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THE HIGH COURT OF ORISSA, CUTTACK

NOTIFICATION

No. 1078 / R Dated 31st July, 2023

In exercise of the power conferred under Article-229 of the Constitution of India, the Chief Justice of the High Court of Orissa is pleased to make the following rules further to amend the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 to regulate the recruitment and conditions of service of the persons appointed to various posts in different Cadres/Groups in the High Court of Orissa, namely;-

1. **Short title and commencement :-**

These Rules may be called "The High Court of Orissa (Appointment of Staff and Conditions of Service) (2nd Amendment) Rules, 2023" and shall come into force on the date of publication in the Official Gazette.

2. (i) In the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 (hereinafter referred to as the said Rules), the provisions of Sub-Rule-(4) of Rule 9 shall be substituted with the followings;

"(4) The works of Sweepers and Farash-cum-Sweepers shall be out-sourced".

(ii) In the said Rules, the provisions of Sub-Rules (5) & (6) of Rule 9 shall be omitted.

3. (i) In the said Rules, the provisions of Sub-Rule-(1) of Rule 10 shall be substituted with the followings;

"(1) The Chief Justice and each of the Judges of the Court shall have discretion to engage two persons of his /her own choice for his /her household work. The tenure of such person engaged by the Chief Justice and each Judge shall be coterminous with their tenure of working as Chief Justice and the Judge of the Court. They shall be paid monthly remuneration as decided by the appropriate Government after consultation with the Court. Such appointment(s) shall be regulated by the scheme formulated under the Rule.

Provided that such person engaged on coterminous basis, if appointed on a regular post availing the benefit of weightage marks in the Direct Recruitment Test for Group-D/Class-IV posts, then such person shall be attached in the residence of such Chief Justice /Judge under whom he/she was engaged till the completion of the tenure of such Chief Justice/Judge and the concerned Chief Justice/Judge shall not have further discretion to engage another person on coterminous basis in his/her place during the remaining period of the tenure”.

(ii) In the said Rules, the provisions of Sub-Rules (3) & (4) of Rule 10 shall be omitted.

(iii) In the said Rules, the provisions of Sub-Rule (5) of Rule 10 shall be substituted with the following:

“(5) Such mark(s) shall be given to the candidates mentioned in Sub-Rule (2) (ii) of this Rule, at the second stage of the Test i.e the Selection Test, as indicated in Appendix-3”.

4. In the said Rules, in Sub-Rule (2) of the Rule 26, the words “as provided in Appendix-3” shall be substituted with the words “as follows;”.

5. In the said Rules, in Sub-Rule (5) of the Rule 26, the words “as per the Scheme in Appendix-3” shall be omitted and a full stop be given after the words “Viva Voce Test”.

6. (i) In the said Rules, para-3 of the Scheme formulated under Rule 10(1), shall be substituted with the followings;

“3. The Chief Justice and each of the sitting Judges of the Court shall have the discretion to engage two persons of his/her own choice for his/her household work coterminous with their tenure of working as Chief Justice and the Judge of the Court on a monthly consolidated remuneration as fixed by the Government and as may be revised from time to time.

Provided that such person engaged on coterminous basis, if appointed on a regular post availing the benefit of weightage marks in the Direct Recruitment Test for Group-D/Class-IV posts, then such person shall be attached in the residence of such Chief Justice /Judge under whom he/she was engaged till completion of the tenure of such Chief Justice/Judge and the concerned Chief Justice/Judge shall not have further discretion to engage another person on coterminous basis in his/her place during the remaining period of the tenure”.

(ii) In the said Rules, para-7 of the Scheme formulated under Rule 10(1), shall be substituted with the followings;

“7. On termination of engagement of any such person during the tenure of the concerned Chief Justice or Judge, fresh engagement of any other person may be made in the same manner and on the same terms and conditions as indicated hereinbefore.

Provided that such person engaged on coterminous basis, if appointed on a regular post availing the benefits of weightage marks in the Direct Recruitment Test for Group-D/Class-IV posts, then such person shall be attached in the residence of such Chief Justice/Judge under whom he/she was engaged till the completion of the tenure of such Chief Justice/Judge and the concerned Chief Justice/Judge shall not have further discretion to engage another person on coterminous basis in his/her place during the remaining period of the tenure”.

7. In the said Rules, clause (iv) of para-4 of the Appendix-3 shall be substituted with the following;

“(iv) The eligible persons attached to the household of a Judge as per the Scheme formulated under Rule 10(1), appearing in this Test shall be given 1(one) mark for each completed year of satisfactory service, subject to a maximum of 5 (five) marks in this Test”.

BY ORDER OF THE CHIEF JUSTICE

**SUMAN KUMAR MISHRA
REGISTRAR (JUDICIAL)**