

PROCEEDINGS OF THE MEETING OF THE COMMITTEE FOR EXAMINATION OF DRAFT SERVICE RULES FOR THE EMPLOYEES OF THE INDIAN RED CROSS SOCIETY, ORISSA STATE BRANCH.

Date of Meeting	6th April, 2001
Time	4.30 P.M.
Place	Secretariat Chamber of the Hon'ble Minister, Health & Family Welfare.

PRESENT:

- 01. Dr. (Smt.) Kamala Das
Hon'ble Minister, Health & F.W. and Chairman,
Working Committee of the Indian Red Cross Society,
Orissa State Branch. Chairperson

- 02. Ex. Benudhar Mohapatra
Honorary Vice-President
IKCS-Orissa State Branch. Member

- 03. Sni H. Mohapatra
Secretary to Govt. of Orissa,
Law Department. Member

- 04. Sni K.C. Parija
Deputy Secretary to Govt. of Orissa,
Finance Department,
(Representing the Principal Secretary to Govt. of Orissa,
Finance Department). Member

- 05. Sni R. Das
Honorary Secretary,
Indian Red Cross Society,
Orissa State Branch. Member
Convenor

The Committee considered the various provisions of the draft Service Rules for the employees of the Indian Red Cross Society, Orissa State Branch.

Suggestions for alterations, substitutions, deletions and additions made by the Chairman as well as other members were discussed and recommendations were formulated.

The Honorary Secretary was authorised to modify the draft Service Rules according to the recommendations made. The draft Service Rules were modified by the Honorary Secretary and circulated to the Members/Chairman.

The modified draft Service Rules is annexed to this Proceeding as Annexure - 1.

The Committee recommends the same to be placed before the Executive Committee for consideration.

01. Chairman
IRCS-Oriassa State Branch
&
Hon'ble Minister,
Health & F.W., Oriassa. Sd/- Kamala Das
02. Ex. Benudhar Mohapatra
Honorary Vice-President,
IRCS-Oriassa State Branch. Sd/- Benudhar Mohapatra
03. Sni H. Mohapatra
Secretary to Govt. of Oriassa,
Law Department. Sd/- H. Mohapatra
04. Sni K.C. Panija
Deputy Secretary to
Government of Oriassa,
Finance Department. Sd/- K.C. Panija
05. Sni R. Das
Honorary Secretary,
Indian Red Cross Society,
Oriassa State Branch. Sd/- R. Das

SERVICE RULES FOR THE EMPLOYEES OF THE INDIAN RED CROSS SOCIETY, ORISSA STATE BRANCH, BHUBANESWAR.

01. SHORT TITLE:

These Rules shall be called the Indian Red Cross Society, Orissa State Branch (Recruitment and conditions of Service) Rules, 2001.

02. APPLICABILITY :

(a) These Rules shall apply to all the employees of Orissa State Branch of Indian Red Cross Society financed from Red Cross fund, Sushilabati Khosla Charitable fund, Dufferin fund, Junior/Youth Red Cross fund (herein after referred to as employees of the Society including those under Junior Red Cross, Youth Red Cross, Central Red Cross Blood Bank, Red Cross Dispensaries, Red Cross Hospital for Women and Children, Berhampur and any other establishment that may be established in future with the approval of the Executive Committee). The employees shall be deemed to be in a single establishment and liable for transfer within these units.

(b) These Rules will come into force from the date as may be decided by the Executive Committee of the Orissa State Branch of the Indian Red Cross Society. The Executive Committee may amend or modify these Rules as and when necessary.

(c) Nothing in these Rules shall be construed as affecting or invalidating appointments already made to posts now included in the Rules and that all such appointments shall continue to be in force as they are and shall be deemed to have been made under the provisions of these Rules.

03. DEFINITION :

In these Rules, unless there is anything repugnant to the subject or context :

(a) Society means, Orissa State Branch of Indian Red Cross Society.

- (b) *Employees means, all persons employed by the Society.*
- (c) *Executive Committee means, Executive Committee as duly constituted by the Orissa State Branch according to State Branch Rules.*
- (d) *Headquarters means, the Society's Headquarters Office located now in the Red Cross Bhavan, Sachivalaya Marg, Bhubaneswar - 7 or at any other place in future.*
- (e) *President means, the President of the Orissa State Branch in accordance with the provision of the State Branch Rules.*
- (f) *Secretary means, the Secretary/Honorary Secretary appointed by the President in accordance with the State Branch Rules.*
- (g) *Service means, Service under the Indian Red Cross Society, Orissa State Branch.*
- (h) *Rules means, Rules as framed and approved by the Executive Committee of the Society and shall include all amendments made therein from time to time.*
- (i) *State Government means, the Government of Orissa.*

04. WORKING DAY AND WORKING HOURS :

Red Cross being a Social Institution, the Services of all employees shall be available to the Society as demanded by exigencies at any time. Subject to this basic concept (rule), the working days of the Society shall be six days a week from Monday to Saturday except Sundays and Second Saturday of each month or as may be modified from time to time and on days declared as holidays by the State Branch including those under the N.I. Act.

WORKING HOURS :

- (i) Office staff from 10.00 a.m. to 5 p.m. or as amended from time to time.
- (ii) Blood Banks/Hospitals/others as per approved duty chart.
- (iii) Drivers - As per orders/instructions from time to time.

LUNCH BREAK :

Half an hour from 1.30 p.m. to 2.00 a.m. or as ordered by the Secretary.

05. COMPOSITION OF SERVICE :

The service shall consist of the following categories of Officers and Employees :

- CLASS - I:
- (a) Joint Secretary.
 - (b) Superintendent, Women and Children Hospital, Bexhampur.
 - (c) Director, Central Red Cross Blood Bank.
 - (d) Senior Medical Officer.
 - (e) Under Secretary of Orissa State Branch.

- CLASS - II :
- (a) Programme Officer/Account Officer.
 - (b) Medical Officer.
 - (c) Youth Red Cross Officer.
 - (d) Junior Red Cross Officer.

- CLASS-III:
- (a) Senior Assistant
 - (b) Junior Assistant
 - (c) Junior Typist
 - (d) Pharmacists
 - (e) A.N.M.
 - (f) Drivers
 - (g) Junior Dianist-cum-Despatcher
 - (h) P.A.
 - (i) Senior Laboratory Technician

- (j) Laboratory Technician
- (k) Accountant
- (l) Senior Accountant
- (m) Junior Stenographer
- (n) Driver-cum-Cold Storage Operator
- (o) Laboratory Attendant
- (p) Matron
- (q) Staff Nurse
- (r) Pump Driver
- (s) Chief Mechanic

CLASS-IV: Peons, Malis, Watchmen, Attendants and Sweepers, Helpers, Ayah.

NOTE : - When the post of (a) under Class-I above is held by a retired person in honorary capacity the tenure of appointment should be for one year at a time and should not exceed two such consecutive tenures or 62 years of age whichever is earlier.

06. RECRUITMENT :

Any persons having permanent residence in the State of Orissa with requisite educational and other qualifications shall be eligible for service under the Society in any of the categories contained in Rule-5. Persons with mother-tongue Oriya and residing in Oriya speaking areas outside Orissa shall also be eligible.

07. SOURCE OF RECRUITMENT :

Except as otherwise provided, appointment to any post shall be made :

- (a) by selection through a Committee constituted by the Executive Committee of the State Branch.
- (b) by direct recruitment in accordance with Rules 8, 11 and 12 or
- (c) by promotion of an employee already in service of the Society in accordance with Rule 10 and 16.

08. "APPOINTMENT BY SELECTION".

- (a) Direct recruitment to posts under Class-I and II of Rule 5 shall be made by selection through advertisement published in at least one leading daily news paper.
- (b) Selection shall be made by the Committee constituted by the Executive Committee under Rule 7.

09. APPOINTMENT BY DIRECT RECRUITMENT :

- (1) Appointment to the posts appearing under categories (b), (c), (d), (e), (f), (g), (j), (m), (n), (o), (q) and (r) of Class-III under Rule 5 shall be made by direct recruitment through Competitive Examination and Viva Voce Test.
- (2) Competitive Examination and Viva Voce Test shall be conducted by the Committee constituted by the Executive Committee under Rule 7. The Committee shall recommend a list of successful candidates arranged in order of merit to the Secretary for appointment under the Society.

10. APPOINTMENT BY PROMOTION :

Promotion shall always be considered only when a vacancy arises for more than one month and there is urgent need for filling up the same. Promotion shall be on the basis of merit with due regard to seniority and passing of the prescribed official as well as Accounts Training Examination in accordance with Rule 14 and 16 and for acquiring with any other qualification considered desirable to the post by the Working Committee.

- (1) Appointment to the posts appearing under categories (a), (h), (i), (k), (l), (p), and (s) of Class-III under Rule 5 shall be made by promotion.
- (2) Selection for appointment by promotion shall be made by the Committee constituted by the Executive Committee under Rule 7.

11. DIRECT RECRUITMENT :

Direct Recruitment of staff except Class-IV shall be made as far as practicable on the basis of the result of the written test and viva voce test conducted by the authority in accordance with Rule-7(b). Candidates for direct recruitment to the service of the Society shall :

- (a) not be under 21 years of age and over 32 years of age provided that the minimum and maximum age limit may be relaxed by the Working Committee in exceptional cases.
- (b) must hold a Bachelor's Degree from any University incorporated by an Act of the Central or State Legislature in India or an Educational Institution established by an Act of Parliament or deemed to be a University under Section 3 of the University Grants Commission Act, 1956 or of a Foreign University approved by the Central Government in respect of general nature of posts. For technical nature of posts, the minimum educational qualification shall be as may be determined by the Committee constituted under Rule 7 and entrusted to conduct Competitive Examination and Viva Voce Test.
- (c) should have registered his/her name in any Employment Exchange of the State.

12. APPOINTMENT :

- (a) Candidates from the successful list, prepared under Rule - (9) shall be appointed to the Society, subject to the condition that he is declared medically fit by the Medical Officer nominated by the Society and found suitable for service on verification of antecedents.
- (b) All appointments shall be made by the Secretary.

13. PROBATION :

- (a) Each employee shall be appointed on probation for a period of two years, provided that the period of probation may be extended by the Secretary if the performance of a probationer is not found satisfactory.

(b) The appointing authority may dispense with the service of an employee appointed on probation during or at the end of the period of probation if he/she has failed to discharge his/hen duties satisfactorily or is found other-wise unfit or is adversely reported upon by the antecedents verifying officer without prior notice.

14. EXAMINATION/TRAINING :

Employees under category (b) and (c) of Class-III of Rule - 5 shall be required to pass the Accounts Training Examination conducted by the Madhusudan Institute of Accounts and Finance, Orissa, Bhubaneswar within three consecutive chances. A fourth chance may be allowed by the Secretary in special cases. Similarly, Laboratory Technicians shall be required to pass such other examinations as may be prescribed under the Drugs and Cosmetics Rules.

15. CONFIRMATION :

Subject to the provisions of Rules 13 and 14, an employees shall be confirmed at the end of the period of his/hen probation, if there is a permanent vacancy and he/she has passed the prescribed examination and he/she, is other-wise considered fit and suitable for confirmation by the appointing authority.

16. PROMOTION :

(i) No employees of category (b) and (c) of Class-III under Rule 5 shall be eligible for promotion to the next higher grade/rank unless he/she (a) has passed the accounts training as per the provisions of Rule 14 (b) has been confirmed or other-wise in his/hen post eligible for confirmation.

(ii) Employees of the Society who have already been promoted or confirmed without passing the examination prescribed in Rule 14 shall be required to pass the examination within three years of commencement of these Rules failing which he shall not be entitled to subsequent increment.

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17. PAY AND ALLOWANCES :

Time scale of pay/consolidated pay for each category of posts shall be as may be prescribed by the Executive Committee from time to time. Allowances, if any, will be paid as may be prescribed by the Executive Committee from time to time keeping in view the resources position of the Society.

The Executive Committee may entrust the Committee constituted under Rule 7 with examination of all matters relating to pay and allowances and to suggest changes, if any.

18. INCREMENT :

All employees shall be eligible to draw the 1st annual increment during the period of probation/service.

Provided that the subsequent annual increment shall not be allowed until and unless he/she has passed the prescribed official examination or accounts training, as the case may be

EFFICIENCY BAR :

(a) No employee shall be allowed to cross the efficiency bar, if any, unless he/she has worked satisfactorily in every respect and his/her integrity is certified as unquestionable.

19. SENIORITY :

(a) The seniority of the employees under each category of post shall be determined with reference to their relative position in that category taking the entire Red Cross establishment into account.

(b) Seniority of employees shall be determined in accordance with the date of order of appointment. If the orders of appointment of two or more persons bear the same date, their seniority interse shall be determined by the appointing authority taking into account their relative position in the selection list.

20. CODE OF CONDUCT :

Every employee of the Society is required/expected to work with utmost dedication to duty unstinted loyalty to the society and unimpeachable integrity. Keeping these principles in view, the following category of commissions/omissions will be deemed as misconduct and shall call for disciplinary action.

- (a) Wilful absence from duty or absence without sufficient cause.
- (b) Wilful in sub-ordination or disobedience of order of superiors whether or not in combination with another lawful or reasonable order.
- (c) Dereliction/negligence of duty.
- (d) Involvement/complicity in work, action, speech or writing repugnant to the interest or discipline of the Society.
- (e) Possession of properties in excess of the known sources of income of an employee.
- (f) Wilful slowing down or stoppage of work or abetting/instigating/acting in furtherance thereof.
- (g) Theft, fraud, or dishonesty in connection with the employee's business or property or of another employee's property within the premises of the establishment.
- (h) Accepting or giving any bribe or illegal gratification.
- (i) Drunken or riotous or disorderly or indecent behaviour within the premises of the Society's establishment.

21. (a) An employee guilty of any or all misconduct, may be punished by

- (i) Warning
- (ii) Fine not exceeding a days' emolument in the case of Class - IV employees
- (iii) With holding increment/with or without cumulative effect
- (iv) Removal from services.

(b) No punishment of the above category can be inflicted upon unless the employee concerned has been informed in writing of his alleged misconduct and has

been given an opportunity to explain the circumstances alleged against him.

- (c) An order of discharge or dismissal shall not be made except after holding an enquiry by a person duly appointed by the Working Committee against the employee in respect of the alleged misconduct in the manner set forth in sub-clause (d).
- (d) The Honorary Secretary will be competent to award all punishments enlisted in (a) above in case of all Class-III and Class-IV officials. He/She will be also competent to award all punishments to Class-II and Class-I officers except in respect of their dismissal from service. Only in such cases, the Working Committee will be the competent authority. A memorandum for compassion may be submitted to the President as a last resort in all cases of dismissal.
- (e) An employee against whom an enquiry is proposed to be held shall be given a charge-sheet clearly setting forth the circumstances appearing against him and requiring his explanation. He shall be permitted to appear in person for defending himself. Except for reasons to be recorded in writing by the Inquiring Officer, the employee shall be permitted to produce witness in his defence and cross-examine any witness on whose evidence the charge rests. A concise summary of the evidence led on either side and the employee's explanation shall be recorded. All proceedings of the enquiry shall be conducted either in English or Oriya as per the choice of the employee. The enquiry shall be ordinarily completed within a period of 3 months unless the Inquiring Officer asks for further time in writing with sufficient reasons.
- (f) An employee against whom any action is proposed to be taken under sub-clause (a) (iv) may be suspended pending enquiry or for the period allowed to him for giving his explanation. The order of suspension will take place immediately.

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- (g) In awarding punishment under these rules the gravity of the misconduct, the previous record of the employees and other extenuating circumstances that may exist, shall be taken into consideration.
- (h) In the case of an order of dismissal, or removal from service an employee, may submit a memorandum to the President as a last resort to condone his laps-es, unconditionally, appologising for his fault and promising good conduct in future and the President may pass such order as deemed fit.

In other cases, the President shall be the appellate authority. An appeal may be preferred within a period of two months from the date of communication of punishment.

22. HOLIDAYS/LEAVE :

Red Cross is essentially a service organisation and every employee is expected to offer his/her services to the Society at any time irrespective of timings, holidays, or the right for going on leave. Every employee may avail holidays/leave only after meeting the exigencies of work of the Society and with due prior permission of competent authority. He/She may also be recalled from holidays/leave even after such permission has already been granted or during holidays/leave in the interest of the Society.

CASUAL LEAVE :

An employee will be eligible for 15 days casual leave in a calendar year. Leave cannot be claimed as a matter of right. If so required, an employee has to give preference to work of the Society to that of his own.

As a matter of rule, casual leave cannot be combined with earned leave. Casual leave, however, can be combined with recognised holidays with prior permission provided that the absence from duty does not exceed 10 days.

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23. EARNED LEAVE :

Every employee of the Society will be entitled to earned leave at the rate of 15 days in every year or service during the period of probation. If any leave is availed during the period of probation, the probation period will automatically stand extended to that extent. After satisfactory completion of the probation period, the incumbent will earn leave at the rate of 30 days in every completed year of service, subject to a maximum of 240 days; but he can avail leave upto a period of 120 days at a stretch on satisfactory ground. When no earned leave is admissible, an employee may be granted only leave without pay. Leave without pay shall not ordinarily be granted for three months at a stretch and in no circumstances beyond five years in one's entire service.

Unless the authority competent to grant leave extends the leave, the person who remains absent at the end of the leave is not entitled to any leave salary or pay for the period of such unauthorised absence., but that period shall be debited against his leave account as leave without pay. Wilful absence from duty after the expiry of leave will call for disciplinary action. Any period of absence not covered by grant of leave shall not be taken into account for the purpose of increment and will be considered as an interruption in service and the entire past service is liable to stand forfeited.

24. HALF PAY LEAVE :

Half pay leave shall be admissible to a confirmed employee of the Society at the rate of 20 days for each completed year of service. Commuted leave not exceeding half the amount of half pay leave due may be granted on Medical Certificate only subject to a maximum of 240 days during the entire service. Twice the amount of commuted leave granted will be debited to half pay leave a/c. The total duration of earned leave and commuted leave taken in combination shall not exceed 120 days.

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25. MEDICAL LEAVE :

Any application for leave on Medical ground shall be accompanied by Medical Certificate given by a Registered Medical Practitioner mentioning clearly the nature of illness and the probable period of such illness. The Honorary Secretary is competent to grant leave if deemed necessary or waive the production of medical certificate upto a period of 3 months or beyond which the Working Committee may decide.

26. MATERNITY LEAVE :

Maternity leave not exceeding 90 days can be granted by the Honorary Secretary to women employees who have completed their period of probation. No maternity leave will be allowed for those who are having two or more living children. During the period of maternity leave the employee will be paid leave salary equal to the pay drawn before proceeding on leave.

27. SUPERANNUATION :

- (1) All employees shall superannuate on completion of the age of 60 years subject to review of performance at the age of 58 years.

The Working Committee at its discretion and in the interest of the Society may re-employ any particular employee beyond the age of superannuation provided/he/she/is considered indispensable on the recommendation of a Sub-Committee set up by the Chairman of the Working Committee for the purpose but such instances shall only in exceptional circumstances and shall be for a period of one year at a stretch and not more than twice in any case.

- (2) An employee who has put in minimum 10 years of satisfactory service or has completed 50 years of age may opt for voluntary retirement from the service of the Society on such terms and conditions as may be determined by the Committee constituted by the Executive Committee under Rule 7 and entrusted to examine matters relating to pay and allowances.

28. RETIREMENT BENEFITS :

An employee on retirement will not be entitled to any pension. However, he/she will be entitled to the following retiring benefits :

- (a) Gratuity : Gratuity at the rate of 15 days basic pay for every completed year of service subject to a maximum of 15 months' pay or Rs. 50,000/- whichever is less is payable to the employees who have completed a minimum 10 years of continuous satisfactory service. No Gratuity is payable to retired and re-employed staff.
- (b) Encashment of earned leave at their credit subject to a maximum of 240 days.
- (c) Provident Fund contribution including the management's contribution together with interest accrued thereon - after adjustment of any dues to the society under EPF scheme.

29. PROVIDENT FUND :

Contribution to the employee's provident fund shall be as per rules and orders issued by E.P.F. Commissioner from time to time.

30. TRAVELLING ALLOWANCE :

When an employee is on official tour or is transferred, he is entitled to get T.A. as per actual or as sanctioned by the Secretary having regard to the circumstance of each case.

31. MAINTENANCE OF C.C.R. :

Annual C.C.R. of all employees will be maintained in the scheduled C.C.R. form for ministerial and non-ministerial employees as per the procedure laid down by the Secretary with the approval of Working Committee.

32. MISCELLANEOUS :

Employees excluding those employed on part time basis etc. shall not take any other employment elsewhere during the tenure of their service with the Society. In case an

employee wishes to apply for any job elsewhere, he/she shall apply through proper channel and join the new assignment after resigning from the service of the Society with one month's notice or for-feeing one month's salary in lieu thereof.

33. In no case the emoluments of the existing employees shall be adversely affected after adoption of these Rules.

34. INTERPRETATION :

The Executive Committee's decision on any question of inter-pretation of these rules shall be final and binding on all the employees.

If in operation of these rules there is any dispute or repugnancy with any other rules/orders/decisions, these rules shall prevail.

35. From the date of commencement of these rules any notification issued ^{Resolution} and orders made previously affecting the conditions of service of the employees of the Society shall stand repealed.