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THE HIGH COURT OF ORISSA, CUTTACK

NOTIFICATION

The 17th May 2022

No. 908/R—In exercise of the powers conferred under Article 229 of the Constitution of India, the Chief Justice of the High Court of Orissa has been pleased to amend "The High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019" as follows:

1. **Short Title:-**

These Rules may be called "The High Court of Orissa (Appointment of Staffs and Conditions of Service) (2nd Amendment) Rules, 2022"

2. **Commencement:-**

They shall come into force on the date of publication in the Official Gazette.

3. In sub-rule 1 of rule 34 in the second line the words 'to the Chief Justice' appearing after the words 'Joint Registrar-cum-Principal Secretary' shall be omitted.

4. Provisions of Sub-rules (3) and (4) of rule 34 shall be substituted with the following provisions;-

"(3) The Chief Justice or the Committee of Judges constituted for the purpose shall have to conduct a test to assess the merit and

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suitability of the persons (candidates) within the zone of consideration for promotion.

(4) For the purpose of undertaking such test, the Chief Justice himself/herself or the Committee of Judges constituted for the purpose may devise the mode and method of the test, if any, in addition to the tests prescribed in rule 38."

5. After sub-rule 5 of rule 34, the following sub-rule shall be inserted;-

"(6) The Chief Justice in his/her discretion may appoint any one officer from among the Additional Registrar-cum-Principal Secretary or the Joint Registrar-cum-Principal Secretary to work as the Principal Secretary to the Chief Justice. The remaining Officer(s) of the said cadres shall work in the Registry under the direct supervision and control of the Registrar General and shall perform such duty(s) as would be assigned from time to time."

6. In the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019, after sub-rule 1 and before sub-rule 2 of rule-35, the following proviso shall be inserted namely;-

"Provided that the employees recruited in the Court's Establishment in different Grade/Cadre posts prior to coming into force of the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019 with lesser qualifications than the qualifications prescribed in these rules for the posts under sub-rule-1 shall be considered as eligible for promotion to grade/cadre of promotional posts upto the highest rung of the Group-B cadre available in their respective stream in the Court's Establishment subject to fulfilling other required criteria for promotion to the post(s)".

7. In the High Court of Orissa (Appointment of Staff and Conditions of Service) Rules, 2019, after sub-rule 1 and before sub-rule 2 of rule-37, the following proviso shall be inserted namely;-

"Provided that the employees recruited in the Court's Establishment in Group-D Cadre posts prior to coming into force of the High Court of Orissa (Appointment of Staff and Conditions of

Service) Rules, 2019 with lesser qualifications than the qualifications prescribed in these rules for the posts under sub-rule-1 shall be considered as eligible for promotion to grade/cadre of promotional posts upto the highest rung of the Group-C cadre available in their respective stream in the Court's Establishment subject to fulfilling other required criteria for promotion to the post(s)".

8. In sub-rule 8 of rule 38, in the clause (iv) the figure '25' shall be substituted with the figure '20'.

9. In sub-rule 8 of rule 38, after clause (iv), the following clause shall be inserted: -

"(v) 05 marks for Seniority i.e 1 mark for each completed year of service as seniority maximum upto 5 marks for the years of service rendered over and above the years of service required for eligibility for such promotional posts/grades.

10 In the sub-rule 8 of rule 38, after clause (v), the following explanations shall be inserted;-

"Explanation-1:- For assessment of (i) Communication Skill and (ii) Knowledge of Procedure and working of different Branches, Sections, Wings, etc. of the Court in respect of Ministerial cadre employees, the Chief Justice himself/herself or the Committee constituted for the purpose shall at their discretion hold written test or oral test or both on such subjects".

"Explanation-2:-For assessment of Service Records as in clause(iii), CCRs of the candidates for last five years shall be taken into consideration and marks shall be awarded for each year of CCRs grading in the manner as (a) Outstanding-5 marks (b) Very Good-4 marks(c) Good-3 marks (d) Average-2 marks (e) Poor- Nil". However, in case, the entry in CCRs of a candidate has not been made in the nomenclature of the above grading, the respective entries shall be assessed by the Committee and accordingly marks be awarded.

"Explanation-3:-While assessing the personality of a candidate

and awarding marks, besides other, negative remarks/comments, if any, in his/her CCRs shall be taken into consideration".

"Explanation-4:- For assessment under Rule 38(8)(ii) for Secretarial Staff, the knowledge of procedure shall mean knowledge of procedure and Secretarial practice in the High Court. For such assessment, the Chief Justice himself/herself or the Committee constituted for the purpose shall at their discretion hold written test or oral test or both on such subjects".

11. In the sub-rule 9 of rule 38, in the clause (i) the figures '200' and '5' shall be substituted with the figures '250' and '7' respectively.

12. In the sub-rule 9 of rule 38, in the clause (ii) the figure '25' shall be substituted with the figure '20'.

13. In sub-rule 9 of rule 38, after clause (iv), the following clause shall be inserted;-

(v) 05 marks for Seniority i.e 1 mark for each completed year of service as seniority maximum upto 5 marks for the years of service rendered over and above the years of service required for eligibility for such promotional posts/grades.

14. In the sub-rule 9 of rule 38, after clause (v), the following explanations shall be inserted;-

"Explanation-1:- For assessment of (i) Knowledge of Procedure & Secretarial Practice in the High Court and (ii) Communication Skill of the candidates, the Chief Justice himself/herself or the Committee constituted for the purpose may at their discretion hold written test or oral test or both on such subjects".

"Explanation-2:-For assessment of Service Records as in clause(iii), CCRs of the candidates for last five years shall be taken into consideration and marks shall be awarded for each year of CCRs grading in the manner as (a) Outstanding-5 marks (b) Very Good-4 marks(c) Good-3 marks (d) Average-2 marks (e) Poor- Nil". However, in case, the entry in CCRs of a candidate has not been made in the nomenclature of the above grading, the respective entries shall be assessed by the Committee and accordingly marks be awarded.

"Explanation-3:-While assessing the personality of a candidate and awarding marks, besides other, negative remarks/comments, if any, in his/her CCRs shall also be taken into consideration".

"Explanation-4:-The evaluation of a passage in English of the Stenography and Type Test as provided in sub-rule-9(i) of Rule 38 shall be made in the following manner;

- (i) One mark be awarded for every ten (10) correctly typed words;
- (ii) The margin of errors/mistakes in the typed passage shall not exceed 30 words;

(Mistake means:- Omissions, wrong spelling of word, addition/substitution, repetition).

15. In the Appendix-I at Head II of the rules under heading "Officers and Staff of the Court", the following amendment shall be made;-

- (i) In the Group-A cadre for the post of Additional Registrar (Establishment) at Sl. no-1, the provisions of column-6 shall be substituted with the following provisions;

"At least 1 year in the post of Joint Registrar. However, when eligible officers at the ratio of 1:3 are not available in the zone of consideration in the feeder cadre for promotion to the post, in that circumstance, officers having not less than 2 years experience in the cadre of ADR (J&E) shall be taken into consideration in the common zone of consideration along with all the available officers of the feeder cadre".

- (ii) In the Group-A cadre for the post of Additional Registrar-cum-Principal Secretary at Sl. no-2, the provisions of column-6 shall be substituted with the following provisions;

"At least 1 year in the post of Joint Registrar-cum-Principal Secretary. However, when eligible officers at the ratio of 1:3 are not available in the zone of consideration in the feeder cadre for promotion to the post, in that circumstance, officers having not less than 2 years

experience in the cadre of ADR-cum-APS shall be taken into consideration in the common zone of consideration along with all the available officers of the feeder cadre".

- (iii) In the Group-A cadre for the post of Joint Registrar-cum-Principal Secretary at Sl. no-3, the provisions of column-6 shall be substituted with the following provisions;

"At least 1 year in the post of ADR-cum-APS. However, when eligible officers at the ratio of 1:3 are not available in the zone of consideration in the feeder cadre for promotion to the post, in that circumstance, officers having not less than 2 years experience in the cadre of Asst. Registrar-cum-Senior Secretary shall be taken into consideration in the common zone of consideration along with all the available officers of the feeder cadre".

- (iv) In the Group-A cadre for the post of Joint Registrar (Judicial) at Sl. no-4, the provisions of column-6 shall be substituted with the following provisions;

"At least 1 year in the post of ADR (J & E). However, when eligible officers at the ratio of 1:3 are not available in the zone of consideration in the feeder cadre for promotion to the post, in that circumstance, officers having not less than 2 years experience in the cadre of Asst. Registrar shall be taken into consideration in the common zone of consideration along with all the available officers of the feeder cadre".

- (v) In the Group-A cadre for the post of Joint Registrar (Establishment) at Sl. no-5, the provisions of column-6 shall be substituted with the following provisions;

"At least 1 year in the post of ADR (J & E). However, when eligible officers at the ratio of 1:3 are not available in the zone of consideration in the feeder cadre for promotion to the post, in that circumstance, officers having not less than 2 years experience in the cadre of

Asst. Registrar shall be taken into consideration in the common zone of consideration along with all the available officers of the feeder cadre".

- (vi) In the Group-A cadre for the post of Additional Stamp Reporter & Oath Commissioner at Sl. no-13 in column-6, the words '3 years' shall be substituted with the words '1 year'.
 - (vii) In the Group-B cadre for the post of Section Officer at Sl. no-19 in column-6, the words '9 years' shall be substituted with the words '8 years'.
 - (viii) In the Group-B cadre for the post of Personal Assistant at Sl. no-21 in column-6, the words '9 years' shall be substituted with the words '6 years'.
16. In the Appendix-I at Head II of the rules under heading "Officers and Staff of the Court", in the Group-A cadre at Sl. No-3 in column-3 the words "to Hon'ble the Chief Justice" shall be omitted.

BY ORDER OF THE CHIEF JUSTICE

SUMAN KUMAR MISHRA
REGISTRAR (JUDICIAL)