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HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 25th May, 2017

S.R.O. No.241/2017— In exercise of the powers conferred by Section 22 of the Odisha Municipal Services Act, 2016 (Odisha Act 7 of 2016) and in supersession of the rules or regulations or Orders or Instructions, except as respects things done or omitted to be done before such supersession, the State Government do hereby make the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Municipal Community Development Services, namely:—

CHAPTER-I PRELIMINARY

1. Short title and Commencement.— (1) These rules may be called the Odisha Municipal Community Development Service (Method of Recruitment and Conditions of Service) Rules, 2017,

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

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

- (a) "Act" means the Odisha Municipal Services Act, 2016;
- (b) "Commissioner" means Commissioner of a Municipal Corporation;
- (c) "Committee" means the Departmental Promotion Committee constituted under rule 12;
- (d) "Deputy Commissioner" means Deputy Commissioner of a Municipal Corporation;
- (e) "District" means a revenue District;
- (f) "Executive Officer" means Executive Officer of a Municipality or a Notified Area Council;

- (g) “Ex-servicemen” means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (h) “Government” means the Government of Odisha;
- (i) “Joint Commissioner” means Joint Commissioner of a Municipal Corporation;
- (j) “OPSC” means Odisha Public Service Commission;
- (k) “OSSC” means Odisha Staff Selection Commission;
- (l) “Persons with Disabilities” means persons who have been granted with disability certificates by Competent Authority as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Right, and full Participation) Odisha Rules, 2003;
- (m) “Schedule” means Schedule appended to these rules;
- (n) “Scheduled Castes and Scheduled Tribes” shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950, as the case may be, made under Articles 341 and 342 of the Constitution of India, respectively;
- (o) “SEBC” means the Socially and Educationally Backward Classes of citizens defined as backward Classes and referred to in clause (a) of Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (p) “Section” means section of the Odisha Municipal Services Act, 2016;
- (q) “Selection” means selection in accordance with the provisions of these rules;
- (r) “Service” means the Odisha Municipal Community Development Service;
- (s) “Sportsmen” means persons who have been issued with identity card as sportsmen by the Director, Sports; and
- (t) “Year” means the Calendar Year.

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

3. Constitution of Cadre and Services.—The Service shall consist of the following grades, namely:—

- (i) City Community Development Officer;
- (ii) Community Development Officer;
- (iii) Senior Community Organiser; and
- (iv) Community Organiser.

CHAPTER-II

METHODS OF RECRUITMENT

4. Cadre Strength and Methods of recruitment.— (1) The cadre strength of the Service for all the Urban Local Bodies shall be as decided by the Government from time to time.

(2) The qualifications and method of selection for different posts and experience under respective grade in the service shall be as provided in the Schedule.

(3) Subject to other provisions made in these rules,

- (a) the post of City Community Development Officer, shall be filled up byway of promotion from among the Community Development Officers;
- (b) the post of Community Development Officer shall be filled up byway of promotion from among the Senior Community Organisers; and
- (c) the post of Senior Community Organiser shall be filled up byway of promotion from among the Community Organisers.

(4) The post of Community Organiser shall be filled up byway of direct recruitment through the OSSC.

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

- (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; and
- (b) SEBC, Women, Sportsmen, Ex-servicemen and Persons with Disabilities 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.

6. Grouping of Posts.—The posts in the Service, shall be classified as different groups on the basis of scales of pay, similar to the classification of posts made by the General Administration Department in the State Government offices from time to time.

7. Appointing Authority and Jurisdiction of Municipal Services.— (1) The Director, Municipal Administration in the Housing & Urban Development Department shall be the Appointing Authority for all categories of posts in the Service.

(2) The appointment order shall be issued after obtaining orders of Government in all cases.

(3) The service shall be of a State Cadre and the Officers and employees appointed to the service shall be transferred as per the transfer policy of the Government or deputed to all Urban Local Bodies across the State.

8. Status of Personnel and Salary.— (1) The Officers and employees recruited to the Service shall be appointed and controlled by the Director, Municipal Administration and they shall not be, in any case, the employees of the State Government. They shall be Officers and employees of the Urban Local Body.

(2) The Urban Local Body concerned shall be liable to meet the salaries, allowances and other financial benefits of the personnel posted in the Urban Local Bodies.

9. Eligibility Criteria for Direct Recruitment.—In order to be eligible for direct recruitment to the posts under the Service, a candidate shall have to satisfy the general conditions laid down in the Odisha Municipal Services (General) Rules, 2016 as applicable with the following further conditions, namely:—

- (a) 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:

Provided that this clause, except good mental condition shall not be applicable to the Persons with Disability.

- (b) Minimum Educational Qualifications for different posts under the Service shall be as provided in the Schedule.

10. Selection by the OSSC.— (1) The competitive examination for direct recruitment to the posts of Community Organiser shall be conducted by the OSSC.

(2) Ordinarily in the month of January of each year the Director Municipal Administration shall communicate the total number of vacancies, already existing and the anticipated vacancies in that year to the OSSC indicating therein the number of posts required to be filled up and the posts to be reserved for candidates belonging to different reserved categories and furnish the necessary details in the format prescribed for the purpose.

(3) The OSSC shall, on receipt of the vacancies to be filled up by direct recruitment shall take all necessary steps for the recruitment of suitable candidates and adopt its own procedures.

(4) The syllabus, pattern and scheme of examination shall be as decided by the OSSC in consultation with the Department.

(5) The OSSC shall prepare a composite merit list taking into account all categories along with separate merit list category wise.

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

(2) Appointment to different grades in the service shall be made in the order in which the names as they appear in the select list.

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

(4) The select list shall ordinarily remain in force for one year from the date of its approval by the Government under sub-rule (1) or until another select list is prepared, whichever is earlier.

CHAPTER-III

PROMOTION

12. Constitution of Departmental Promotion Committee.— (1) There shall be constituted two different Committees for considering promotion of the officers and employees to different grades in the service, namely:—

(a) The Committee for promotion to the posts of City Community Development Officer and Community Development Officer;—

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| (i) | Secretary of the HUD Department | : | Chairman |
| (ii) | Director, Municipal Administration | : | Member |
| (iii) | Representative of the ST and SC Development Department, of the rank of Under Secretary and above | : | Member |
| (iv) | Joint Secretary/Deputy Secretary of the HUD Department dealing with the subject | : | Member |
| (v) | Deputy Director, Municipal Administration/ Deputy Commissioner | : | Member-Convener |

(b) The Committee for promotion to the posts of Senior Community Organizer;—

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|-------|--------------------------------------------------------------------------------------------------|---|-----------------|
| (i) | Director, Municipal Administration | : | Chairman |
| (ii) | Representative of the ST and SC Development Department, of the rank of Under Secretary and above | : | Member |
| (iii) | Joint Secretary/Deputy Secretary of the HUD Department dealing with the subject | : | Member |
| (iv) | Deputy Director, Municipal Administration/ Deputy Commissioner | : | Member-Convener |

(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 member so absenting was duly invited to attend the meeting of the Committee and the majority of members of the Committee attended the meeting.

13. Procedure for Selection by the Departmental Promotion Committee.—(1)

The Committee shall meet at least once in a year preferably in the month of January to prepare a list of officers as are held by them suitable for promotion to the next higher grade.

(2) The Committee while considering the cases of suitable officers and employees and preparation of the list shall follow the provisions of,—

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

14. Consultation with the Commission.— (1) The recommendations of the committee in respect of Group – A and Group-B Officers shall be referred to the OPSC for concurrence along with a list of all eligible candidates, including those who has not been recommended together with the service particulars relating to their academic qualification, field experience, if any.

(2) The OPSC shall consider the list along with the service particulars received under sub-rule (1) and shall furnish its recommendations.

15. Select List in case of Promotion.— (1) The recommendation of the OPSC in respect of reference made to it under sub-rule (2) of rule 14 shall, after being approved by the Government form the select list.

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

(3) Appointment on promotion to different grades in the service shall be made in the order in which the names of the officers or employees appear in the select list.

CHAPTER-IV

OTHER CONDITIONS OF SERVICE

16. Probation.—The period of probation as provided under section 9 of the Act shall not include,—

- (a) extraordinary leave;
- (b) period of unauthorized absence; or
- (c) any other period held to be not being on actual duty.

17. *Inter se*-Seniority.—The *inter se*-seniority of the officers and employees promoted to any grade in the service after commencement of these rules in a particular year shall be in the order in which their names appear in the select list prepared under rule 15 and the *inter se*-seniority of the direct recruit shall be fixed as per the provisions of the proviso to Section 10 of the Odisha Municipal Services Act, 2016 read with rule 11.

18. Other Service Conditions.—The other service conditions of the officers recruited to the Service not covered in the provisions of the Act and these rules shall be same as in the existing respective State Government Rules.

CHAPTER-V

MISCELLANEOUS

19. Relaxation—When the Government are of the opinion that it is considered necessary or expedient so to do, in public interest, it may, by order for reasons to be recorded in writing, relax any of the provisions of these rules, in respect of any class or category of employees, or in respect of any particular employee.

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

SCHEDULE**[See rule 4 (2) and 9(b)]****QUALIFICATIONS, METHOD OF SELECTION AND EXPERIENCE**

Sl. No.	NAME OF POST	METHOD OF SELECTION	QUALIFICATION/ EXPERIENCE/ SOURCE
1	City Community Development Officer	Promotion	Must have put at least 5 years of service as Community Development Officer.
2	Community Development Officer	Promotion	Must have put at least 5 years of service as Senior Community Organiser.
3	Senior Community Organiser	Promotion	Must have put at least 10 years of service as Community Organizer.
4	Community Organizer	Direct Recruitment	Must be a Graduate (Bachelor degree) / Post Graduate (Master Degree), in Sociology/ Social Work/ Home Science/ Community Development, from a Govt. recognised university. She/ He must have basic computer knowledge.

[No. 11792–HUD-13-LEGIS-67-POLICY-15-16/2017/HUD.]

By Order of the Governor

G. MATHI VATHANAN

Commissioner-*cum*-Secretary to Government