

INDUSTRIES DEPARTMENT

NOTIFICATION

The 12th September 1985

S. R. O.No. 685/85—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules regulating recruitment and conditions of service of persons appointed to the Orissa Technical Education and Training Service, namely ;

PART-I (GENERAL)

Short Title and Commencement :

1. (a) These rules may be called "The Orissa Technical Education and Training Service Rules, 1985."
- (b) They shall come into force on the date of their publication in the Official Gazette.

Definition :

2. In these rules, unless the context otherwise requires—

- (a) 'Board' means selection board constituted under rule 13
- (b) 'Commission' means the Orissa Public Service Commission
- (c) 'Direct recruit' means a person appointed to the service on the basis of advertisement and recommendation of Orissa Public Service Commission under rule 5.
- (d) 'Director' means the Director of Technical Education and Training, Orissa
- (e) 'Government' means the Government of Orissa in the Industries Department
- (f) 'Scheduled Castes and Scheduled Tribes' means such castes and Tribes as may be specified by the President of India from time to time under Article 341 and 342 of the Constitution of India respectively.
- (g) 'Service' means the Orissa Technical Education and Training Service
- (h) 'Schedule' means a Schedule appended to these rules
- (i) 'State' means the State of Orissa

PART-II

Constitution of the Service .

3. (1) The cadre of the Service shall consist of the branches, viz; Class-I and Class-II, the former comprising of three grades namely the Senior grade, Intermediary grade and the Junior Grade as indicated below :—

- (a) Class-I Senior Grade shall include post of Joint Director (Technical Training), Joint Apprenticeship Adviser and such other post of equivalent status as may be created or declared by Government from time to time.
- (b) Class-I posts (Intermediary grade) shall include the posts of Principals of Engineering Schools and Polytechnics, Special Officer, Principal, Industrial Training Institute, Cuttack and such other post created in equal grade or declared of equivalent status by Government from time to time.
- (c) Class-I Junior Grade shall include the posts of Deputy Director, Senior Lecturers in Engineering Schools and Polytechnics, Training Superintendents, Industrial Counselling Officer, Principal, Industrial Training Institute, Rourkela and such other post as may be created in the equivalent grade or declared of equivalent status by Government from time to time.

(2) The Class-II branch of the Service shall include Assistant Director (Training), Assistant Director (Practical Training), Assistant Inspector of Training, Assistant Apprenticeship Adviser, Vice-Principal, Industrial Training Institute, Headmaster, Higher Secondary School of Science and Technology, Workshop Superintendent and Lecturers in Engineering Schools and Polytechnics, Principals, Industrial Training Institute, Assistant Director (Technical) Research Officer and such other posts as may be created in the equivalent grade or declared of equivalent status by Government from time to time.

(3) The Cadre of the Service shall consist of such number of posts with such scale of pay and status as Government may from time to time determine including the posts of deputation reserve. The sanctioned posts in the Technical Education and Craftsman training sector and 20% thereof on deputation reserve may form the cadre strength.

PART-III

Method of recruitment to the Service :

4. (1) Recruitment to Class-II branch of the service shall be made:—

- (i) By direct recruitment in accordance with rule 5
- (ii) By promotion of officers of non-gazetted Class-III teaching staff as provided under rule-7

(2) Recruitment to Class-I posts shall ordinarily be made by promotion or transfer, posting as provided in rules 9, 10, and 11.

(3) Government shall decide ordinarily in the month of April each year the number of vacancies in the service in each of the branches of Class-I and Class-II to be filled in that year by direct recruitment and by promotion, as the case may be.

5. Direct Recruitment:

(1) Not less than 75% (Seventy five per cent) of Class-II post of Lecturers fallen vacant in any year shall be filled up by direct recruitment through the Commission.

(2) Candidates having requisite qualifications as prescribed in Schedule 'A' or such qualification as may be prescribed by Government for posts created after the commencement of these rules shall be recruited on the results of interview conducted by the Commission.

(3) In case of non-availability of suitable candidates from the open market, the vacancies remaining unfilled may be filled up on deputation from other services under Government.

Eligibility for Direct recruitment to Class-II:

6. (1) For being eligible a candidate—

- (a) shall be a citizen of India
- (b) should be able to speak, read and write Oriya and have passed a language test in Oriya equivalent to Middle School standard.
- (c) shall not ordinarily be below 21 years and above 28 years of age as on 1st day of August, last preceding the month in which the applications are invited by the Commission.

Provided that Government shall have power to relax the upper age-limit in suitable cases.

- (d) should be of good character and shall submit with his application certificate of good character to the Commission as may be prescribed in the advertisement.
- (e) must be of sound mental and bodily health and physique and active habit and free from organic defects or bodily infirmity.

(2) Assistant Lecturers/Foreman whether temporary or permanent shall be eligible for direct recruitment by way of relaxation of upper age-limit by the period of service rendered under Government by the Commission provided they are otherwise eligible. If after allowing the above concession the Government servant is found still to exceed the said age-limit, Government may relax it further in case he is considered suitable for appointment by the Commission. Government servants shall be considered for appointment on receipt of their application through proper channel.

(3) The upper age-limit shall be relaxed by five years in respect of Scheduled Caste/Scheduled Tribe candidates.

(4) The candidate shall fulfil other conditions as may be prescribed in the advertisement.

PART-IV

Promotion to Class II:

7. (1) Posts of Principals of Industrial Training Institutes, Vice-Principal, Industrial Training Institute, Assistant Apprenticeship Adviser, Assistant Director (Technical) Research Officer, Assistant Inspector of Training, Assistant Director (Training), Assistant Director (Practical Training), Headmasters of Higher Secondary Schools of Science and Technology and such other posts which are held by personnel of different disciplines shall be filled up by transfer posting of Lecturers and shall not be filled up by promotion at any time.

(2) Not more than twenty-five percent (25%) of total vacancies in Class-II post of Lecturer in any year may be filled up by promotion from among non-gazetted Class-III staff holding post as provided in schedule B having completed seven years of service in the post or posts :

Provided that no person without the minimum qualification of Matriculation/High School Certificate Examination with Diploma in any discipline or a qualification equivalent thereto shall be eligible for promotion.

- (3) Government shall determine every year as to which of the vacancies shall be filled up on promotion.
- (4) The Director, Technical Education & Training shall maintain a gradation list of all non-gazetted officers eligible for consideration for promotion to Class-II as provided under Sub-rule (2).
- (5) In the event of non-availability of qualified candidates in the gradation list, the vacancies shall either be filled up by direct recruitment or by deputation from other services as may be decided by Government.

Reservation

8. There shall be reservation of vacancies for candidates belonging to Scheduled Caste and Scheduled Tribe in the manner prescribed in the Orissa Reservation of Vacancies in posts and services (For Scheduled Castes and Scheduled Tribes) Act, 1975 as amended from time to time and rules made there under.

Promotion to Class-I Junior Grade :

9. (1) Promotion to the post of Senior Lecturer in a particular discipline or subject shall be made from among eligible Class-II Officers of relevant discipline or subject in the graduation list of Class-II Officers.

(2) Posts of Deputy Director (Technical Training) Principal, Industrial Training Institute, Industrial Counselling Officer, Training Superintendent and such other posts which are held by Engineering personnel of different disciplines shall be filled up by transfer posting of Senior Lecturers and shall not be filled up by promotion at any time.

(3) No officer of Class-II of the service shall ordinarily be eligible for promotion to Class-I (Junior) post of Senior Lecturer in his discipline unless he—

(a) has rendered at least 4 (four) years of service in Class-II post of the service; and

(b) has passed the departmental examination completely as prescribed in Schedule-C

(c) has completed diploma from Technical Teachers Training Institute if he is a diploma holder:

Provided that if no eligible Lecturer is available in the respective discipline for consideration for promotion, the post may be filled up by deputation from other services or by advertisement through Orissa Public Service Commission as may be decided by the Government.

10. (1) The post of Principal of any Engineering School/Polytechnic or special officer or Principal, Industrial Training Institute in Class-I shall be filled up on promotion by a member of Class-I Junior grade of the service who has completed 8 (eight) years service in Class-II and Class-I (Junior) post taken together.

(2) In case no eligible candidate is available in the cadre, the post shall be filled up by direct recruitment or by deputation as may be decided by Government.

11. Promotion to the post of Joint Director/Joint Apprenticeship Adviser in Senior Grade of Class-I shall be made from among the Principals, Special Officer in Class-I:

Provided that no officer shall be eligible for promotion to the senior grade unless he has completed 4 years of service in Class-I post of Principal/Special Officer:

Provided further that if no eligible officer is available, the post shall be filled up on deputation from other services.

12. Notwithstanding any thing contained in these rules, while considering promotion to a particular grade or branch of service those of the officers of the Orissa Industries Service who are senior with reference to the length of service rendered till the date on which these rules come into force to those of the officers who are eligible for promotion to the said particular grade or branch of the Orissa Technical Education and Training Service shall also be considered for promotion alongwith the eligible officers of Orissa Technical and Training Service.

Constitution of Selection Board and procedure for selection of officers for promotion to different grades/posts. :

13. (1) The Director of Technical Education & Training, Orissa shall recommend for promotion to different posts or branches of engineering and non-engineering disciplines of the service of such number of eligible officers as may be required or fixed by Government taking into account the vacancies to be filled up.

(2) The Selection Board shall be constituted for selection of persons to be promoted to Class-I Senior grade/Class-I Intermediary grade/Class-I Junior grade and Class-II posts of the service consisting of such members as may be specified by Government from time to time.

(3) (a) The Board shall meet as and when occasion arises to prepare the list of officers suitable for promotion to different ranks/posts of the service as aforesaid.

(b) The Board shall scrutinise the claims of the officers who are eligible for promotion together with cases of those when the Director has not considered suitable for promotion and shall draw up a list of candidates found suitable for promotion.

(c) The selection of candidates for inclusion in the list shall be based on merit and suitability in all respects with due regard to seniority.

(4) The list of candidates prepared in accordance with sub-rule (3) (b) and (c) including those candidates proposed to be superseded with all papers relating to them shall be forwarded by the Industries Department to the Commission alongwith the gradation list.

(5) The Commission shall consider the list alongwith other records and documents forwarded in accordance with sub-rule (4) and recommend to the Government for promotion a list of suitable officers equal in number to the number of vacancies, their names being arranged in order of merit.

(6) The final selection of candidates for appointment by promotion shall be made by Government after considering the recommendation of the Commission.

14. Period of Validity of recommendations of the Commission

The list of names recommended by the Commission shall remain in force for one year from the date of such recommendation.

PART-V

Departmental Examination :

15. (1) All officers of the Service unless specifically exempted by Government shall be required to pass the departmental examination, the syllabus and the rules of which are prescribed in Schedule-C, to be conducted by the Board of Examiners under Board of Revenue within the period of probation.

(2) An officer who has passed the departmental Examination shall be deemed to have passed the same on the last day on which the said examination was held or if he has passed it in more than one chance, the last date of the examination in which he finally passed shall be taken as the date of passing departmental examination and he will be entitled to incremental benefit admissible on such passing from the day following it.

(3) An Officer who is exempted from passing any or all the subjects of departmental examination shall be deemed to have passed the said examination in such subject or subjects as the case may be within the period of probation.

(4) Exemption from passing Oriya test shall be done by Board of Revenue

(5) If the officer is found to be using or have used unfair means in the examination, the following penalties may, without prejudice to any other action that may be taken against him by Government be imposed on him, namely;

(a) cancellation of result of examination in a paper or papers;

(b) Debarring from appearing at the examination in the remaining papers in the same chance;

(c) Debarring from appearing at the examination in subsequent chances not exceeding five successive chances other than specified in clause (b).

(6) The Secretary to the Board of Examiners shall be competent to inflict penalties specified in clauses (a) and (b) and the Board of Revenue shall be competent to inflict penalties specified in clause (c);

Provided that the President of the Board of Examiners shall not debar any officer from appearing at the examination exceeding three successive chances.

(7) Orders passed by the Secretary, President or the Board of Examiners under this rule shall be final.

PART—VI

Probation and confirmation in Services:

16. (1) Every Officer shall, on appointment to the Service, be on probation. In case of a direct recruit, the period of probation shall be 2 years and in the case of a promotee, it shall be one year :

Provided that Government may, in special circumstances, extend the period of probation in any case for such period as they may fix by an order :

Provided further that if the period of probation is not extended within a period of six months from the date of completion of probation, the officer will be deemed to have completed the probation satisfactorily.

(2) The period of probation in each case shall count from the date on which the officer joins his appointment provided that the whole or any part of the period during which a person has held continuous officiating or temporary appointment in a post included in the cadre of the service may be allowed by Government to count towards the period of probation prescribed under this rule.

(3) Government may dispense with the service of an officer or revert him to his former post, as the case may be during or at the end of his probation if the officer is considered to be unfit for confirmation in the service on account of poor or unsatisfactory performance.

17. Subject to the provision of rule 16 (3) an officer on probation, after completion of the period of his probation to the satisfaction of Government and completion of prescribed departmental examinations, shall be confirmed against a permanent post if there is vacancy.

PART-VII

Increments, Crossing of Efficiency Bar and Seniority

18. (1) An Officer shall be eligible to draw the first increment during the period of probation .

(2) No officer shall be allowed to draw the second ^{216/16} increment until he passes the prescribed departmental examination.

(3) The officer or officers exempted from passing departmental examination by Government shall be entitled to draw increments.

(4) In case passing the departmental examination is delayed, the pay of an officer on his passing the said examination shall be fixed at the stage to which he would have been entitled in the time scale of pay of his post but for such delay and his next increment shall fall due on the next anniversary day of appointment. He shall not, however, be entitled to any arrears relating to the period prior to passing the departmental examination.

19. Where an efficiency bar has been prescribed in the time scale, the increment next above the bar shall not be allowed to an officer without specific sanction of Government allowing him to cross the said bar:

Provided that an officer whose initial pay is fixed at a stage above an efficiency bar or bars shall be deemed to have been allowed to cross such bar or bars.

20. An officer may be allowed to cross the first efficiency bar if his performance is at least of the average standard.

21. An officer may be allowed to cross the second efficiency bar only if the standard of his work performance is distinctly above average.

Provided that where there is only one efficiency bar, the same shall be treated as the second efficiency bar for the purpose of this rule.

22. Refusal by Government to allow an officer to cross the efficiency bar shall not have the effect of postponing the increments cumulatively but arrear incremental dues shall not be allowed.

23. (1) There shall be maintained a seniority list of all Class-II Officers indicating their qualification, discipline and date of joining. (The inter-se-seniority of officers shall be fixed according to the date of recommendation and position assigned by the Commission.)

(2) In case the date of recommendation for different disciplines is identical, the seniority shall be fixed as determined by the Government.

(3) The inter-se-position among the direct recruits and promotees will be determined on the principle that the promotees will be senior to direct recruits during a particular recruitment year.

(4) There shall be a gradation list of Class-I Officers according to position assigned by Commission.

24. The Officers of the combined cadre of Orissa Industries Service who will constitute the base members of this cadre in the Service under these rules shall be entitled to seniority in Class-II and Class-I as fixed earlier by Government and shall be eligible to consideration for promotion to higher grade in accordance with the provisions of this rule.

PART-VIII

Miscellaneous;

25. In the event of take over of any Private/Semi Government Technical institutions, Government may appoint any person or persons working in such institution to any post in Class-II and/or Class-I by way of absorption in consultation with the Commission having regard to qualification and experience of such person or persons.

Such employees shall maintain their inter-se-position according to their length of service under their respective management. They shall be treated as direct recruits of the same year but their seniority in Government service shall count from the date of take-over of the institution by Government.

26. Where the State Government are of the opinion that it is necessary or expedient so to do, they may relax any of the provisions of these rules in respect of a category of persons or posts.

27. The Officers may be deputed for Teachers Training, Summer Training, Orientation training industrial training as may be decided by Government from time to time on the basis of proposal of the Director.

28. The conditions of service of the members of the service in regard to matters not covered by these rules shall be the same as are or as may, from time to time, be admissible to other State service officers.

REPEAL

29. The Orissa Industries Service Rule, 1971 hitherto in force stands repealed effective from the date from which these rules came into force.

SCHEDULE-A. (Rule-5)

Educational qualification for appointment to the posts of Lecturers in Class-II of the Service shall be as follows:—

Sl. No. (1)	Name of the post. (2)	Qualification (3)
LECTURERS (TECHNICAL)		
1	Lecturers in Mechanical/Electrical/Chemical Metallurgical/Electronics/ Telecommunication/Mining/Mine Surveying/Drilling Engineering/Instrumentation and Control/ Automobile/Architectural Assistantship/ Civil Engineering,	Degree in relevant Engineering Technology from a recognised University/Institution or qualification equivalent thereto Or A. M. I. E. (By examination) Or Diploma in relevant Engineering subject recognised by the State Government with 2 years teaching or industrial experience plus a diploma from the Technical Teachers Training Institute.

(1)	(2)	(3)
2	Lecturer, Workshop/Workshop Superintendent.	Same as for Lecturer (Mechanical) at serial-1.
3	Lecturer in Leather Technology	Same as for other Lecturers at serial-1.
4	Lecturer in Textile Technology	Degree in Textile Technology from recognised University/Institution or qualification equivalent thereto.
LECTURERS (NON-TECHNICAL)		
(a) Mathematics & Science—		
5	(i) Lecturer in Mathematics	(i) M. Sc. in Mathematics with 53.5% marks from a recognised University.
	(ii) Lecturer in Physics	(ii) M. Sc. in Physics with 53.5% marks from a recognised University.
	(iii) Lecturer in Chemistry	(iii) M. Sc. in Chemistry with 53.5% marks from a recognised University.
	(iv) Lecturer in Botany	(iv) M. Sc. in Botany with 53.5% marks from a recognised University.
	(v) Lecturer in Geology	(v) M. Sc. in Geology with 53.5% marks from a recognised University.
(b) Humanities—		
6	(i) Lecturer in Humanities	(i) M. Com. with 53.5% marks from a recognised University.
	(ii) Lecturer in Commerce	(ii) M. Com. with 53.5% marks from a recognised University.
	(iii) Lecturer in Stenography and Secretarial practice.	(iii) M. Com. with 53.5% marks from a recognised University.
	(iv) Lecturer in Commercial practice	(iv) M. Com. with 53.5% marks from a recognised University.
	(v) Lecturer in English	(v) M. A. in English with 53.5% marks from a recognised University.
	(vi)* Lecturer in Library Science	(vi) Masters degree in Library Science with 53.5% marks from a recognised University.
Or		
Graduate with diploma in Library Science from a recognised institution plus a diploma from the Technical Teachers Training institute. and 2 years teaching or industrial experience.		
	(vii) Lecturer in Applied Arts	(vii) Masters degree in Applied Arts with 53.5% marks from a recognised University/Institution or a qualification equivalent thereto.
Or		
Graduate with diploma in Applied Arts from a recognised Institution plus a diploma from the Technical Teachers Training Institute and (two) years teaching or industrial experience.		

SCHEDULE-B (Rule-7)

Persons eligible for promotion to Class-II of the service

Promotion to Class-II posts shall be made from among non-gazetted non-ministerial Class-III staff holding following categories of posts in the grade pay of Rs. 500—930/- or as revised by Government from time to time:

1. Assistant Lecturer
2. Foreman, Engineering Schools and Industrial Training Institute
3. Workshop Foreman, Higher Secondary Schools of Science and Technology, Aska and Choudwar
4. Assistant Apprenticeship Adviser
5. Such other posts as may be declared equivalent by Government from time to time

SCHEDULE-C (Rule-15)

Syllabus for Departmental Examination

PART-I-(LAW)

There shall be one paper on the following laws and the Examination shall be directed to test the general working knowledge of the important provisions of the Laws :—

1. The Indian Contract Act, 1872 Fundamentals (9 of 1872)
2. The Factories Act, 1948 (Act LXIII of 1948)
3. The Apprentices Act, 1961
4. The Orissa Public Demands Recovery Act, 1962 and Rules, 1963 (Orissa Act I of 1963)
5. Orissa Civil Services (Classification, Control and Appeal) Rules, 1962

There shall be written examination with the aid of books. Only unannotated editions of Acts and rules issued by authority shall be allowed for answering the paper.

The maximum marks will be 100 and duration of examination shall be two hours. Candidates obtaining 45% of marks and above will be deemed to have passed the paper.

PART-II-(ACCOUNTS)

(a) The examination in Accounts shall be of one standard and only one paper will be set to be answered within 2 (two) hours and with the aid of books. The maximum marks shall be 100 and candidates obtaining 45% of marks and above shall be deemed to have passed in the subject.

(b) The books recommended for the Accounts Examination are as follows :—

1. The Orissa Service Code, Chapters II to VII, Appen.Lix-6, 10, 11-A and 13
2. The Orissa Travelling Allowance Rules
3. Civil Service Regulations, Chapters VX, XIX

4. The Liberalised Pension Rules
5. (a) The Orissa Treasury Code, Vol. I Part-I Rules 1, 2, 6 to 9, 16 to 26, 28, 30 and 31
(b) Part-II Subsidiary Rules under the Orissa Treasury Rules, Chapters I to IV, VII to IX.
6. The Oriss Treasury Code, Vol. II. Appendices 2 to 7, 9, & 16
7. General Provident Fund (Orissa) Rules with all its amendments
8. The Orissa General Financial Rules Vol. I & II

PART - III (LANGUAGE TEST)

Every officer of the service shall have to pass a language test in Oriya as per the syllabus prescribed by Government of Orissa in the Revenue Department Notification No. 59914-III-ER-3/66-R., dated the 13th September, 1966 subject to the variation that papers for translation should be set up on subjects relating to the work on which the officers are employed. Candidates securing of 40% marks and above will be deemed to have passed in Oriya.

Provided that an officer will be exempted from passing the said language examination on production of a certificate that he has passed in Oriya at the High School Certificate Examination conducted by the Orissa Board of Secondary Education or such other examination as in the opinion of the president of the Board of Examiners is equivalent to or superior to it:

Provided further that an officer who has passed a language test in Oriya by the Lower Standard (40 per cent) before coming to force of these rules will not be required to pass the examination in Oriya under these rules.

[No. 21189—III-EI-Ind.]

By order of the Governor

S. B. MISHRA

Secretary to Government