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### Notes on Odisha Service Code

Ranging from the general scope and conditions of Service to service outside the Government, the Odisha Service Code lays down principles and policies of the government of Odisha which regulates the conditions of service of the employees of the state. It has got 8 chapters each dealing independently with matters relating to pay, Leave, Joining time etc. as explained below:

Sl. No	Chapter	Brief Subject
1.	I	General Scope
2.	II	Definitions
3.	III	General conditions of service
4.	IV	Pay
5.	V	Additions to pay
6	VI	Leave
7	VII	Joining Time
8	VIII	Foreign Service

2. It has got 14 appendices containing separately instructions regarding delegation of powers, status of Government Servants, Odisha Leave Rules etc. In addition there are 5 Annexures laying down principles regarding rehabilitation assistance, LTC, training allowances, etc.

3. Besides this a vast array of instructions and guidelines in the form of executive instructions have been issued by the Government from time to time which regulate and supplement the general rules contained in the service code.

A few matters of common and general interest are indicated in the succeeding Paragraphs.

#### 4. Principles of fixation of Pay

(i) The initial pay of a person on first appointment to a Post under the Government shall be fixed at the minimum of the time scale prescribed for the Post -(Rule 74)

(ii) The Pay of a Government servant on promotion from one lower Post to higher one shall be fixed at a stage next above the stage notionally arrived at by increasing his Pay in respect of the lower post by one increment at the stage at which such pay has accrued.

The principle of giving weightage of one increment applies when in respect of cases where maximum of the time scale in the lower Post has been reached.-[Rule 74(b)]

(iii) In the case of Promotion from a Post to another post not involving the duties and responsibilities of greater importance, than those attached to the old Post Pay shall be fixed at the stage of the time scale which is equal to the Pay in the old Post or in absence of such a stage at the stage next below that Pay provided that any difference arising out of such fixation between the two scales shall be treated as Personal Pay which shall continue to be drawn till such time when an increment is earned either in the old Post or in the new Post whichever is earlier. [Rule 74(d)]

Provided that where the minimum of the scale in the higher Post is higher than the Pay in the Old post such minimum shall be the pay for this purpose. Provided further that in the case of appointment to a lower post on request where the maximum of the new post is less than the pay in the old post such maximum shall be the pay for this purpose. Rule 74(f) Revision of existing scale. [ Rule 74(e)].Sanction of increment.(Rule 77)

#### 5. Definition of pay

Pay means the amount drawn by a Government servant by reason of his position in a cadre. Pay includes personal pay, special pay and anything classed as pay(Rule 3.3)

6. Drawl of pay during suspension is regulated by rules 89 and 90 appearing under Section iv of chapter IV. According to this provision a Government Servant is entitled to subsistence allowance during the period of suspension. The rate of the subsistence allowance shall not exceed the Leave salary on half pay for the first 12 months subject to revision by the competent authority after completion of 12 months. Dearness allowance appropriate to the subsistence allowance is also admissible. Production of an employment certificate is necessary for drawl of such allowance.

7. Compensatory allowances – Chapter V deals with the grant of various compensatory allowances to the employees of Government of Odisha. Those allowances interalia include dearness allowance, house rent allowance, travelling allowance which are admissible to all the employees irrespective of their position. In addition certain allowances are admissible to particular employees serving under specific departments e.g.. non practicing allowance to surgeons,kit maintenance allowance to police etc.

The overall guiding Principles for grant of such allowance is that such allowance should not be a source of profit to the recipient

8. Leave – Government of Odisha employees are eligible to avail themselves of various kinds of leave such as Earned Leave, Half Pay Leave, Commuted Leave, Special disability Leave, Study Leave, Maternity Leave, Hospital Leave, Sick Leave, Extraordinary Leave etc.

The regulations containing guidelines for grant of each kind of leave, the conditions under which it can be granted, the maximum limit up to which each kind of leave can be accumulated and maximum period of leave that can be sanctioned individually or in combination are detailed in Chapter VI.

These are specific instructions for maintenance of the account of each kind of leave and detailed instructions are contained in appendix. 10.

While there are specific conditions and limits for grant of leave of each kind, certain Provisions are there which govern the sanction of leave in general. These are:-

- (i) Leave cannot be claimed as a matter of right.
  - (ii) It can be refused in the exigencies of public service
  - (iii) Leave should not be sanctioned to a government servant under suspension.
  - (iv) Leave is earned by duty only.
  - (v) In case of transfer of a government servant to an establishment having different set of rules the leave rules available in the parent office/Department shall be applicable to the Government Servant.
  - (vi) Leave can be prefixed or suffixed to holidays according to specific conditions.
9. **Joining Time** – Joining Time is granted to a Government Servant to join a new Post either at the same or at a new station, to join a new post on return from leave, to proceed to or return from training etc. (Rule 198)

Minimum joining time permissible is one day within the same station. A holiday is treated as a day for this purpose. ( Rule-199) Maximum days of joining time admissible is 30 days subject to the condition laid down in rule 200. Sunday does not count as a day for joining time but is included in the maximum limit of 30 days. But holidays count. Joining time for training includes Sundays and holidays. Six days are allowed for preparation and balance calculated with reference to mode of travelling and distance covered.

#### Conditions

- (i) Minimum days 1, maximum days 30 including Sunday(s)
- (ii) May be combined with any kind of leave except Casual Leave(CL)
- (iii) Preparation – 6 days.
- (iv) From the place of handing over to the place of taking over (calculation system)
- (v) Pay – The pay before relinquishment of charge.
- (vi) Joining time counts for increment
- (vii) Unavailed joining time to be credited to Earned Leave (E.L.)

10. **Foreign Services**

A Government servant can be transferred to foreign service or on deputation to other Departments or Governments. While transfer to other Government offices is termed as deputation transfer to offices other than government offices is treated as transfer on foreign service(Chapter VIII).

**Conditions:-**

- a) No such transfer can be made against one's will
- b) It may be sanctioned by the Government
- c) To places of similar nature of duties
- d) During the period of foreign service leave salary and pension contributions either by the borrowing office or by the person concerned are necessary.
- e) During foreign service the service records including authorization of salary etc. is the responsibility of the A.G..

**Appendices**

1. Power of Department/Heads of Departments
2. List of Government servants specially declared Gazetted
3. List of Heads of Department
- 4&5.- Deleted
6. Rules for grant of casual leave, guarantee leave, absence on holidays and vacation.
- 7&8 - Deleted
9. Contribution rate during foreign service
10. Odisha Leave Rules
11. Record of service
- 11A. Non-statutory rules relating to service records
12. Governor General's protocol rules
13. Leave procedure.
14. Special accommodation rules

**Annexures**

- A- Workcharged employees
- B- Rehabilitation Assistance Rules
- C- LTC rules
- D- Training allowance
- E- Miscellaneous decisions of the Government on different matters.