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DEPARTMENT WATER RESOURCES

NOTIFICATION

The 26th February, 2021

No.6138—WR-LI-HR-0005/2016/WR.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of Odisha Ground Water Geologist (Method of Recruitment and Conditions of Service) Rules, 2007 except as in respect of things done or omitted to be done before such supersession, the Governor of Odisha is pleased to make the following rules to regulate the method of recruitment and conditions of service of persons appointed to the Odisha Ground Water Geologist Service (Ground Water Development), namely:—

PART-I

PRELIMINARIES

1.Short title and commencement:— (1) These rules may be called the Odisha Ground Water Geologist Service (Ground Water Development) (Method of Recruitment and Conditions of Service) Rules, 2020.

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

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

- (a) “Commission” means the Odisha Public Service Commission;
- (b) “Committee” means the Departmental Promotion Committee constituted under rule-11;
- (c) “Ex-Servicemen” means Persons as defined in the Odisha Ex- Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

- (d) "Government" means the Government of Odisha;
- (e) "Persons with Disabilities" means persons who have been granted with disability certificate by the Competent Authority as per the provisions of the Rights of Persons with Disabilities Act., 2016;
- (f) "Scheduled Castes and Scheduled Tribes" shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 as the case may be, made under Articles 341 and 342 of Constitution of India respectively and amended from time to time;
- (g) "SEBC" means the Socially and Educationally Backward Classes of citizens as referred to in clause (e) of Section 2 of the Odisha Reservation of Posts & Services (for Socially and Educationally Backward Classes) Act., 2008;
- (h) "Service" means the Odisha Ground Water Geologist Service;
- (i) "Sportsperson" means a person who has been issued with identity card as Sports Person by the Director, Sports; as per Resolution No. 24808/Gen, dated the 18th November, 1985 of General Administration Department; and
- (j) "Year" means the Calendar Year.

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

3. Constitution of Service :—(1) The Service shall consist of the following Posts, namely:—

- (a) Additional Director (Geology), Group-'A'
- (b) Joint Director (Geology), Group-'A' (Super-time Scale)
- (c) Deputy Director (Geology), Group-'A' (Senior Branch)
- (d) Geologist, Group-'A' (Junior Branch).

PART-II
METHODS OF RECRUITMENT

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

- (a) In respect of the post of Geologist by way of direct recruitment through Competitive Examination by the Commission in accordance with rule-6.
- (b) In respect of the post of Additional Director (Geology), Joint Director (Geology) and Deputy Director (Geology) in the service shall be filled up by way of promotion from among the persons holding the post of Joint Director (Geology), Deputy Director (Geology) and Geologist respectively in accordance with these rules.

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

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (For Scheduled Castes and Scheduled Tribes) Act., 1975 and the rules made thereunder, or any other law or rule in force at the relevant time; and
- (b) SEBC, Women, Ex-Servicemen, Persons with Disabilities and Sportspersons shall be made in accordance with the provisions made under such Act, Rules, Orders or Instructions issued in this behalf by the Government from time to time.

PART-III
DIRECT RECRUITMENT

6. Recruitment Procedure:— (1) Recruitment to the post of Geologist in the service shall be conducted by the Commission by way of competitive examination through Written Test and Viva Voce Test to be held once in a year.

(2) The date on which and the places at which the examination are to be held shall be fixed by the Commission.

(3) The standard, syllabus and subjects of examination shall be as decided by the Commission in consultation with the Administrative Department.

7. Eligibility Criteria for Direct Recruitment:—In order to be eligible for direct recruitment a candidate must,-

(1) be a citizen of India;

(2) have attained the age of 21 years and must not be above the age of 32 years as on the 1st day of January of the year in which the advertisement is published for recruitment;

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 5 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for their respective categories,

(3) be able to speak, read and write Odia and must have –

(a) passed Middle School Examination with Odia as a language subject, or

(b) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject, or

(c) passed Odia as language subject in the final examination of Class VII from a School or Educational Institution recognised by the Government of Odisha or the Central Government; or

(d) passed a test in Odia in Middle English School Standard conducted by the School & Mass Education Department.

(4) have hold at least a second class Master's Degree in Geology or Applied Geology or Earth Science from any recognised University in India.

(5) not have more than one spouse living;

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule;

(6) be of good mental condition and bodily health and free from any physical defect likely to interfere with the discharge of his/her duties in the service. The candidate who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the Service;

(7) have good moral character.

8. Selection by the Commission:— (1) Every year in the month of January, the Appointing Authority shall furnish the existing vacancy position as well as the anticipated vacancies likely to arise during the recruitment year to be filled up by way of competitive recruitment, to the Commission indicating the post to be reserved for candidates belonging to different reserved categories specified under rule-5.

(2) The Commission on receipt of requisition shall publish the same through advertisement in four widely circulated Odia and English daily Newspapers inviting applications from the eligible candidates to appear at the examination.

(3) The Commission after receiving all the applications shall take steps to select candidates by conducting written and viva voce test.

(4) The Commission shall prepare a list of selected candidates arranged in order of merit equal to the number of advertised vacancies on the basis of marks secured in the competitive examination conducted.

9. Select List in case of Direct Recruitment:—(1) The recommendations of the Commission in respect of reference made to it under Sub-rule-2 of rule-8 shall form the Select List for appointment to the respective service.

(2) The lists referred to under sub-rule (1) shall ordinarily be in force for a period of one year from the date of Government Notification or until another Select List is prepared afresh whichever is earlier.

(3) Appointment to the post of Geologist shall be made in the order in which their names appear in the Select List.

(4) Every candidate included in the Select List shall be examined by a Medical Board and any candidate who fails to qualify the Medical Board shall not be eligible for appointment.

PART-IV **PROMOTION**

10. Eligibility Criteria for Promotion:—(1) The post of Additional Director (Geology) shall be filled up by way of promotion from among the officers holding the post of Joint Director (Geology) on the basis of merit and suitability with due regard to seniority.

(2) The post of Joint Director (Geology) shall be filled up by way of promotion from among the officers holding the post of Deputy Director (Geology) on the basis of merit and suitability with due regard to seniority.

(3) The post of Deputy Director (Geology) shall be filled up by way of promotion from among the eligible officers holding the post of Geologist on the basis of merit and suitability with due regard to seniority from the gradation list of Geologists and who have rendered at least five years of continuous service as such on 1st day of January of the year in which the Committee meets.

11. Constitution of Departmental Promotion Committee:—(1) There shall be constituted two different Selection Committees consisting of the following members to consider the cases for selection of officers for promotion to the post of Additional Director (Geology), Joint Director (Geology) and Deputy Director (Geology) in the service, namely:-

(a) The Committee for consideration of promotion to the post of Additional Director (Geology) shall consist of –

i	Chief Secretary, Odisha	-	Chairman
ii	Secretary to Government, Finance Department.	-	Member
iii	Secretary of the Administrative Department.	-	Member Convenor

(b) The Committee for consideration of promotion to the post of Joint Director (Geology) and Deputy Director (Geology) shall consist of –

i	Secretary of the Administrative Department.	-	Chairman
ii	Chief Engineer & Director, Ground Water Development, Bhubaneswar.	-	Member
iii	Special Secretary to Govt./ Additional Secretary to Govt./ Joint Secretary to Govt./ Deputy Secretary to Govt. (I/c) of the Administrative Branch.	-	Member Convenor

(2) The recommendation of the Committee shall be valid and can be acted upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the members so absenting was duly invited to attend the meeting of the Committee and the majority of members constituting the Committee attended the meeting.

12. Procedure for Selection by the Committee: – (1) The Committee shall ordinarily meet at least once in each year preferably in the month of January to prepare a list of officers suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Committee while considering the promotion case of suitable officers and preparation of the list shall follow the provisions of;—

- (a) The Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988;
- (b) The Odisha Civil Services (Criteria for Promotion) Rules, 1992;
- (c) The Odisha Civil Services (Criteria for Selection for Appointment including Promotion Rules), 2003; and
- (d) The Odisha Reservation of vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act., 1975 and the rules made thereunder.

13. Consultation with the Commission:—(1) The recommendations of the Committee under sub-rule (2) of rule 11 shall be referred to the Commission along with service particulars and CCRs in respect of all officers included in the list for concurrence, including those whose cases have not been recommended being found unsuitable. A copy of the Gradation list will also be enclosed.

(2) The Commission shall consider the list along with the service particulars received under sub-rule (1) of this rule and shall accord its concurrence as per Article 320 of the Constitution of India.

14. Select List in case of Promotion:—(1) The Proceedings of the Departmental Promotion Committee (DPC) after due approval by the Government will be sent to the Commission for concurrence as per provision of sub-rule (1) of rule 13. The list finally concurred by the Commission will form the Select list for appointment of respective grades of service.

(2) The Select List referred to under sub-rule (1) shall ordinarily in force valid for a period of one year from the date of its notification by the Government or until another Select List is prepared afresh whichever is earlier.

15. Appointment to any Post in the Service:—(1) Appointment on promotion to different grades in the service shall be in the order in which their names appear in the Select List prepared under rule 14.

PART-V
OTHER CONDITIONS OF SERVICE

16. Probation and Confirmation:—(1) Every person appointed to any grade in the service by direct recruitment shall be on probation for a period of two years from the date of joining the post:

Provided that the appointing authority may, if thinks fit, in any case or class of cases, extend the period of probation by such period for reason to be recorded in writing under intimation to the probationer; or terminate the appointment of an officer on the ground of unsatisfactory performance in case of direct recruit or revert to feeder grade in case of promotion as the case may be:

Provided further that the period of probation shall count from the date of actually joining the post:

Provided further that such period of probation shall not include,—

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

(2) The appointment of a probationer in case of a direct recruitee, shall for good and sufficient reasons to be recorded in writing, be terminated by the Government at any time without previous notice during the period of probation including extension of such period, if any and after such termination the employee shall deem to be reverted to his/her former cadre/post, if he/she is a promotee.

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

17. Inter se-Seniority:—The *inter se*-seniority of officers appointed to any post in the service in a particular year shall be in the order in which their names appear in the Select List as determined in the following manner.

- (a) Officers appointed in the cadre by promotion shall be ranked *inter se* in the order of their dates of appointment to the service.
- (b) Officers appointed in the cadre by direct recruitment shall be ranked *inter se* in the order in which their names appear in the Select List prepared by the Commission.

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

PART-VI
MISCELLANEOUS

19. Relaxation:—When it is considered by the Government that it is necessary or expedient so to do, in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of officers after concurrence of the Commission.

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

By Order of the Governor
ANU GARG
Principal Secretary to Government