is less than one year shall be appointed only after the Appointing Authority is satisfied that he/she is physically fit to discharge the duties that he/she may be called-upon to do or perform.

All candidates selected shall be required to appear for a thorough medical examination before the Chief District Medical Officer or such other medical authority as may be prescribed by the Board. The opinion of the Chief District Medical Officer or such other medical authority as prescribed by the Board, regarding the fitness or otherwise of the candidate shall be final.

**Service agreement** 31. An agreement binding the candidates selected by direct recruitment for appointment for any post to remain in continuous employment of the Board for a stipulated period. The Appointing Authority shall execute an agreement prior to the appointment in the form prescribed by the Board from time to time and the candidate shall pay the Security Deposit prescribed by the Board towards liquidated damages. The Board will fix the security amount due for this purpose and review the same from time to time in respect of Group - A, B, C and D employees.

**Appointment on Deputation** 32. Notwithstanding anything contained in these regulations, the Chairman may, with the approval of the Board, fill in, under special circumstances, any post by obtaining the services of a suitable person from the Government Departments or other undertakings/other organizations on such terms and conditions as deemed fit. The period of deputation shall not normally exceed the limits prescribed by Government from time to time in this behalf or until his services are considered useful for purposes of the Board, whichever is earlier.

**Appointment on contract** 33. Notwithstanding anything contained in these regulations, the Appointing Authority, if it considers necessary for reasons to be recorded in writing, appoint any person on contract basis for a period of one year for a specific purpose or as a consultant on Service or other Technical matters or obtain the services of a person for such purposes on such honorarium as may be specified by the Chairman.

**Appointment on promotion** 34. (1) For the purpose of promotion on the basis of seniority-cum-merit, there shall be a Departmental Promotion Committee consisting of the following Members: -

**I. For Group – "A" Posts:**

- |  |                 |
|--|-----------------|
| 1. Chairman of the Board   | CHAIRMAN        |
| 2. Director (Environment), Forest and Environment Department, Government of Orissa | MEMBER          |
| 3. A Service Expert to be nominated by the Chairman (In case of Technical post)    | MEMBER          |
| 4. Member Secretary  | MEMBER CONVENER |

## II. For Group – "B" Posts:

- |  |                    |
|--|--------------------|
| 1. Chairman of the Board   | CHAIRMAN           |
| 2. Director Environment or his nominee to represent, Forest and Environment Department | MEMBER             |
| 3. A Service Expert to be nominated by the Chairman (In case of Technical post)        | MEMBER             |
| 4. Member Secretary  | MEMBER<br>CONVENER |

## III. For Group – "C" Posts:

- |  |                 |
|--|-----------------|
| 1. Member Secretary of the Board               | CHAIRMAN        |
| 2. Senior Environmental Scientist of the Board | MEMBER          |
| 3. Senior Environmental Engineer of the Board  | MEMBER          |
| 4. Administrative Officer                      | MEMBER CONVENER |

## IV. For Group – D Posts:

- |  |                 |
|--|-----------------|
| 1. Administrative Officer of the Board         | CHAIRMAN        |
| 2. Senior Environmental Scientist of the Board | MEMBER          |
| 3. Senior Environmental Engineer of the Board  | MEMBER          |
| 4. Additional Administrative Officer           | MEMBER CONVENER |

(2) A proposal to take up promotion of eligible candidates to fill-up the promotional vacancy shall be initiated by the Establishment Branch soon after a vacancy arises. Such a proposal shall be approved by the Chairman of the Board and a Departmental Promotion Committee shall be notified as indicated above in respect of Group 'A', 'B', 'C' and 'D' Posts. The Convener of the Departmental Promotion Committee shall in consultation with the Chairman of the Committee fix a date, time and venue for organizing the Departmental Promotion Committee Meeting. The resolutions of the Departmental Promotion Committee Meeting shall be furnished to the Chairman who will place the same before the Board for approval in case of Group 'A' Posts. After accord of approval by the Board, the promotion orders shall be issued. In other cases Chairman shall accord approval after which promotion orders will be issued.

(3) The Board will be informed of the fact of any promotion in its next meeting.

Incharge  
arrangement

35. Where it is found that, the duration of vacancy of a post will continue for some time, Chairman, in the interest of administration may appoint any employee in that post to perform current duties of that post in addition to his own duties. No special pay or allowances will be admissible to the employee for holding additional charge of the post. This arrangement shall not exceed more than one year.

**Seniority 36.**(1) The inter-se seniority of the employees appointed to a particular cadre or service or class of posts in a particular year shall be in the order in which their names appear in the select list.

(2) Where employees are recruited to any service or a class of post by promotion and by direct recruitment, in a particular recruitment year, the promoted officers shall en block be senior to the officers directly recruited irrespective of date of joining.

(3) When promotions to a class of post or cadre are made on the basis of seniority-cum-merit at the same time, the relative seniority shall be determined,-

(i) If promotions are made from any one cadre or class of post by their seniority inter-se, in the lower cadre or class of post;

(ii) If promotions are made from several cadres or classes of posts of the same grade, by the period of qualifying service in those grades;

(4) When promotions to a class of post or cadre are made by selection at the same time either from several cadres or classes of posts or from the same cadre or class of posts, by the order in which the Candidates/employees are arranged in the order of merit by the appointing authority, followed by a gradation list, prepared for the purpose of deciding the *inter se* seniority;

**Explanation:** For purposes of this Regulation, "several cadre or class of posts shall be deemed to include cadres or classes of posts of different grades from which recruitment is made in any specified order of priority in accordance with any special Regulation of Recruitment;

(5) The decision regarding the seniority of direct recruits to a service or to a class of post shall be made by the appointing authority at the time of their first appointment in one of the modes mentioned below;

(a) When the recruitment is made on the result of a competitive examination, the order of seniority will be in the order of merit, or

(b) When the recruitment is made by selection, the order of seniority will be determined by the order in which the candidates are arranged in the order of merit by appointing authority;

(c) When successful completion of a course of training is prescribed by the recruitment to any post, the seniority of these recruited after such training shall be determined on the basis of the order of merit-

(i) at the examination held at the end of such training, or;

(ii) at the selection for such training when an examination is not held.

The decision once taken shall be final and shall not be open to revision.

(6) The transfer of an employee in public interest from one class or grade of service to another class or grade carrying the same pay or scale of pay shall not be treated as first appointment to the latter for purposes or seniority; and the seniority of the official so transferred shall be determined with reference to his first appointment to the class or grade from which he was transferred;

Provided that where the transfer is made at the request of the employee, he/she shall be placed in the seniority list of the class or grade of service to which he is transferred, below all the employees borne on that class or grade of service on or before the date of the transfer.

Provided further that the seniority of an employee transferred in public interest vis-a-vis the employee actually holding the post in the Class or grade to which he is transferred shall be determined on the date of such transfer with reference to his first appointment to the class or grade from which he was transferred.

**Time Bound  
advancement  
and  
automatic  
grant of  
special  
promotion  
to senior  
scale of pay**

37. Time bound advancement scale of pay shall be applicable in case of employees fulfilling the criteria as fixed by the Government from time to time and adopted by the Board.

**Pay,  
Allowances  
and other  
concession**

38. (1) The pay, allowances and conditions of service of the employees of the Board shall not be more beneficial to the employees in similar standing and status under the State Government, except those approved by the Government from time to time.

(2) (a) The initial pay of a person when appointed to a post under the Board shall be at the minimum of the pay scale prescribed for that post unless otherwise determined.

(b) When an employee is promoted to another post carrying higher duties and responsibilities than the post held by him, his/her initial pay in the time scale of pay of the higher post shall be fixed as per the procedure prescribed by the State Government.

(c) Where an employee is appointed to another post having duties and



responsibilities of less importance than the previous post, his/her pay will be fixed at the stage of the time scale which is equal to his/her pay in respect of the previous post. In case, there is no such stage, the stage next below that pay plus personal pay equal to the difference shall be fixed. He/She will continue to draw that pay until such time he/she should earn an increment in the time scale of the new post.

*Note: A post is said to be higher whose maximum scale of pay of the time scale is higher.*

(3) The authority which orders the transfer of an employee from a higher to a lower grade or post as a penalty for misconduct or inefficiency may allow him to draw any pay, not exceeding the maximum of the pay of the lower grade or post which it may think proper.

(4) The initial substantive pay of a Government servant who is appointed substantively to a post on a time-scale of pay, which has been reduced for reasons other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by rule 74 of Orissa Service Code provided both in cases covered by clause (a) of that rule and in cases, other than those of re-employment after resignation or removal or dismissal from the public service, covered by clause (b), if he either

(1) has previously held substantively or officiated in –

(i) the same post prior to reduction of its time-scale; or

(ii) a permanent or temporary post on the same time-scale as the unreduced time-scale of the post; or

(iii) a permanent post other than a tenure post, or a temporary post, on a time scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post; or

(2) is appointed substantively to a tenure post the time-scale of which has been reduced without a diminution in the duties or responsibilities attached to it, and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post,

Then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay by the Board under rule 33(a) (iii) of the OSC, which he would have drawn under rule 74 of the OSC on the last such occasion, if the reduced time-scale of pay

had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions.

(5) Pay and allowances shall not be payable for part of a month to an employee who leaves or discontinues his/her service without due notice during a month unless such notice has been waived by the competent authority.

(6) Pay and allowances shall cease to accrue as soon as an employee ceases to be in service. In the case of an employee dismissed/terminated from the Board's service, the pay and allowances shall cease from the date of his/her dismissal/termination. In the case of an employee who dies while in service, they shall cease from the day following that on which the death occurs.

(7) In an incremental scale, the increment shall accrue on completion of one year of service on each stage of that scale including a period of probation.

**Sanction of Increment** (8) The following periods count for increment in the time scale of a post which the employee concerned holds a lien as well as in the time scale of the post or posts, if any, on which he/she would hold a lien had his/her lien not been suspended:-

- (a) Service in another post whether in a substantive or officiating capacity;
- (b) Service on deputation;
- (c) Foreign service; and
- (d) Leave other than extraordinary leave

(9) All leave other than extraordinary leave and the period of deputation out of India shall count for increment in the time-scale applicable to a post in which the employee was officiating at the time he/she proceeded on leave or deputation out of India and would have continued to officiate but for his/her proceeding on leave or deputation out of India.

Provided that the Board may direct, subject to such conditions as may be specified, that extraordinary leave taken on account of illness or for any reason beyond the control of the employee or for procuring higher scientific and technical studies may be allowed to count for increment under clause(ii) and (iii) above.

**Note-1** : When a special order allowing extraordinary leave to count for increments under clause (ii) and (iii) above has been made by the Board in favour of an employee proceeding on extraordinary leave for the purpose of study, such employee shall on return from leave produce satisfactory evidence in the form of a degree/diploma or other qualification in the form of a certificate from the head of the institution where the course of study has been prosecuted to show that he/she has profited from the course of study; and in default of the production of such evidence by the employee, the Board may revoke the special order allowing the period of extraordinary leave to count for increment.

**Note-2** : A period of overstay on leave does not count for increment under this rule.

**Joining time for increment** (10) (a) The joining time for the employees will be determined as follows.

Joining Time	Admissible
In the same headquarters	Same day
Transfer from one station to another station (different headquarters)	Preparatory 6 days, one Sunday and additional 1 day as follows:  150 KM or part thereof by road  300 KM or part thereof by rail

In case of journey by air on transfer, actual journey time will be treated as joining time in addition to 6 days allowed as preparatory time.

**Note:** (a) A Sunday does not count as a day for the purpose of the calculation of joining time if joining time exceeds 30 days.

(b) In case of extraordinary circumstances beyond the control of the employee on transfer the joining time taken more than prescribed time may be sanctioned by the competent authority.

(c) Employees deputed for training outside the headquarters for more than 3 months will be entitled to get joining time as per scale laid down above. However, employees deputed for training for a period of less than 3 months outside the headquarters will be eligible to get actual journey time as joining time.

(11) No increment may be withheld except as a disciplinary measure

and each order withholding the increment shall state the period for which it is withheld and whether the withholding shall have the effect of postponing future increments. Provided that if in an incremental scale there is an efficiency bar, an employee shall not draw increments above that bar until it has been certified fit to do so by the Chairman in the case of Group-A & Group-B employees and all other employees (group-C & D) of the Board by the Member Secretary or by any other Officer duly empowered by the Chairman on this behalf.

**Officiating Pay** (12) An employee who is appointed to officiate in a higher grade shall, as long as he/she shall hold such a grade, draw an officiating pay equal to the difference between his/her basic pay in the old scale and the stage in the scale of the post in which he/she is appointed, which is next above his/her basic pay in the old scale.

**Protection of Pay** (13) In case of an employee directly recruited to the Board was in employment, in Government Department / Government Undertaking / Statutory Bodies / Educational and Research Institutions of repute immediately before joining, his/her basic pay will be protected and refixed in the scale to which he/she is appointed.

However, pay so fixed cannot be cited by his/her seniors in the cadre for fixation of their pay in the Board.

**Additional increment for higher qualification & experience** (14) (a) The basic pay of an employee may be fixed with additional increments not exceeding 4 in number by the Chairman on the recommendation of the selection committee if he/she is found to have higher qualification and experience than the qualification prescribed for the post which will be beneficial to the services of the Board at the time of initial recruitment.

**Advance increments for higher qualification** (b) An employee of the Board who acquires higher qualification while serving in the Board may be granted two advance increments by the competent authority on the recommendation of the Expert Committee to be constituted by the Chairman to consider such cases. The following degree/diploma will be taken account for giving benefit under this rule.

- (1) Doctorate Degree or any other equivalent Degree in Science or Engineering related to the subject of Environment.
- (2) Master Degree in Engineering or equivalent Degree related to the subject of Environment.
- (3) M. Phil or equivalent Degree from University relating to the subject of Environment.

- (4) Any other Post-Graduate Degree relating to Environment or Post Graduate Diploma on the subject related to environment involving full study for a period not less than 1<sup>1</sup>/<sub>2</sub> academic years or 3 semesters.

Provided that this benefit will be admissible to employees acquiring the above degree/diploma subsequent to their initial recruitment.

Provided further that this benefit of advance increment can be availed by any employee only once in his service career in the Board.

**Note:** 1) If due to protection of pay granted additional increment granted under these regulations, the pay of an employee is fixed in the time-scale at the stage where crossing of E.B. falls, the pay may be fixed at the stage without crossing of E.B. but the employee has to cross the E.B. at the next increment due.

2) The Board may withdraw this benefit at any time taking into account the prevailing situation.

**Medical facilities** (15) All employees of the Board including Project Staff or any other temporary staff as well as the employees on deputation will get financial assistance for medical treatment of themselves and their dependants by way of Medical Allowance as may be determined by the Board from time to time or by way of reimbursement of medical expenses as would be determined by the Board.

**Other allowances payable** (16) Besides pay and dearness allowance, the Board may grant other allowances like house rent allowance, conveyance allowance, at a rate fixed by it to its employees and to staff on deputation. These allowances can be withdrawn at any time if situation so warrants.

**Grant of Adhoc increments** (17) The employees of the Board stagnating at the maximum of their increments scales of pay will be granted adhoc increments as admissible to government servants of the state Government. The rules/instructions issued by Government in this regard will be applicable to the Board employees.

**Rationalisation of Pay Scales** (18) (a) The scales of pay of all employees of the Board shall be same of Pay Scales as those in the State Government for similar/equivalent posts.

Revised scales of pay adopted by the State Government from time to time will be applicable to the Board employees. Fitment in the revised pay structure of the staff will be done according to the Government's guidelines.

(b) The Board may fix the scales of pay of Scientists, Engineers and Other officers of the Board with due regard to qualification and experience as prevalent in similar scientific/engineering organization if the scales of pay of those posts are not provided by the Government. Any revision in the scales of pay by the said organizations will be applicable to the employees serving in the Board. Fitment in the revised pay scales of staff will be done according to Government's guidelines.

(c) Those employees serving under the Board on deputation from government or any other organization shall enjoy the scales of pay of their parent departments in the Governments / organizations. They will get deputation allowance and all other benefits that the terms and conditions of deputation determine. In addition, they will be eligible to get other allowances that the Board gives to its own employees.

(19) (1) An employee under suspension shall be entitled to the following payments.

**Subsistence Allowance** (a) A subsistence allowance at an amount equal to half pay last drawn and in addition D.A based on such pay.

Provided that where the period of suspension exceeds 12 months the employee under suspension shall be paid at the following rate provided in Clause (b) and (c) of this Sub-regulation.

(b) The amount of subsistence allowance shall increase by a suitable amount not exceeding 75% of the last pay drawn, if in the opinion of the authority the period of suspension has been prolonged due to official delay (the exact reason is to be recorded in writing).

(c) If in the opinion of the authority the period of suspension has been prolonged due to reasons directly attributable to the suspended employee, subsistence allowance will be paid at the rate such allowance granted for the first 12 months.

(d) The rate of dearness allowance will be based on the increased or the decreased amount of subsistence allowance as admissible in clause (b) & (c) above, as the case may be.

(e) Any other compensatory allowance admissible from time to time on the basis

of pay of which the employee was in receipt on the date of suspension subject to fulfillment of other conditions laid down for the drawal of such allowance.

(2) No payment under sub-rule (1) shall be made unless the employee furnishes a certificate that he/she is not engaged in any other employment, business, profession or vocation.

(20) (1) When an employee who has been dismissed, removed, compulsorily retired or suspended is reinstated while under suspension the authority competent to order the re-instatement shall state a specific order regarding pay and allowances to be paid to the employee for the period of his/her absence from duty or for the period of suspension; and whether or not the said period shall be treated as period spent on duty.

(2) Where the authority holds that the employee has been fully exonerated of the charges or in the case of suspension it was wholly unjustified, the employee shall be given full pay to which he/she would have been entitled, had he not been suspended, together with allowances to which he was in receipt prior to such suspension. The period of absence from duty shall be treated as period spent on duty for all purposes.

(3) In the case of suspension when an employee not having been exonerated of the charges fully is re-instated in service, he/she may be allowed subsistence allowance only for the period of suspension. In such cases the period of absence from duty shall not be treated as a period spent on duty, unless such authority specifically directs that it shall be so treated for any specified purpose. Provided that if employee so desires the authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the employee.

(4) Notwithstanding anything contained in these regulations where an employee under suspension dies before disposal of the disciplinary or court proceedings instituted against him/her, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his/her family shall be paid full pay and allowances for that period to which he/she would have been entitled had he/she not been suspended subject to adjustment in respect of subsistence allowance already paid.

**Suspension during pendency of Criminal Proceedings etc.**

(21) An employee against whom proceedings have been initiated either for his/her arrest for debt or on a criminal charge or who is detained under any Law providing for preventing detention shall be considered as under suspension for the period during which he/she is detained on custody or is undergoing imprisonment. He/she will not be allowed to draw any pay and allowances (other than subsistence allowance) for such period until the termination of the proceedings taken against him or until he/she is released from detention and allowed to rejoin on his/her duty as the case may be.

(22) The pay of an employee appointed by the Board to hold substantively as a temporary measure or to officiate in two or more independent posts at one time shall be regulated as follows.

(a) The highest pay to which he/she would be entitled if his/her appointment to one of the posts stood alone, may be drawn on account of his/her tenure of that post.

(b) For each other post he may draw such reasonable pay in no case half the presumptive pay of the post.

(c) If a compensatory allowance is attached to one or more of the posts he/she may draw such compensatory allowance not exceeding the total of the compensatory allowances attached to all the posts.

*Note:* Presumptive pay of a post means the pay to which the employee would be entitled if he/she hold the post substantively and was performing its duty but it does not include special pay.

(23) The amount of a compensatory allowance shall be decided by the Board. While deciding the amount the Board should see that on the whole it is not a source of profit to the employee.

(24) Where a compensatory allowance is attached to a post, it shall be drawn only when the employee actually performs the duties of that post.

(25) Compensatory allowance may be drawn up to a maximum period of 4 months by the employee who takes leave on average pay or half average pay.

Provided that the officer-in-charge of Establishment certifies that no extra cost is caused to Board on account of grant of this allowance to the employee.

*Note 1:* In case the absentee does not incur the whole expenses on house rent,



the authority sanctioning the leave may direct that a part of the allowance shall be drawn.

Note 2: The absentee will draw the full allowance when no officiating arrangement has been made.

Note 3: The certificate prescribed above should be attached to the pay bill in case of group "C" and "D" employees.

(26) If an employee is transferred from one post to another and the amount of compensatory allowance is equal in both the posts, he/she will draw the allowance during joining time and if the rate of allowance differs, he/she may draw the compensatory allowance at the lower rate.

(27) Grant of Traveling Allowance which is a form of compensatory allowance is subject to the provisions contained in Traveling Allowance Rules.

**Provision of Residence** (28) The Board may make rules or issues orders laying down the principles governing the allotment of quarters to the officers and staff serving under the Board for use by them as residence.

(29) The Board may allot a residential building owned or leased by the Board either to the incumbent of a post or to an individual officer/staff by name.

(30) (1) The officer/staff whom a residence has been allotted shall remain in occupation of the said residence unless the allotment is changed or suspended or revoked.

(2) An officer/staff shall be considered to be in occupation of his / her residence when absent or on tour.

(31) When a residence is allotted to a post and the incumbent holding the post does not intend to occupy the said residence, it may be allotted to any other officer/staff found suitable.

(32) A residence allotted to an officer/staff may be retained on the happening of any of the event specified on column (2) of the Table below for the permissible period specified in column (3) thereof.

**TABLE**

Item No. (1)	Events (2)	Permissible period for retention of residence (3)
1	Resignation, dismissal, removal, compulsory retirement as a measure of penalty and termination of service in case of temporary employee.	One week from the date of receipt of order when a substitute has been appointed and 15 days when no substitute is appointed.
2	Retirement from service including leave preparatory to retirement and completion of statutory term of the Head of Office.	<p>In case of reserved accommodation with license fees/ free accommodation, two weeks from the date of retirement where a substitute has been appointed and one month when no substitute posted.</p> <p>For other categories of employees one month from the date of retirement when a substitute posted and 2 months when no substitute posted.</p> <p>Provided that the Chairman or any officer authorized by him may allow the employee to retain the residence upto a maximum period of 4 months subject to no administrative inconvenience is caused.</p> <p>Provided further that the Chairman can retain the house up to a period of 3 months if no administrative inconvenience is caused.</p> <p>Note: In the case of leave preparatory to retirement the concession period will start from the date of commencement of leave.</p>
3	Death of the employee	<p>In case of reserved accommodation 15 days following the date of death when a substitute is posted and 1 month when no substitute is posted.</p> <p>For other category of accommodation one month when a substitute is posted and 2 months when no substitute is posted.</p> <p>Provided that the authority may allow the family member of the deceased employee to remain in the residence for a period of 4 months in deserving cases subject to no administrative inconvenience is caused.</p>
4	Transfer of Employee	<p>In case of reserved accommodation only joining time is allowed when a substitute is posted and one month when no substitute is posted.</p> <p>In case of other categories of accommodation, one month from the date of making over charge if quarters is available in new station, 2 months if no quarter is available in new station.</p>

(33) If due to administrative necessity an employee is transferred in mid-session and he/she has school going or college going children residing with him/her, the authority competent to allot quarters may allow him/her to retain the residence till completion of the Annual Examination.

(34) Where an officer/staff retain the residence by virtue of concession granted under item-1 or 2 above and he/she is re-employed/reinstated within the concession period is entitled to retain that residence.

(35) The officer/staff will continue to pay the license fee during the concession period except in case of death where no license fee is recovered for the said period.

(36) The Board will decide the license fee of a particular quarters owned by it or the residence taken on lease from time to time.

**Honorarium & Fee** (37) No employee without previous sanction of the Board shall be granted or permitted to accept an honorarium or fee.

(38) No employee of the Board shall undertake work for a private person or organization or public body and accept fee whether nonrecurring or recurring without the knowledge or permission of the authority. Such authority while according permission shall certify that the work in question can be done without detriment to the official duties and responsibilities entrusted to the employee.

**Note:** If the fee is received by the employee in his/her private capacity it may be paid to him/her direct. If it is received by him/her in his/her official capacity, it shall pass through to the Board's account.

(39) An employee may be granted or permitted to accept an honorarium as remuneration for the work performed by him/her which is occasional or intermittent in character. The work so performed may be laborious or of special merit so as to justify a special reward. An honorarium should not be granted or allowed to be accepted unless the work has been undertaken with the prior consent of the Competent Authority.

(40) While sanctioning the honorarium or fee the sanctioning authority shall record the reasons justifying grant of extra remuneration.

(41) The amount of an honorarium or fee shall be fixed with due regard to the value of the service in return for which it is given.

(42) In following cases an employee is eligible to receive honorarium or fee without special permission.

- (a). Award in shape of cash or kind for winning a competition
- (b). Any reward payable in accordance with the provisions of any act, regulation or rule framed there under.
- (c). Any reward sanctioned for the services rendered in connection with the administration of the customs and excise law.
- (d). Any fee payable to an employee for duties which he/she is required to perform in his/her official capacity under any special or local law or by the orders of Board/Government.

**Note:** An officer of the Board who in his/her official capacity is nominated by Government as a Chairman or a Member of a Committee or a Member of a Governing Body shall not be eligible for any fee or other remuneration, except the traveling allowance which is admissible for attending a meeting of such committee or governing body or for performing other work thereof. The aforesaid provisions are applicable to Government institution or Govt. aided institution. In case of other institution, the officer shall be eligible to draw his/her traveling allowance from the Board and credit the TA and or other remuneration received from the institution into the Board's fund.

(43) An employee whose duties involve carrying out of scientific or technical research and seek permission for obtaining a patent for an invention made by him/her shall be granted permission by the Board with such conditions as it may think to impose. However, such permission will not be necessary in respect of an invention which in no way is connected with the subject of his/her research.

### **39. MATTER RELATING TO LEAVE**

(1) These shall be applicable to the whole-time employees of the Board, excluding the following staff,-

- (i) Those appointed on Job Contract for any project or nay other works.
- (ii) Employees on deputation. Provided that the employees on deputation to this Board may with the permission of parent department / office opt to be governed by these rules.

- (2) Any leave admissible under these rules shall be sanctioned by the competent authority as per delegation *in Appendix - I*.
- (3) Following kinds of leave will be admissible under these rules.
- (i) Full pay leave
  - (ii) Half pay leave
  - (iii) Extraordinary leave
  - (iv) Maternity Leave (for women employees)
  - (v) Commuted leave
  - (vi) Leave not due
  - (vii) Study leave
- (4) Leave on full pay is earned by duty only. For the purpose of these rules duty shall include, -
- (i) Period of service on probation followed by regular appointment in the Board service;
  - (ii) Period of training; and
  - (iii) Joining time
- But shall exclude:
- (i) Overstay of leave not sanctioned by competent Authority
- (5) If an employee who is dismissed or removed from service is subsequently reinstated on appeal or on revision, he / she is entitled to count his / her former service towards leave only in case where there is no break.
- (6) Leave cannot be claimed as a matter of right. The sanctioning authority may refuse to grant leave or revoke leave of any kind already granted if exigencies of work so require.
- (7) Any employee on leave except on medical ground can be recalled to duty if the exigencies of work so require. No monetary compensation except T.A admissible under Regulation will be payable by the Board to an employees who has been recalled from leave. But the employee will be allowed actual joining time to join his/her post.
- (8) Except as provided in these rules.
- (a) Leave begins on the day the transfer of charge of office is effected and if the transfer is effected in the afternoon from the following day.
  - (b) Leave ends on the day on which the charge is resumed but if the charge is resumed in the forenoon the preceding day.
- (9) An employee can prefix and suffix holiday/holidays to the leave

(10) When an employee has been permitted to prefix holiday, the leave begins on the first day after the prefix holiday.

(11) When an employee has been permitted to suffix holidays, leave ends on the day immediately preceding the suffix holiday/holidays.

(12) Leave will be earned and granted as under,-

(i) Full-pay leave :- 30 days earned leave to be credited in two installments i.e., 15 days on the 1<sup>st</sup> of January and 1<sup>st</sup> July every year in advance. Provided that the maximum period of leave that can be earned by the employee is limited to 300 days. The maximum earned leave that can be granted at a time to an employee shall be 180 days.

(ii) Half-pay leave – 20 days for every completed year of service. Provided further that for the purpose of this rule, the instruction of State Government issued from time to time shall be applicable.

**Grant of  
Extraordinary  
leave**

(13) Extraordinary leave can be granted to an employee when no other leave is admissible under these Regulations at the direction of the sanctioning authority, with or in continuation of other kind leave.

**Grant of  
Maternity  
leave**

(14) (a) Maternity leave may be granted to a female employee by the authority to grant ordinary leave.

(b) Period of leave may be granted up to a maximum of 90 days or as may be prescribed by the Government of Orissa from time to time, and may be extended in combination with other kind of leave if such request of extension of leave is supported by a Medical Certificate issued by a Medical Practitioner under whom the employees has undergone her delivery / treatment.

(c) Leave salary during such leave shall be equal to the pay drawn by the employee concerned at the time of taking such leave.

(d) Maternity leave shall not be debited against the leave account.

(e) No maternity leave shall be granted to a female employee for the third and subsequent issues.

(f) The female employees who have not rendered one year's continuous service are also eligible for maternity leave.

(g) Maternity leave may also be granted in case of miscarriage including abortion subject to the condition that the period of leave should not be exceed six weeks and the application of the leave should be supported by a medical certificate issued by the Medical Practitioner under whom the employee has undergone treatment.

**Leave not due**

(15) Save in the case of leave preparatory to retirement, leave not due may be granted to a permanent employee for a period not exceeding 360 days during his / her entire service. Provided that this leave may be granted on grounds other than a medical certificate up to 90 days at a time and 180 days in all. Leave not due shall be debited against the half pay leave the employee may earn subsequently on return to duty.

Note 1 : Leave not due should be granted only if the authority empowered to sanction leave is satisfied that there is reasonable prospect of the employees returning to duty on the expiry of the leave and it should be limited to the half - pay leave he / she is likely to earn thereafter.

Note 2 : Where an employee who has been granted leave not due under this clause applies for permission to retire voluntarily, the leave not due shall, if the permission is granted, be cancelled.

(15) Commuted Leave Commuted leave not exceeding half the amount of half- pay leave due may be granted on medical certificate only to a permanent employee subject to the following conditions, namely :

- (i) Commuted leave during the entire service shall be limited to a maximum of 240 days.
- (ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.
- (iii) The total duration of earned leave and commuted leave taken in conjunction shall not 240 days.

Provided that commuted leave may be granted under this sub-rules unless the authority competent to sanction leave has reason to believe that the employee will return to duty on its expiry.

(16) Leave salary Leave salary will be admissible as indicated below, -

**Full pay Leave :** Pay drawn during the full month he / she was on duty immediately preceding the leave.

**Half pay Leave :** Half pay admissible on the basis of pay drawn during the full month he / she was on duty immediately preceding the leave.

**Maternity Leave:** Leave salary during such leave shall be equal to the pay drawn by the employee at the time of taking leave.

**Extraordinary leave:** No leave, salary is admissible.

(18) (a) Employees shall apply for leave and also for extension of

leave to their respective sanctioning authorities through proper channel. The application for leave should indicate the following particulars interalia,-

- (1) name and designation
  - (2) salary and grade
  - (3) period of leave required
  - (4) date from which the leave is to begin and from which it is to end.
  - (5) Ground of leave
- (b) The application for leave should be handed over to the immediate superior officer, if there be any, other than the competent sanctioning authority. The immediate superior officer shall record his/her views on the leave application, suggesting for alternative arrangement during the leave of the employee if granted, the period of leave that may be granted and leave due at the credit of the employee and forward the leave application to the sanctioning authority for orders. Normally all leave applications should be disposed off within a week receipt.
- (19) The grant of leave to an employee shall be subject to the condition that but for the leave, he/she would have continued to hold a post under the Board.
  - (20) No leave should be granted to an employee who is to be dismissed or discharged from service on the ground of disciplinary activities.
  - (21) All employees who have been granted leave on medical grounds for a period exceeding one month may be required to furnish a fitness certificate from the authorized medical officer of the Board or any medical officer not below the rank of an Assistant Surgeon before joining duty on expiry of leave.
  - (22) Unless his/her leave is extended by the competent sanctioning authority, an employee who remains absent after expiry of the leave granted to him/her will not be entitled to any leave salary and the period of absence will be treated as extraordinary leave.
  - (23) Willful absence after expiry of leave may make an employee liable for disciplinary action.
  - (24) Before proceeding on leave all employees shall furnish their leave address to the sanctioning authority and to the Head of the Office in which they serve. The employee should also intimate forthwith changes in their address during leave, if any.
  - (25) An employee suffering from T.B. and being treated in an recognized sanatorium can be granted extraordinary leave up to one year if the medical officer in charge of his/her treatment in the sanatorium recommends grant of leave, the employee would have continued in his/her post.
  - (26) Leave admissible under these rules shall lapse on the date of the employee's compulsory retirement provided that an employee who has been denied full or part enjoyment of the earned leave applied for by him, on grounds of exigencies of



service and which would otherwise have been granted to him/her, may be granted leave to such an extent as the sanctioning authority may consider appropriate even if the leave extends beyond the date of compulsory retirement.

- (27) Employees on contract will be governed by the terms of contract regarding grant of leave. If there is no term in the contract regarding grant of leave, they will be governed by the leave rules made by the Government for the work charged employee or employees paid by daily wages.
- (28) A leave account shall be maintained for every employee in the Form specified in the Appendix -2.
- (29) The Member Secretary on taking order from the Chairman may issue any executive instructions from time to time for smooth and proper operation of these rules as he /she thinks proper and these instructions shall be strictly adhered by all concerned.

**Study leave**

(30) (a) Subject to the conditions hereinafter provided, the Board may grant special study leave to an employee to enable him/her to study scientific, technical or similar problems or to undergo a special course of instruction, such leave shall not be debited against the leave account.

(b) These will not apply to those employees who will be deputed by the Board for performance of special duties imposed on them or for investigation of special problems connected with their technical duties.

(c) Except in every exceptional cases study leave will not be granted to the employees of Group -C.

(d) (i) The grant of study leave will be made only for the interest of the Board. An employee who has put in less than five years of service in the Board, shall not ordinarily be considered for study leave.

(ii) In no case grant of study leave should exceed 2 years during the service period of an employee. Study leave in combination with other kind of leave other than extraordinary leave or leave on medical certificate can be granted up to a maximum of 30 months throughout the service period.

(iii) Study leave shall not be granted in such frequency as employee or hamper the day to day work of the Board to a great extent.

(iv) Ordinarily study leave can be granted to the extent of 12 months at one time but in exceptional cases, the period may be exceeded subject to conditions stated in these Rules.

(e) The employee availing study leave will be entitled to study allowance equivalent to leave salary during the period of leave so sanctioned.

(f) The application for study leave shall contain the course or courses or study contemplated and any examination which the employee is proposed to undergo shall clearly be specified therein. The applicant may furnish further details of the course

of study including any changes in schedule at any time before commencement of the study leave only.

- (g) No course of study will be recognized as qualifying for the grant of study leave or study allowance unless it has been approved by the Board. This can be approved on case to case basis by the Board.
  - (h) On completion of a course of study a certificate obtained from the institution of study together with certificates of examination passed or of special study including the commencement and termination of course with the remarks of the instructor be forwarded to the authority for sanctioning leave.
  - (i) Study allowance will be payable by the Board on claims submitted by the employee from time to time supported by proper certificate of attendance. Such a certificate will be considered in lieu of Annual Confidential Roll of the employ for the corresponding period.
  - (j) Study leave will count as service for promotion and pension.
- (31) Special Disability Leave:
- (a) Special disability leave may be granted to an employee who is disabled by injury intentionally inflicted or caused in or in consequence of the due performance of his official duties or in consequence of his official position.
  - (b) Such leave shall not be granted if the disability is not manifested itself within 3 months of the incident and the person disabled with all promptness bring it to the notice of authority (Chairman / Member Secretary). The time limit of 3 months may be relaxed in special cases.
  - (c) Such leave will be granted as certified by the Authorized Medical Attendant, which should not exceed 24 months.
  - (d) It may be granted in combination with leave of any other kind.
  - (e) Such leave shall be counted as duty in calculating service for pension.
  - (f) This leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but the maximum leave granted in consequence of any one disability should not exceed 24 months.
  - (g) Special disability leave is also admissible when an employee is disabled by injury accidentally inflicted.
  - (h) For the first four months of the leave, leave salary equal to full pay on earned leave will be admissible. The employee will be paid Half pay for the remaining periods. The employee may avail his half-pay leave simultaneously after 4 months of such

special disability leave and get the leave salary equal to full pay leave.

- (i) If the employee is awarded with any such compensation the amount of leave salary will be reduced by the amount of compensation.
  - (j) Special disability leave is not debited to the leave account.
- (32)(a) Hospital leave is admissible to Group -C and Group -D employees whose duties involve handling of dangerous machinery explosive materials, poisonous drugs and the like or the performance of hazardous
- (b) Such leave will be granted on production of a medical certificate from the Authorized Medical Attendant.
  - (c) The amount of hospital leave that may be granted to an employee is limited to 3 months in any period of 3 years. This leave may be combined with any other kind of leave, the total period of which should not exceed 28 months.
  - (d) Leave salary payable in equal to either average pay or half average pay as the sanctioning authority may determine. Leave salary will be reduced as per the amount of compensation is received.
  - (e) Hospital leave is not debited to leave account.

**Regulation  
for grant of  
casual leave,  
quarantine  
leave and  
surrender  
leave**

- 40. (1) These regulations shall apply to all employees of the Board including work charged employee, temporary staff appointed for specific period with consolidated salary under different projects, officers appointed on contract basis against regular posts and superannuated persons of the Central and State Government when they are re-employed under the Board but shall not be applicable to those who are employed on a seasonal or casual basis.**
- (2) Casual leave may be granted in cases of emergency or unforeseen events e.g., temporary indisposition illness or death of near relative, performance of religious rights and other known causes for short absence. Casual leave shall be granted in case in which other kinds of leave are not appropriate. An employee on casual leave is not treated to be absent from duty and therefore will get his / her usual pay during the leave.
  - (3) Casual leave shall not be granted on vague grounds e.g., urgent affairs, private affairs.
  - (4) Causal leave cannot be claimed as a matter of right.

- (a) An employee shall be entitled to 10 days of ordinary casual leave in a calendar year. In special casual leave to the extent of 5 days a year in addition to the ordinary casual leave of 10 days.
- (b) Persons entering service in the middle or later part of a year or whose terms of appointment does not extend a full calendar year shall not be entitled to the full amount of casual leave and special casual leave as in case of other employees. The amount of leave to be sanctioned in these cases shall be proportionate to the period of employment during the calendar year of the employee concerned.
- (5) Casual leave combined with holidays or Sunday's shall not exceed 10 days at a time. Sundays or other holidays when combined with the casual leave and other holidays shall be subjected to the limit stated above.
- (6) The employee should ordinarily apply for casual leave for anticipated causes before proceeding on leave.
- (7) In cases of availing of casual leave in anticipating of sanction can be given only if the emergency for which the leave is availed is sudden and unforeseen. The employee shall nevertheless submit an application for leave and mention the nature of emergency in the application.
- (8) Casual leave can be granted by the immediate superior authority under whom the employee is working.
- (9) Half day's casual leave will be allowed to an employee when applied for to attend an urgent private work. For grant of half-day casual leave the lunch break is to be treated as the dividing line. Half - day casual leave may be granted in conjunction with full day's casual leave subject to the maximum limit as prescribed in these Rules.
- (10) Quarantine leave is necessitated by orders not to attend office in consequence of the presence of infectious disease in the family or household of an employee.

**Quarantine  
Leave**

Note : Cholera, Smallpox, Plague, Diphtheria, Typhus and Cerebra -- Spinal Meningitis will be treated as infectious diseases unless the medical officer is in doubt about the true nature of disease. For chicken pox no quarantine leave may be granted unless the authorized Medical Officer certifies that it is infectious in nature.

11) Quarantine leave can be granted up to a maximum period 4 weeks only on the certificate of an authorized Medical Officer or a Public Health Officer.

(12) Quarantine leave will be debited against the leave account

of the employee and the period will not be treated as a period of absence from duty. The employee will get pay and allowance accordingly.

(13) An employee can surrender 30 days of Earned Leave for encashment of Leave Salary in a block period of two years provided he / she has got 120 days Earned Leave at his /her credit.

**Regulation  
for  
surrender of  
EL and  
Encashment  
of Leave in  
lieu of Leave  
Salary and  
Allowance**

(14) The rate of Leave salary and allowance admissible for the leave encashment shall be at the rate equivalent to his/ her full pay and D.A as per the preceding month.

(15) Leave salary for the period of surrendered leave shall be payable in full before commencement of leave.

(16) The leave salary and allowance admissible for the leave surrendered shall not be liable to any deductions except income tax. If any.

(17) Authority empowered to sanction earned leave is competent to accept the surrendered leave.

(18) The encashment of leave shall be admissible to an employee once only in a block period of two years, commencing from 1<sup>st</sup> April of the particular year of the Block period effective from the date to be decided by the Board.

(19) An employee who is on the verge of retirement shall be allowed to avail the earned leave so accumulated either partly/ wholly or to surrender such leave partly / wholly for the purpose of encashment.

**Encashment  
of Unutilized  
Leave**

(20) (a) Encashment of unutilized earned leave accumulated in the leave account of an employee shall be admissible in the following cases.

- (i) Retirement on attaining the age of superannuation.
- (ii) Voluntary / pre-mature retirement or retirement on invalidation.
- (iii) In case of termination by notice or by payment of pay and allowance in lieu of such notice.
- (iv) Extension of service beyond the date of retirement on superannuation.
- (v) In case of death during service period, to the family of the deceased.
- (vi) In the case of leave preparatory to retirement.
- (vii) In case of permanent absorption in any public sector undertaking / statutory board and government.

b) Cash payment for the un-utilized earned leave shall be equal to leave salary and DA admissible on that leave salary at the

rate of force on the date of retirement or any of the cases referred above. Maximum period of earned leave that can be encashed is limited to 300 days.

Note : If subsequently pay and / or DA is enhanced with retrospective effect, cash payment for the un-utilized earned leave will be calculated and the differential amount will be paid to the employee.

c) An employee who resign or quit from service for appointment elsewhere shall be entitled to cash equivalent in respect of earned leave at credit on the date of cessation of service, to the extent of half of such leave at his credit subject to a maximum of 150 days.

**Deputation  
on Foreign  
Service**

41.(1) (a) No employee of the Board may be transferred to Foreign Service or sent on deputation to other organization owned and controlled by Government against his will unless he is so liable to the terms of his appointment.

Provided that where the transfer is on deputation to the department of the State Government, no consent of the employee is necessary.

(b) A deputation to Foreign Service shall require the sanction of the Board.

(2) An employee transferred to foreign service or sent on deputation to Government or other organization shall remain on the cadre in which he was included in a substantive or officiating capacity immediately before his transfer. He may be given proforma promotion in his parent cadre whenever his case of promotion arises following the Next Below Rules on one-for-one principle.

(3) Unless specifically allowed while sanctioning deputation of an employee on foreign service shall not be granted leave otherwise than by the Board.

(4) An employee on foreign service shall not accept from the foreign employer any financial benefit to which he is not entitled under the deputation sanction order.

(5) The total period of deputation with deputation allowance should not exceed 6 years. In special circumstances if the foreign employer needs his service, deputation for one more year may be considered by the Board.

(6) No employee should be sent on deputation or continue on deputation during the last 3 years of his service prior to retirement.

(7) An employee on deputation may be allowed to elect either the pay of the new post or to the grade pay that is his basic pay in Board plus the personal pay, if any, or the deputation allowance.

Provided that, the pay plus deputation allowance should not exceed the maximum pay of the post held by him.

(8) An employee transferred to foreign service shall draw pay from the foreign employer. From the date of his relinquishment of the charge of his post similarly when the revert from the foreign service, his pay shall cease to be paid by the foreign employer and his contributions shall be discontinued with effect from the date of his reversion.

(9) The T.A. while proceeding on transfer to foreign service and when reverting to the parent office shall be borne by the foreign employer.

(10) No gratuity or pension should be received by the employee from the foreign employer. During deputation, leave salary contribution as admissible shall be paid by the foreign employer.

(11) The Foreign employer shall deposit matching share of the employees provident fund @ 12% of the pay and the administrative charges @ 1.1% towards pension contribution.

**Rehabilitation Facilities**

42. Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 and the amendments thereof, which is applicable for the employees of the State Government, will also be applicable in case of the employees of the Board.

**Confidential reports**

43. There shall be a confidential report in the form annexed to these regulations in respect of holders of the posts belonging to Group A, B & C.

**Annual Confidential Reports**

(a) An Annual Confidential report shall be written by the Reporting authority in respect of Group A & B employees of the Board in Form -A. in respect of Group C employees such Annual Confidential reports shall be written by the Reporting Authority in Form - B. The annual confidential reports shall be written for every year and forwarded to the Reviewing authority within one month of the close of the financial year, i.e. by 30<sup>th</sup> April of the succeeding financial year.

(b) The Confidential Report shall also be written when either the reporting authority or the Official of the Board relinquished charge of the post, and in such case it shall be written at the time of relinquishment of the post or within a month of relinquishment and forwarded to the reviewing authority.

(c) Where the Reporting authority has not seen and the reviewing authority has seen the performance of an employee of the Board for at least three months during the period for which the Confidential Report is to be written, the Confidential

Report of any such official/employee of the Board for any such period shall be written by the reviewing authority and forwarded to the accepting authority and where both the reporting authority and the reviewing authority have not seen and the accepting authority has seen the performance, as aforesaid, of any such employee of the Board during any such period, the Confidential Report shall be written by the accepting authority.

(d) Where the reporting authority, the reviewing authority and the accepting authority have not seen the performance of an employee for at least three continuous months during the period for which a report is to be written, an entry to that effect shall be made in the Confidential Report for any such period by the accepting authority.

**Review of  
Confidential  
Reports**

(2) (a) The Confidential Report shall be reviewed by the Reviewing Authority and forwarded to the accepting authority ordinarily within one month of its receipt.

(b) Where the report is written by the reviewing authority or where reviewing authority has not seen and the accepting authority has seen the performance of an official of the Board for at least three months during the period for which the Confidential Report is written, the Confidential Report of any such employee/official of the Board for any such period shall be reviewed by the accepting authority ordinarily within one month of its receipt.

(c) It shall not be competent for the reviewing authority or the accepting authority, as the case may be, to review any Confidential Report unless such authority has seen the performance of the Official of the Board for at least three months during the period for which report has been written and in every such case an entry to that shall be made in the Confidential Report.

**Acceptance  
of  
Confidential  
Reports**

(3) (a) The confidential report after review shall be accepted with such modifications as may be considered necessary by the accepting authority ordinarily within one month of its receipt.

(b) Notwithstanding anything contained in para (1) (2) above where the accepting authority writes or reviews the Confidential Report of any employee of the Board, it shall not be necessary further to review or accept any such report.

**Time limit  
for writing  
the Reports**

(4) Notwithstanding anything contained in para (1), (2) and (3) above, it shall not be competent for the reporting authority or reviewing authority or accepting authority or any other authority to write, review, accept or to record any views in Confidential Reports :-

(a) After completion of 12 months in case of officers belonging to Group -A and Six months in case of officers / officials belonging to Group- B and C from the date following the last date of the period for which the report was required to be



written :

(b) Where the authority , -

(i) has retired from service if he was an employee of the Board,  
or

(ii) has demitted office in other cases.

**Punishment**

(5) The pendency of any disciplinary proceedings shall not be recorded in the Confidential Report in respect of any Board Employee, unless such proceedings are in respect of charges relating to his integrity. A copy of the final order in all disciplinary proceedings, shall however, be included in the employee's Confidential Record.

**Communica-  
tion of  
Remarks**

(6) (a) All adverse remarks in the Confidential Report shall be communicated in writing by the accepting authority or any other authority empowered by the Board in this behalf, to the Employee of the Board concerned, ordinarily within 8 (Eight) months of the close of the year. While communicating an adverse remark, a short summary of the good points shall also be communicated but the name of the officer/officers recording the remarks shall not be communicated to the Official/employee of the Board reported upon. Where a report shows that the employee of the Board has made successful effects to remedy the defects to which his attention has been drawn previously, it shall be communicated to him.

(b) When an official/officer has done outstanding work in the course of a year and earned appreciation, it shall be communicated to him by the accepting authority.

(c) The fact of communication of remarks under the above regulations shall be recorded in the report.

**Represent-  
ation against  
Adverse  
Remarks**

(7) Every official of the Board to whom adverse remarks are communicated may within six weeks from the date receipt of such communication to him, submit his representation if any, against the said remarks through proper channel, to the Member Secretary of the Board.

Provided that for sufficient cause shown, a representation submitted after the said period of six weeks may be received and taken into consideration.

Provided further that a representation against adverse remarks submitted within the stipulated time by a retired Board employee shall also be taken into consideration if the adverse remarks were communicated to him while he was in service.

Decision on such representation shall be taken expeditiously by the authority referred to above and communicated to the Official of the Board or retired official of the Board concerned. The decision of the said authority shall be final.

Removal of difficulties

(8) If any difficulty arises in identifying the reporting authority or reviewing authority or accepting authority, in respect of official of the Board whose Confidential report has to be written, reviewed or accepted, the appointing authority in relation to the said Official of the Board may by order specify the reporting authority, the reviewing authority or accepting authority as the case may be. The decision of the appointing authority in this behalf shall be final.

**(9) Reporting, Reviewing & Accepting Authorities**

(1) for incumbents holding Group - A, Group - B and Group - C posts : -The scheme for writing the Annual Confidential Reports will be as per Table given below:

Group	Reporting Authority	Reviewing Authority	Accepting Authority
A	Member Secretary / Sr. Env. Scientist / Sr. Env. Engineer / Administrative Officer	Member Secretary / Chairman	Chairman
B	Sr. Env. Scientist / Sr. Env. Engineer/ Regional Officers/ Administrative Officer	Member Secretary	Chairman
C	Env. Scientist/ Env. Engineer/ Administrative Officer	Sr. Env. Scientist/ Sr. Env. Engineer/ Administrative Officer	Member Secretary

**"Member Secretary will be the Reporting Officer for all Regional Officers"**

2) In case of personal staff such as Jr. Stenographer, Sr. Stenographer, Personal Assistant, Private Secretary the officer to whom they are attached shall be the Reporting Officer. The Member Secretary shall be the Reviewing Authority and the Chairman the Accepting Authority.

3) In respect of officers on deputation to the Board, the rules relating to maintenance of CCRs in their respective departments shall be followed.

Classification Control and appeal

44. (A)(1) The provisions of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 shall be applicable to the employees of the Board in so far as the procedure for holding the enquiries, the procedure for imposition of penalties and the communication of orders are concerned;

Provided that the appointing authority and the authority competent to impose the penalties and the appellate authority shall be as specified in the Schedule-I to these regulations.

Penalties

One or more of the following penalties for good and sufficient reasons and as hereinafter provided may be imposed on the Officials of the Board by the authorities and to the extent of

powers specified in the Schedule - I:

- (i) fine in the case of officials of the Board belonging to Group - D Service;
- (ii) Censure;
- (iii) withholding of increment without cumulative effect
- (iv) withholding of promotion;
- (v) recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the Board, Central Government, any State Government, any person, body or authority to whom the services of the officer had been lent;
- (vi) " Suspension"
- (vii) reduction to a lower stage in the time-scale of pay for a period with a specific direction as to whether or not the Official of the Board will earn increments of pay or during the period of such reduction with reference to the reduced pay or whether the pay shall remain constant and with a further direction whether on the expiry of the period of penalty, the reduction will or will not have the effect of postponing the future increments of his pay;
- (viii) Reduction to a lower time-scale of pay, grade, post or service which shall, unless otherwise directed, be a bar to the promotion of the official of the Board to the time-scale of pay, grade, post or service from which he was reduced, with or without further direction regarding :
  - (a) seniority and pay in the scale of pay, grade, post or service to which the official of the Board is reduced;
  - (b) conditions of restoration to the scale of pay, grade or service to which the official of the Board was reduced and his seniority and pay on such restoration to that scale of pay, grade, post or service;
- (ix) withholding of increment with cumulative effect
- (x) Compulsory retirement;
- (xi) Removal from service which shall not be a disqualification for future employment
- (xii) Dismissal from service which shall ordinarily be a disqualification for future employment.

Provided that in the absence of any special and adequate reasons to the contrary to be mentioned in the order of the disciplinary authority, no penalty other than those specified in (x) to (xii) above shall be imposed for an established charge of corruption.

**Explanation -1:** For purpose of this provision, the expression corruption shall have the meaning as under Section 13 of the Prevention of Corruption Act, 1988, or "taking gratification other than legal remuneration in respect of an official act" and obtaining valuable thing without consideration" as in section 161 and 165 respectively of the Indian Penal Code.

**Explanation - 2 :** The following shall not amount to a

penalty within the meaning of this regulation :-

(i) Withholding of increments of employee/official of the Board for failure to pass a departmental examination in accordance with the regulations or orders governing the Service or post or the terms of his appointment.

(ii) stoppage of the official of the Board at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar;

(iii) non-promotion, whether in a substantive or officiating capacity, of an official of the Board, after consideration of his case, to a service, grade or post for promotion to which he is eligible;

(iv) reversion to a lower Service, grade or post of an employee/official of the Board officiating in a higher service, grade or post on the ground that he is considered, after trial to be unsuitable for such higher service, grade or post or on administrative grounds unconnected with his conduct (such as the return of the permanent incumbent from leave or deputation, availability of a more suitable officer and the like);

(v) reversion to his permanent service, grade or post of an official of the Board appointed on probation to another service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment, regulations, or orders governing probation;

(vi) compulsory retirement of an official of the Board in accordance with the provision relating to his superannuation or retirement;

(vii) termination of the services :

(a) of a person employed under an agreement, in accordance with the terms of such agreement; or

(b) of an official of the Board appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment, regulations; orders governing such probation.

**(A)(2) Appeal against other orders :**

An appeal against an order other than the order in a disciplinary proceeding shall lie to the Board.

**NOTE.** Disciplinary Authority means, an Authority/Officer of the Board competent to impose any one of the penalties specified in these regulation.

**(A)(3) Limitation for Appeal:** Appeal against any order may be filed within 3 months from the date of the order appealed against.

**B. Suspension:** The appointing authority or any authority to which it is subordinates or any other authority empowered by the Board in this behalf may place an official of the Board under suspension-

(a) where disciplinary proceeding against him is

- contemplated or is pending ; or
- (b) where a case against him in respect of any criminal offence is under investigation or trial;

Provided that where the order of suspension is made by an authority empowered by the Board in this behalf which is lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made, within 15 days of making such order.

(2) An official / employee of the Board shall be deemed to have been placed under suspension by an order of the appointing authority –

- (a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours;
- (b) with effect from the date of conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

**Explanation :** The period of 48 hours referred in (b) of this sub-regulation shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee of the Board, under suspension is set aside in appeal and the case is remitted for further inquiry or action or with any other directions the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement, shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an employee of the Board is set aside or declared or rendered void in consequence of or by a decision of a Court of law, and the Disciplinary Authority, on a consideration of the circumstances of the case, decides to hold further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made under this regulation shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where an employee of the Board is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise), and any disciplinary proceedings is commenced against him during the continuance of that suspension, the authority competent to place him under suspension, may for reason to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or is deemed to have made the order or by, any authority to which that authority is subordinate.

Where an employee has been suspended by an authority other than the Board, and final orders in the inquiry pending against him have not been passed within a period of six months from the date of order of suspension, the case shall be reported to the Board for such orders as it may deem fit.

(6) The disciplinary authority, while passing the final order of punishment or of release in the disciplinary proceedings against the Board employee, shall give directions about the treatment of the period of suspension, which is passed not as a measure of substantive punishment but as suspension pending inquiry, and indicate whether the suspension would be a punishment or not.

#### **(C) PROVISION RELATING TO BORROWED OFFICERS :**

(1) Where an order of suspension is made or a disciplinary proceeding is taken against an officer whose services have been borrowed from the Central Government, any State Government or a local or other authority, the authority lending his services (hereinafter in this regulation referred to as "the lending Authority") shall forthwith be informed of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceedings, as the case may be.

(2) In the light of the findings in the disciplinary proceedings taken against the borrowing officer-

(i) If the disciplinary Authority is of the opinion that any of the penalties specified in these regulations should be imposed on him, it may, after consultation with the lending authority pass such orders on the case as it deems fit/necessary

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority the services of the borrowed officer shall be replaced at the disposal of the lending authority;

(ii) if the Disciplinary Authority is of the opinion that any of the penalties specified in Clauses (v) to (viii) of regulation should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.

**Power of recovery  
of property**

**45.** An employee whose services are determined by termination, dismissal, resignation or otherwise shall account for and handover the authority under whose supervision he/she was working or such other person as may be decided by an office order to that effect, all the property of the Board in his / her possession. In the event of his/her failure to do so, the Board may, without prejudice to the other rights of the employee in question, in respect of such default, withhold any sum that may be due to the employee from the Board.

**Repeal**

**46 (i)** All Regulations, Notifications, orders or instructions of the Board in respect of "the matter covered under these Regulations that are in force, shall be deemed to have been repealed with effect from the date on which these Regulations come into force;

***Provided that:-***

(a) such repeal shall not affect the previous operation of the said regulations, Notifications, Orders or instruction and any action taken thereunder;

(b) any proceedings under the old Regulations, Notifications, orders or instructions pending when these Regulations came into force, shall be continued and disposed of as far as may be in accordance with these Regulations, Notifications, orders or instruction.

(ii) Nothing in these Regulations shall operate to deprive any employee to whom these Regulations apply, of any right which has accrued to him under the Regulations, Notifications, Orders, or instructions repealed under (i) above in respect of any order passed before the commencement of these regulations.

(iii) Appeals pending or preferred after the commencement of these Regulations shall be considered and disposed of under these Regulations.

**Liability to abide by the rules and orders**

47. (1) Every employee of the Board shall perform to abide by these rules and comply with and obey all orders and directions which may, from time to time, be given to him/her by any superior officer under whose jurisdiction, superintendence or control he may for the time being, be placed.

**Obligation to maintain secrecy**

(2) Every employee shall maintain the strictest secrecy regarding the Board's affairs and the affairs of its constituents, which are of a confidential nature.

**Employees to promote the Board's interest**

(3) Every employee shall serve the Board honestly and faithfully and shall use his utmost endeavours to promote the interests of the Board and shall show courtesy and attention in all transactions and dealings with the officers of Government and Board's constituents.

**Prohibition against participation in politics and standing**

(4) No employee shall take an active part in politics or in any political demonstration, or stand for election as a member for a Local Body or any Legislative Body. If any question arises regarding whether or not a case comes within the meaning of politics and political demonstration, decision of the Board thereon shall be final.

**Contribution to the Press**

(5) No employee may contribute to the press or make public statements without the prior sanction of the Competent Authority or without such sanction make public or publish any documents; paper or information which may come into his possession in this official capacity.

**Part time work for outside bodies**

(6) No employee shall undertake part time work for a private or public body or a private person, or accept fee thereof, without the sanction of the Competent Authority which shall grant sanction only in exceptional cases, if satisfied that the work can be undertaken without detriment to his regular work in the Board and if undertaking such work will help the employee professionally to discharge his responsibilities in the Board better.

**Canvassing**

(7) No employee shall resort to canvassing in any form through any person or authority to further his/her interest in the service of the Board.



**Strikes**

(8) (a) No employee shall with a view to ventilating his grievances, whether such grievances are individual or general in character, or for any other reason take to any form of strike (including hunger strike) without notice and nor conforming to the law in force whether such strike is partial or complete.

**Explanation** : Strike means a cessation of work by a person or a body of persons employed in any office of the Board acting singly or in combination, or a concerted refusal, or a refusal under a common understanding or any number of persons who are or have been so employed to continue work.

(b) No employee shall join any procession, demonstration or any other form of agitation which is likely to cause a breach of public tranquility.

(c) No employee shall join or participate a public demonstration to ventilate his/her grievances if such grievances are common with public, in a manner which is likely to cause a breach of public tranquility

**Criticism of the Board / Government**

(9) No employee of the Board shall at any time in any paper, document, letter etc., publish in his own name, or anonymously or in the name of any other person, or in any communication to any public authority or the press, the radio and the television or in any public utterance, make any statement of fact or opinion which is capable of :-

- (i) embarrassing the Board in its dealings with the general public, commercial undertakings, the State Government, the Central Government and public institutions;
- (ii) embarrassing the State Government in its relations with the Central Government and the Government of any other State;
- (iii) embarrassing the relations between the Board, the State Government and the Government of India respectively on the one hand with that of any foreign Government on the other hand;
- (iv) embarrassing the relations between the employees of the Board or causing vexatious false allegation against any employee of the Board.

Provided that nothing in this rule shall apply to any statement made or views expressed within the office of the Board, by an employee in his official capacity or in due performance of the duties assigned to him

(10) No employee shall :-

(a) engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of the mother country, the security of the State and the friendly relations with foreign Governments, the interests of public order of decency or morality, or which involves contempt of court, defamation or incitement to an offence, or

**Membership of prejudicial Association**

**Evidence before  
Committee of any  
other Authority**

b) resort to or in any way abate in any form of strike in connection with any matter, pertaining to his service of any other public servant in the service of the Central Government, the State Government and any public undertaking.

(11) (a) No employee shall, except with the previous sanction of the competent authority give evidence in connection with any enquiry conducted by any person or a Committee, which does not enjoy statutory authority.

(b) Where a sanction has been accorded under Sub-Rule (a) above, the employee giving evidence shall not criticize the policy of the Board or the Central Government or of the State Government.

(c) Nothing in sub-rule (a) above, shall apply to :-

- (i) Evidence given at an enquiry ordered by the Chairman or by the Board;
- (ii) Evidence given at an enquiry in any judicial court or tribunal;
- (iii) Evidence given at an enquiry ordered by the Orissa State Government or the Government of India, and;
- (iv) Evidence given at an enquiry before an authority appointed by Parliament or State Legislature.

**Evidence before  
committee or any  
other Authority**

(12) (a) An employee shall not absent himself from his duties without having first obtained the permission of the Competent Authority.

(b) An employee shall not absent himself in case of sickness or accident without submitting a medical certificate acceptable to the Board provided that in case of temporary indisposition the production of medical certificate may, at the absolute discretion of the competent authority, be dispensed with.

(c) An employee who absents himself from duty without leave or overstays his leave, except under circumstances beyond his control for which he must tender a satisfactory explanation, shall not be entitled to draw any pay and allowances during such absence or overstay, and shall further be liable to such disciplinary measures as the competent authority may decide upon. The period of such absence or overstay may, if not followed by termination of service or dismissal under Classification Control and Appeal Rules be treated as period spent on ordinary, sick, or extraordinary leave as the competent authority may think fit.

(d) An employee who is habitually late in attendance shall, in addition to such other penalty as the competent authority may deem fit to impose, have one day of casual leave forfeited for every three days he is late in a month, where such an employee has no casual leave due to him, the period of leave to be so forfeited may be treated as ordinary or extra-ordinary leave as the competent authority may determine.

**Absence from station**

(13) An employee in the officer category and an employee in any other category, if so required by the Competent Authority, must not absent himself from station overnight without obtaining previous sanction of the competent authority.

**Acceptance of gift**

(14) An employee shall not solicit nor accept any gift from constituent of the company or from any sub-ordinate employee either for himself or for any other person.

**Investment, Lending and Borrowing**

(15) (a) No employee shall speculate in any stock share or other investment.

**Explanation** : Frequent purchase of sales or both of shares securities or other investments shall be deemed to be speculations, within the meaning of the sub-rule.

(b) No employee shall make, or permit any member of his family or any person acting on his behalf to make any investment which is likely to embarrass or influence him in the discharge of his official duties.

(c) No employee shall lend or borrow money, as principal or as agent, to or from any person within the local limits of his authority or with whom he is to have official dealings, or otherwise place himself under any pecuniary obligations to such persons.

(d) No employee shall lend money at interest or in a manner whereby return in money or in kind is charged or received by him.

(e) The provisions of sub-rules (c) and (d) above shall not apply in cases where the employee, in the ordinary course of the personal affairs transacts with a bank, or a firm of standing which is duly authorized to conduct banking business, for raising loans for meeting his family and other obligations.

(f) Whenever an occasion arises which would involve the employee in a breach of any of the provisions mentioned under sub-rule (e) above, he should forthwith report the circumstances to the next superior authority and thereafter act in accordance with his instructions.

**Insolvency and habitual indebtedness**

(16) An employee shall so manage his private affairs as to avoid habitual indebtedness or running into insolvency. If any legal proceedings are instituted against him for the recovery of any debt due from him or for adjudging him as an insolvent he shall forthwith report the full facts of the affair to the Competent Authority through his immediate superior.

**Movable, immovable and valuable property**

(17) (A) Every employee of the Board, shall, on his first appointment to any post in the service of the Board and thereafter before end of January at an interval of every three years declare all his assets - movable and immovable and the value thereof as on the 31<sup>st</sup> December of the previous year in the prescribed forms appended to these rules giving full particulars regarding:-

(i) The immovable property inherited by him or owned or acquired by him or held by him or taken on lease

or mortgage by him either in his own name or in the name of any member of his family or in the name of any other person

- (ii) Shares, debentures and cash including bank deposits inherited by him or owned, acquired or held by him;
- (iii) Other movable property inherited by him or owned, acquired or held by him, and
- (iv) Debts and other liabilities incurred by him directly or indirectly.

**Note -1 :** The values of items of movable property if the item is less than Rs. 1,000/- could be as well added up and shown as a lump sum. The value of expendable items of daily use like clothes, utensils, books, crockery etc. need not be shown in the statement if they are not over Rs.2,000/- in value.

**Note-2 :** In case of employees newly appointed to the service of the Board, they should declare their assets as on the date of appointment within three months from the date of joining. They will make subsequent declaration along with other after the normal triennial period notwithstanding the fact that three years will not have elapsed since the submission of their first declaration

**Note-3 :** The first declaration shall be made by an employee in respect of all his assets, both movable and immovable and subsequent declaration need only specify modification required in the statements of his previous occasions, showing in details the manner of fresh acquisition or disposal of property acquired previously

**Note-4 :** In respect of persons whose appointment is purely on a temporary basis of less than 12 months duration and Group-D employees, it is not necessary to submit the statement

(B) No employee shall, except with the previous knowledge of his immediate superior acquire or dispose any immovable property by leased, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of his family. In case where the transactions in respect of such immovable property is with a person having commercial or official dealings with the Board, the employee shall report the deal to his next superior officer and obtain the previous sanction before the purchase or sale is effected.

(C) An employee who enters, into any transaction of either a purchase or a sale, concerning any movable property, assets, and belongings, exceeding in value Rs.1,00,000/- in case of officers and Rs.50,000/- in case of members of staff, shall in each case report forthwith about the particulars of such transactions, to his immediate superior officer

**Explanation :** For the purpose of this rule the expression -movable property includes *interalia* the following, -

- (i) Jewellery, insurance policies, shares, securities and debentures;
- (ii) loans advances by such employees whether secured or not;
- (iii) motor cars, scooters, motor-cycles or any other means of conveyance; and
- (iv) refrigerators, radios, radiograms, television sets, transistors, record players, tape records, coolers, cameras, binoculars, watches, decorative materials, art pieces

Note :1 : This statement will be in addition to the triennial statement furnished in the month of January each year.

(D) Officers who are on deputation shall submit their property statements to their authorities in their parent Department.

**Vindication of acts and character**

(18) No employee shall, except with the previous sanction of the Competent Authority have resources to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of the defamatory character

Explanation : Nothing in this rule shall be deemed to prohibit an employee from vindicating his private capacity shall submit a report to the Competent Authority regarding such action.

**Bigamous marriage**

(19) (a) No employee who has a wife living, shall notwithstanding that such subsequent marriage is permissible under the personal law for the time being applicable to him, contract another marriage without first obtaining the permission of the Board.

(b) No female employee shall marry a person who has a wife living without first obtaining the permission of the Board notwithstanding that it is permissible for such person to have more than one wife under the personal law for the time being applicable to him.

(c) The declaration shall be written by the employee in his own hand and he should submit the statement to the Competent Authority through his immediate superior. The authority receiving property statement is responsible for their careful preservation. It shall be his duty to call for such declaration and to take disciplinary action against those who have failed to submit the declaration in time. An employee not furnishing the declaration and found to be materially incomplete shall be liable for disciplinary action to the extent of dismissal from service.

(d) The declaration statement, when received in the Head Office addressed to Competent Authority shall, after scrutiny by the said authority, be maintained either at the Head Office of the Board or sent to be kept at the regional office, as may be directed by the said authority.

(e) The authority may at any time, by a general or special order, require an employee to furnish within a period specified in the order, a full and complete statement of all the movable and/or immovable property held or acquired by him on his behalf of any member of his family as may be specified in that order for purpose of information and verification. Such statement shall, if so required by the Chairman or any authority authorized by him shall include the details as to the means by which, or the source through which such property was acquired.

**Drinking**

(20) Subject to the provisions of any law relating to intoxicating drinks or drugs for the time being in force in any area, no employee shall :

- (a) while on duty be under the influence of such drinks or drugs to such an extent as to render him incapable of discharging his duty properly and efficiently ; or
- (b) appear in a place in a state of intoxication; or
- (c) habitually use such drinks or drugs to excess.

**Proper use of amenities**

(21) No employee shall misuse or carelessly use the amenities provided by the Board for discharging his duties and thereby cause to their deterioration or damages.

48. The "Board" may, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employees in the public interest.

**ANNEXURE - A**  
(See Regulation No. 43 A )

**PART - I**

**FORM - A**  
(To be recorded in Duplicate)

**(CONFIDENTIAL REPORTS OF GROUP- A and B OFFICERS)**

Year/Period of Report: From..... Department  
..... To.....

**PART -1: Personal Data**

1. (a) Name of the Official:.....  
(b) Post(s) held during the year.....  
From..... To.....
2. Date of Birth : .....
3. Service to which Official belongs : .....
4. Date of joining the Board : .....
5. Qualification & training undergone, if any .....
6. Period of absence from duty on leave, training,  
etc., during  
the year under report: ..... Date :

**Signature of the Official**

**PART - II - Skills and Knowledge**  
**(Insert ABC or D to the appraisal given in Note-2 below)**

	<b>Assessment by</b>		
	<b>Reporting authority</b>	<b>Reviewing Authority</b>	<b>Accepting Authority</b>
1. Knowledge of work :			
2. Power of Expression :			
(a) Written			
(b) Verbal			
3. Power of acquiring information :			
4. Attention to details :			
5. Speed of disposal :			
6. Willingness to accept responsibility and to take decision :			
7. Relationship with subordinates & colleagues :			
8. Integrity :			
9. Whether he/she has any bias against the disadvantaged groups :			
i) ST/SC			
ii) Women			
iii) Physically/mentally challenged			
iv) Effectiveness in bringing about the development of SCs and STs			
10. Technical and professional competence			
11. Ability to get good quality work done			



**PART -III General Remarks**  
(See Note 3 below)

- i) By Reporting Authority : Signature :  
Name (in Block letters)  
Designation :  
Date :
- ii) By Reviewing Authority : Signature :  
Name (in Block letters)  
Designation :  
Date :
- iii) By Accepting Authority : Signature :  
Name (in Block letters)  
Designation :  
Date :

Number and date of the communication with which remarks if any, are communicated.  
Date on which representation if any received.  
Decision on representations and date of its communication to the Govt. Servant.

NOTE : 1 Information in Para-I personal data should be furnished by the concerned office of the Board within a week from 1<sup>st</sup> April each year.

NOTE : 2 (a) Gradation of the various performance factors should be done to the following appraisement ;

Grade	Description
A	Outstanding
B	Very Good
C	Good
D	Average
E	Unsatisfactory

(b) An 'E' marking should be considered as adverse marks;  
(c) If any officer feels that in the case of any particular job, attributes other than those mentioned in Part-II are relevant to effective performance of the job, such attributes may also be added to the list given therein.

NOTE : 3 In Part-III, the authorities may record their general observation about the officer reported. These should cover aspects like loyalty, health, personal habits etc.

**FORM-B**  
**Part - I**

**Confidential Report on Group – C officials for the period**

from ..... to .....

1. a) Name of the Official :  
b) Posts held during the Year : From ..... To .....  
from : Post .....
2. Date of Birth :
3. Service to which the Official belongs :
4. Date of Joining service :
5. Qualification & Training undergone, if any :
6. Period of absence from duty on leave, training etc. during the year under report :

Signature of the Official

**Part –II Performance of Duties**  
**(Vide Note (2) Below)**

1. Knowledge :  
a) of work of post held :  
b) of Branch of Section :
2. Judgment :
3. Power of taking responsibility :
4. Initiative :
5. Accuracy :
6. Promptness :
7. Power of Supervising Staff :
8. Zeal of work :
9. Integrity :
10. General remarks :  
(including a statement on reliable and a note of any special qualifications not including above)

11. Attendance

Signature of Reporting Authority  
Name (in Block letters) :  
Designation :  
Date :

Remarks of Reviewing Authority : Signature of Reviewing Authority  
Name (in Block letters) :  
Designation :  
Date :

Remarks of Accepting Authority :

Signature of Accepting Authority  
Name (in Block letters) :  
Designation :  
Date :

NOTE : 1) Information in Part-I personal data should be furnished by the concerned office of the Board within a week from 1<sup>st</sup> April each year.

NOTE 2) a) For items (1) to 8 assessment may be given to the following and / or descriptive narrative :

A. Outstanding      B. Very Good      C. Good  
D. Average          E. Unsatisfactory

(b) An 'E' marking should be considered as adverse remarks :

(c) Wherever any item is not relevant to any Government servant it should be recorded as Not-applicable:

(d) If any Authority / office fees that in case of any particular job, attributes other than those mentioned in Para-II are relevant to effective performance of the job, such attributes may also be added to the list given therein.

**APPENDIX-1**  
**Authority Competent to sanction leave**  
[See regulation 39 (2)]

Sl.	Type of Leave	Competent Authority	Extent to which power delegated
01.	Earned Leave (Full pay)	Administrative Officer	Upto 30 days for Group 'C' & 'D' employees
		Member Secretary	Upto 60 days for Group 'C' & 'D' employees and upto 30 days for Group 'A' & 'B' employees
		Chairman	Above 60 days for Group 'C' & 'D' employees and above 30 days for Group 'A' & 'B' employees
02.	Special Disability Leave, Study Leave	Board	As per requirement
03.	Overstayal of Leave	Chairman	As per requirement
04.	Extraordinary Leave in combination with or without other kind of leave	Chairman	As per requirement

**APPENDIX - 2**  
**[See Regulation 39(28)]**

**FORM OF LEAVE ACCOUNT**

Name of Board Employee .....

(on private affairs and on medical certificate)

Date of Birth .....

Date of commencement of continuous service .....

Date of retirement / resignation.....

including commuted leave and leave not due.

**EARNED LEAVE**

**HALF PAY LEAVE**

Particulars of Services in the calendar half year		Completed months of service in the calendar half year	E.L. credited at the beginning of half year	No. of days of other kinds of leave (H.P.L., Commuted leave; leave not due & EOL, (col. 19+22+22C+30+33) availed of during the previous calendar half year	E.L. to be deducted (1/11 <sup>th</sup> of the period in Col.5)	Total E.L. at credit in days (Col. 4+11+6)	Leave Taken			Balance of E.L. on return from leave (Col. 7-10)	Length of service			Credit of leave	Leave at credit (Col. 15+32)
From	To						From	To	No. of days		From	To	No. of completed years		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Leave not due limited to 360 days in entire service

Against the earning on half pay			Commuted leave on medical certificate on full pay half year			Commuted leave without medical certificate for studies certified to be in public interest limit to 180 days half pay leave counted into 90 days commuted leave in entire service			Leave Taken			On Medical certificate			Otherwise than on Medical Certificate limited to 180 days			Total of leave not due (Col. 26+29)	Total half-pay leave taken (Col. 19+23+30)	Balance of half-pay leave on return from leave (Col. 16+31)	Other kinds of leave taken
From	To	No. of days	From	To	No. of days	From	To	No. of days	Commuted leave converted into half-pay leave (twice of Col. 22 & 22C)	From	To	No. of days	From	To	No. of days						
17	18	19	20	21	22	22A	22B	22C	23	24	25	26	27	28	29	30	31	32	33		

NOTE 1: The Earned Leave due should be expressed in days.

NOTE 2: When a Board employee is appointed during the course of a particular calendar half year, E.L. should be credited @ 2V2 days for each completed month and the fraction of a day will be rounded to the nearest day.

**Schedule - I**  
**[See regulation 44(A)(1)]**

Description of Service	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in Regulations - 45)		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
All employees of the Board	Chairman	Chairman	(i-xii)	An appeal against the decision of the Chairman shall lie with the Board and against the decision of the Board shall lie with the Government

## PART-II

### **METHODS OF RECRUITMENT THE CONSTITUTION & COMPOSITION OF DIFFERENT CADRES (Regulation 5)**

The Laboratory Officer, Scientists, Engineers, Administrative Staffs Assistants, Stenographers, Legal Personnel, Typists, Librarians, Store Personnels, Drivers and Attendant Staffs shall constitute separate cadres in the service of the Board.

Cadre of laboratory Officers i) The cadre of Laboratory Officers shall consist of Senior Scientific Assistants, Assistant Scientific Officers, Deputy Scientific Officers, Scientific Officers and Senior Scientific Officers. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

Cadre of Scientists ii) The cadre of Scientists shall consist of Assistant Environmental Scientists, Deputy Environmental Scientists, Environmental Scientists, Senior Environmental Scientists Level-II and Senior Environmental Scientists Level-I.

The posts of Deputy Environmental Scientist and Environmental Scientist will be of assured career progression scale of pay type whereas the post of Senior Environmental Scientist Level-II & Senior Environmental Scientist Level-I will be selection posts.

The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

Cadre of Engineers iii) The cadre of Engineers shall consist of Assistant Environmental Engineers, Deputy Environmental Engineers, Environmental Engineers and Senior Environmental Engineers Level-II and Senior Environmental Engineers Level-I.

The posts of Deputy Environmental Engineer and Environmental Engineer will be of assured career progression scale of pay type whereas the post of Senior Environmental Engineer Level-II and Senior Environmental Engineer Level-I will be selection posts. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

Cadre of Administrative Staff & Officers iv) The cadre of Administrative Staff & Officers shall consist of Junior Assistants, Senior Assistants, Accountants, Section Officers Level-II, Accounts Officers, Section Officers Level-I, Additional Administrative Officer and Administrative Officer. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

Cadre of Stenographers v) The cadre of Stenographers shall consist of Junior Stenographers, Senior Stenographers, Personal Assistants,

Private Secretary Grade 'B' and Private Secretary Grade 'A'. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Cadre of Legal Personnel**

- vi) The cadre of Legal Personnel shall consist of Assistant Law Officers, Law Officers, Senior Law Officers Level-II and Senior Law Officers Level-I. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Cadre of Typist**

- vii) Cadre of Typists shall consist of Junior Typist, Senior Typist and Superintendent Level - II. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Cadre of Librarians**

- viii) Cadre of Librarians shall consist of Assistant Librarian and Librarian. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Cadre of Stores Personnel**

- ix) The cadre of stores personnel shall consist of Store Keeper and Stores Supervisor. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Cadre of Drivers**

- x) The cadre of Drivers shall consist of Drivers. The number of posts and the scale of pay for the above posts will be determined by the Board from time to time.

Note: The existing post of Head Driver of the Board will be abolished after the present incumbent superannuates from the post. There will be no promotion prospect of Drivers. This is being provided in view of Govt. of Orissa FDOM No.28317.dtd.18.07.1995 and in order to avoid legal complicity in future.

**Cadre of Attendant Staff**

- xi) The cadre of Attendant Staff will include Peon/ Watchman/ Watchman-cum-Sweeper, Zamadar, Daftary, Laboratory Attendant, Library Attendant, Treasury Sarkar, Xerox Assistant and Recorder-cum-Record Supplier. The number of posts and the scale of pay for the above posts will be determined by the Board in consultation with the Government from time to time.

**Ex-Cadre Posts**

- xii) The Board reserves the right to create posts, which may not belong to any of the cadre mentioned above. The number of such posts, their scales of pay, qualifications and mode of recruitment for such ex-cadre posts will be decided by the Board in consultation with the Government from time to time.

Note: Creation of some ex-cadre posts may be necessary for some specialized categories of work for which knowledge in any specialized subject is essential. Persons may be recruited



*to fill such post, with the required background suitable to the job and no such posts can be encadred to any of the cadres. Persons holding an ex-cadre post however will be considered for promotion to the next higher post.*

Each Regional Office of the Board shall be headed by a Regional Officer who may belong to the cadre of Scientists or to the cadre of Engineers not below the rank of Deputy Environmental Scientist or Deputy Environmental Engineer as per the staffing pattern to be decided by the Board in consultation with the Government from time to time.

Provided further there shall be at least 33 1/3 percentage of total cadre strength at the base level of the cadres of Laboratory officers, Scientists and Engineers at any point of time.

## **2. METHOD OF RECRUITMENT AND APPOINTMENT**

Vacancies occurring in different posts will be filled up by way of promotion or through direct recruitment.

The Board shall have the power to fill up any post belonging to any cadre or outside by way of deputation either from Government or from any other organization.

Appropriate number of posts will be reserved for SC/ ST/ Physical Handicapped/ Ex-Servicemen as per the Orissa Reservation of Vacancies in Posts and Services Act, 1975 and the Rules made there under, by Government from time to time.

While taking up the case of promotion, the Departmental Promotion Committee shall give due importance to the C.C.Rs and the seniority of the employees considered for promotion. Further, the sealed cover procedure will be followed in respect of the staff under suspension and in respect of employees against whom vigilance cases are pending at the time of conduct of Departmental Promotion Committee Meeting, while taking up their cases for promotion.

### **Gradation list**

- (1) The appointing authority shall maintain the Gradation lists separately for each grade.
- (2) The Gradation list will contain name, qualification, date of joining in the post and the date of confirmation.
- (3) The *inter se* seniority of the direct recruits shall be determined as per the position assigned to them in the Select list prepared on the basis of the recommendation of the Selection Committee.

- (4) The inter se seniority of the promotees to each rank shall be determined as per the position assigned to them in the Select List basing on which they were promoted.
- (5) The seniority of the promotees and direct recruits will be determined as follows:

When officers are recruited by promotion and by direct recruitment to any post/service in a particular year the promotees shall en block be senior to the direct recruits irrespective of date of their joining.

### RECRUITMENT/APPOINTMENT PROCEDURE

- |  |       |  |
|--|-------|--|
| Recruitment of the post of Senior Scientific Assistant (SSA) | (i)   | Existing Laboratory Assistants and Senior Technical Assistants shall be designated as Senior Scientific Assistants. Date of joining in the Board service shall be considered for promotion to next higher posts. Persons working under various schemes, but not holding any permanent post in the service of the Board shall be considered next for the posts of Senior Scientific Assistant subject to the condition that they have the requisite qualification and the services rendered by them are found satisfactory. Only when such a candidate is not available, direct recruitment will be made either through open advertisement or through employment exchange |
| Recruitment of the Post of Assistant Scientist Officer       | (ii)  | Appointment to the post of Assistant Scientific Officer will be made by way of promotion from the rank of Senior Scientific Assistant, having at least 3 years service in the same grade and the prescribed qualification for the appropriate post. In the event of non-availability of suitable persons belonging to reserved category in the lower rank for promotion to the post of Assistant Scientific Officer, the method of direct recruitment will be followed in order to fill up the vacant post.  |
| Recruitment to the Deputy Scientific Officer                 | (iii) | Appointment to the post of Deputy Scientific Officer will be made by way of promotion from the rank of Assistant Scientific Officer having at least 7 years of service in the same grade.  |
| Recruitment to the Post of Scientific Officer                | (iv)  | Appointment to the post of Scientific Officer will be made by way of promotion from the rank of Deputy Scientific Officer having at least 7 years of service in that grade.  |
| Recruitment to the Post of Senior Scientific Officer         | (v)   | Appointment to the post of Senior Scientific Officer will be made by way of promotion from the rank of Scientific Officer having at least 5 years of service in that grade.  |
| Recruitment to the post of Assistant Environmental Scientist | (vi)  | Appointment to the posts of Assistant Environmental Scientist shall be made by direct recruitment through open advertisement.  |

- Recruitment to the Post of Deputy Environmental Scientist (vii) Appointment to the post of Deputy Environmental Scientist will be made by way of promotion from the rank of Assistant Environmental Scientist after completion of 7 years service in the post of Assistant Environmental Scientist. The incumbent so promoted will be eligible for time scale in the rank of Deputy Environmental Scientist.
- Recruitment to the Post of Environmental Scientist (viii) Promotion to the post of Environmental Scientist will be made from the rank of Deputy Environmental Scientist having 5 years service or after completion of 12 years service in the post of Assistant Environmental Scientist.  
Such a promotion shall be made by the appointing authority after evaluation of performance and ACRs for the last five years. The incumbent so promoted will be eligible for time scale in the rank of Environmental Scientist.
- Recruitment to the Post of Senior Environmental Scientist Level-II (ix) Promotion to the post of Senior Environmental Scientist LII will be made by way of selection from the rank of Environmental Scientists having a minimum service of 5 years in the same post.  
*Note: Selection means selection made by way of promotion on the basis of merit and suitability with due regard to seniority.*
- Recruitment to the Post of Senior Environmental Scientist Level-I (x) Promotion to the post of Senior Environmental Scientist LI will be made by way of selection from the rank of Senior Environmental Scientists LII having a minimum service of 5 years in the same post.  
*Note: Selection means selection made by way of promotion on the basis of merit and suitability with due regard to seniority.*
- Recruitment to the Post of Asst. Environmental Engineer (xi) The recruitment to the post of Assistant Environmental Engineer will be made by way of direct recruitment through open advertisement
- Recruitment to the Post of Deputy Environmental Engineer (xii) Recruitment to the post of Deputy Environmental Engineer will be made by way of promotion from the rank of Assistant Environmental Engineer having at least 7 years of service in the same grade. The incumbent so promoted will be eligible for time scale in the rank of Deputy Environmental Engineer
- Recruitment to the post of Environmental Engineer (xiii) Promotion to the post of Environmental Engineer will be made by way of promotion from the rank of Deputy Environmental Engineer having at least 5 years of service or having a minimum service of 12 years as Assistant Environmental Engineer.  
Such a promotion shall be made by the appointing authority after evaluation of performance and ACRs for the last five years. The incumbent so promoted will be eligible for time scale in the rank of Environmental Engineer.
- Recruitment to the Post of Senior Environmental Engineer Level-II (xiv) Promotion to the post of Senior Environmental Engineer LII will be made by way of selection from the rank of Environmental Engineer having a minimum service of 5 years in the same post.

*Note: Selection means selection made by way of promotion on the basis of merit and suitability with due regard to seniority.*

Recruitment to the Post of Senior Environmental Engineer Level-I

- (xiii) Promotion to the post of Senior Environmental Engineer LI will be made by way of selection from the rank of Senior Environmental Engineer LII having a minimum service of 5 years in the same post.

*Note: Selection means selection made by way of promotion on the basis of merit and suitability with due regard to seniority.*

Recruitment to the post of Junior Assistant

- (xiv) The recruitment to the post of Junior Assistant will be made by direct recruitment either through open advertisement or through employment exchange.

Persons working under various schemes but not holding any permanent post in the service of the Board will be first considered for the post of Junior Assistant subject to the condition that they have the requisite qualification and further the services rendered by them are found satisfactory. Only when such a candidate is not available, open recruitment will be made.

Recruitment to the Post of Senior Assistant

- (xv) The recruitment to the post of Senior Assistant will be made by way of promotion from the rank of Junior Assistant having a minimum service of five years in the same post.

Recruitment to the Post of Accountant

- (xvi) The recruitment to the post of Account will be made way of promotion from the rank of Senior Assistant with knowledge and training in accounts with a minimum 2 years experience at the level of Senior Assistant.

Recruitment to the post of Section Officer Level - II

- (xvii) The recruitment to the Post of Section Officer Level- II will be made by way of promotion rank of Senior Assistant having a minimum service of seven years in the post of Senior Assistant.

Recruitment to the post of Accounts Officer

- (xviii) The recruitment to the post of Accounts Officer will be made by way of promotion from the rank of Accountant after rendering a minimum service of 10 years in the post.

Recruitment to the post of Section Officer Level-I

- (xix) The recruitment to the post of Section Officer Level -I will be made by way of promotion from the rank of Section Officer Level - II having a minimum service of three years in the post of Section Officer Level - II

Recruitment to the post of Additional Administrative Officer

- (xx) The recruitment to the post of Additional Administrative Officer will be made by way of promotion from the rank of Section Officer Level -I and Accounts Officer having minimum service of five years in the post of Section Officer Level - I and Accounts Officer.

Recruitment to the Post of Administrative Officer

- (xxi) The Additional Administrative Officer rendering three years service will be considered for promotion to the post of Administrative Officer

Recruitment to the post of Assistant Law officer

- (xxii) The recruitment to the post of Assistant Law Officer will be made from among the Board's regular employees in the level of Senior Assistant or any other post having equivalent scale of pay or above who possess a Degree-in-Law from a recognized University and completed a minimum of 3 years of service in the Board. In case of non-availability of suitable employee, the post will be filled up by way of direct recruitment through

open advertisement or by inviting names of eligible candidates from Employment Exchange

- Recruitment to the Post of Law Officer (xxiii) The recruitment to the post of Law Officer will be made by way of promotion from the rank of Assistant Law Officer of the Board having a minimum service of five years in the post.
- Recruitment to the Post of Senior Law Officer Level - II (xxiv) The recruitment to the post of Senior Law Officer Level-II will be made by way of promotion from the rank of Law Officer having a minimum service of three years in the same post.
- Recruitment to the post of Senior Law Officer Level-I (xxv) The recruitment to the post of Senior Law Officer Level-I will be made by way of promotion from the rank of Senior Law Officer Level-II having a minimum service of two years in the same post
- Recruitment to the post of Junior Stenographer (xxvi) The recruitment to the post of Junior Stenographer will be made by way of direct recruitment either through open advertisement or through Employment Exchange
- Recruitment to the Post of Senior Stenographer (xxvii) The recruitment to the post of Senior Stenographer will be made by way of promotion from the rank of Junior Stenographer having a service of three years in the post of Junior Stenographer
- Recruitment to the post of Personal Assistant (xxviii) The recruitment to the post of Personal Assistant will be made by way of promotion from the rank of Senior Stenographer having a service of Nine years in the post of Senior Stenographer
- Recruitment to the post of Private Secretary Grade 'B' (xxix) The recruitment to the post of Private Secretary Grade 'B' will be made by way of promotion from the rank of Personal Assistant having a service of five years in the post Personal Assistant
- Recruitment to the Post of Private Secretary Grade 'A' (xxx) The recruitment to the post of private Secretary Grade 'A' will be made by way of promotion from the rank of Private Secretary Grade 'B' having a service of five years in the post of Private Secretary Grade 'B'
- Recruitment to the post of Junior Typist (xxxii) The recruitment to the post of Junior Typist will be made by way of direct recruitment either through open advertisement or through Employment Exchange
- Recruitment to the post of Senior Typist (xxxii) The recruitment to the post of Senior Typist will be made by way of promotion from the rank of Junior Typist having a minimum service of five years in the same post.
- Recruitment to the post of Superintendent Level-II (xxxiii) The recruitment to the post of Superintendent Level - II will be made by way of promotion from the rank of Senior Typist having a minimum service of seven years in the same post.
- Recruitment to the post of Assistant Librarian (xxxiv) The recruitment to the post of Assistant Librarian will be made by way of direct recruitment through open advertisement and through Employment Exchange
- Recruitment to the post of Librarian (xxxv) The recruitment to the post of Librarian will be made by way of promotion from the post of Assistant Librarian having a minimum service of six years

Recruitment to the post of Public Relation Assistant.	(xxxvi) Recruitment to the post of Public Relation Assistant will be made from amongst the eligible regular employees of the Board having requisite qualification. Persons working under various schemes but not holding any permanent post in the service of the Board will also be considered for the post of the Public Relation Assistant subject to the condition that they have the requisite qualification and further the services rendered by them are found satisfactory. In the absence of non-availability of candidates for the post, the same will be filled by way of direct recruitment through open advertisement and through employment exchange.
Recruitment to the post of Public Relation Officer	(xxxvii) Recruitment to the post of Public Relation Officer will be made either by way of redeployment from the existing suitable staff of the Board having requisite qualification and experience or by way of promotion from the rank of Public Relation Assistant having a minimum service of ten years in the same post.
Recruitment to the post of Store Keeper	(xxxviii) Recruitment to the post of Store Keeper will be made by way of direct recruitment through open advertisement or through employment exchange.
Recruitment to the post of Stores Supervisor	(xxxix) Recruitment to the post of Stores Supervisor will be made by way of promotion from the rank of Store Keeper having a minimum service of seven years in the same post.
Recruitment to the post of Driver	(xxxx) Recruitment to the post of Driver will be made by way of direct recruitment through open advertisement and through employment exchange.
Recruitment to the post of Attendant Staff	(xxxxi) Recruitment to the post of Peon, Watchman and Sweeper will be made by way of direct recruitment through open advertisement and through employment exchange.
Recruitment to the post of Zamadar, treasury Sarkar, Daftary, Laboratory Attendant, Library Attendant, Xerox Asst., Recorder – cum – Record Supplier	(xxxii) Recruitment to the posts of Zamadar, Daftary will be made from the post of peon, watchman and watchman-cum-Sweeper by way of promotion. Recruitment to the posts of Treasury Sarkar, Laboratory Attendant and Library Attendant will be made by way of promotion from the post of Zamadar and Daftary. Recruitment to the post of Xerox Assistant and Recorder-cum-Record supplier will be made by way of promotion from the post of Laboratory Attendant, Library Attendant and Treasury Sarkar having requisite qualification
Ex-cadre Posts	(xxxiii) The Board will decide the mode of recruitment from time to time to such other categories of posts not specified under any cadre. The recruitment to the existing ex-cadre posts will be made as follows : -
Recruitment to the post of Diarist & Despatcher	a) The recruitment to the posts of Diarist and Despatcher will be made by way of promotion from the cadre of Attendant Staff having requisite qualifications for the post or by way of direct recruitment either through employment exchange or open advertisement.
Recruitment to the post of Data Entry Operator	b) Recruitment to the post of Data Entry Operator will be made by way of direct recruitment through open advertisement and through employment exchange

Recruitment to the post of Mechanic – cum – Electrician

c) Recruitment to the post of Mechanic – cum – Electrician will be made by way of direct recruitment or through employment exchange

Recruitment to the post of Lift Operator

d) Recruitment to the post of Lift Operator will be made by way of direct recruitment through open advertisement or through employment exchange

### 3. QUALIFICATION FOR DIFFERENT POSTS

#### 1. Cadre of Scientists

Assistant Environmental Scientist

M.Sc. or equivalent degree in any branch of Science (depending on the requirements at the time of recruitment). Additional weightage will be given for higher qualifications like M.Phil or P.G. Diploma after M.Sc. or Ph.D in the field of Environmental Science or allied branch and having three years experience in pollution control

#### 2. Cadre of Engineers

Assistant Environmental Engineer

Graduation or equivalent degree in any branch of Engineering (depending on the requirements at the time of recruitment) Additional weightage will be given to candidates who possess higher qualifications like Master Degree, P.G. Diploma or Ph.D in the field of Environmental Engineering or allied branch and having three years experience in the field of pollution control.

#### 3. Cadre of Laboratory Officers

Senior Scientific Assistant

B.Sc (Hons) in Chemistry / Botany/ Zoology or any branch of Life Science/ Environmental Sciences. Preference will be given to candidates possessing M.Sc degree in relevant subjects

#### 4. Cadre of Administrative Staff & Officers

Junior Assistant

Graduate in any discipline

Provided further at least 33 1/3 percentage of total cadre strength shall be at the base level of the cadres of Scientists, Engineers, Laboratory and administrative staff and officers cadre at any point of time .

#### 5. Cadre of Legal Personnel

Asst. Law Officer

Degree in Law. The Board employee having three years experience in any capacity will be considered for such post provided they have the requisite degree in Law. In case of direct recruitment, five years of experience as practicing Lawyer in the Bar is essential.

#### 6. Cadre of Stenographer

Junior Stenographer

Graduate in any discipline having a speed of 100 words per minute in Shorthand and 40 words per minute in English Typing

#### 7. Cadre of Typists

Junior Typist

H.S.C. Pass having a speed of 40 words per minute in English typewriting. Preference will be

given to Graduates having the same speed in typewriting Persons having proficiency in Oriya typewriting will be preferred

### 8. Cadre of Librarians

Asst. Librarian

Graduate in any discipline with Diploma in Library Science. Preference will be given to those who obtain higher qualification in Library Science.

### 9. Cadre of Stores Personnel

Store Keeper

Graduate in any discipline (B.Sc Degree preferred) having five years experience in Stores Management / Caretaking in any semi-Government or public sector organizations in case of direct recruitment

In case of in-service candidate B.Sc. Degree with 3 years experience in Board's service.

### 10. Cadre of Attendant Staff

Peons / Watchman / Sweeper

Class - VIII Pass. H.S.C. Pass is desirable

### 11. Cadre of P.R.O

Public Relation Assistant

Graduate in any discipline with knowledge of handling Personal Computer.

Public Relation Officer

Graduate in any discipline with a Diploma/ Degree in Public and / or Mass Communication. The candidate should have working experience of atleast 10 years in the service of the Board in the post of Senior Assistant or any other post having equivalent scale of pay or above.

### 12. Ex-cadre Posts

i) Data Entry Operator

Bachelor Degree in any discipline with Diploma in Computer Application

ii) Diarist

H.S.C. Pass

iii) Despatcher

H.S.C. Pass

iv) Mechanic - cum - Electrician

i) H.S.C. Pass

ii) Must have possessed Trade Certificate in Electrician from any ITI, approved by N.C.V.T of State Government.

iii) Minimum 2 years experience on any institution / firm.

v) Lift Operator

i) Must have passed Class - IX

ii) Minimum 2 years experience in operating of lift

vi) Driver

i) Must have passed H.S.C. Exam

ii) He should have a professional driving license for driving Light Motor Vehicles.

**Note:** In case of discrepancy in respect of any matter including category of posts, eligibility criteria, scale of pay, or the like, the Board may take a decision in consultation with the Government.

By order of the Board  
(Siddhanta Das)  
MEMBER SECRETARY



ANNEXURE

GOVERNMENT OF ORISSA  
FOREST & ENVIRONMENT DEPT.

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No. 16130 /F&E.,  
ENV-F.E-2/2009

Date 05.09.2011

From:

Dr Aurobindo Behera, IAS,  
Principal Secretary to Govt.

To

The Chairman,  
State Pollution Control Board, Orissa  
Bhubaneswar.

Sub: The Recruitment and Conditions of Service of Employees of the  
State Pollution Control Board, Orissa, Regulation-2011.

Sir,

In inviting a reference to the subject cited above, Government has been pleased to approve the Recruitment and Conditions of Service of Employees of the State Pollution Control Board, Orissa, Regulation-2011 in accordance with the sub-section (3A) of section 12 of the Water (Prevention and Control of Pollution) Act, 1974. A copy of the same, which has been concurred in by G.A. Department vide UOR No.161/GAD dt.15.4.2011 and vetted by Law Department vide UOR No.1418/L, dated 30.07.2011 is enclosed for necessary action at your end.

Yours faithfully,

*Aurobindo Behera*  
5.9.11

Principal Secretary to Government

