OFFICE OF THE DIRECTOR GENERAL OF POLICE, ODISHA, CUTTACK

ADVERTISEAMEN FOR ENGAGEMENT OF LEGAL ADVISOR ON CONTRACTUAL BASIS IN OFFICE OF DIRECTOR GENERAL OF POLICE, ODISHA, CUTTACK

Applications are invited from the Retired District Judges/ Addl. District Judges/ Public Prosecutors/ Addl. Public Prosecutors for engagement of one Legal Advisor, in the Office of the Director General of Police, Odisha, Cuttack on contractual basis to render legal advice/opinion in various O.A cases, Writ Petition and service matters etc. with the following stipulations.

i. The age of the candidate should be below 65 years as on 01.03.2020.
ii. The engagements shall be made in the transparent manner for one year initially.
iii. The performance of Legal Advisor is to be reviewed periodically and documented, at least once in a quarter.
iv. After initial engagement of one year, the same should be renewed basing on satisfactory performance.
v. Their monthly remuneration is to be fixed on case to case basis as per Finance Department Office Memorandum No. 7022/F dt. 17.03.2018.

Candidates interested to serve in the State Police Hqrs., Cuttack shall apply to the Director General of Police, Odisha, Cuttack in the given form by registered post, which should reach on or before 10.03.2020 positively. The selection will be governed by the procedure and rules laid down vide Govt. of Odisha, S.A Department Resolution No.23750/Gen. dt.27.08.2014 and Home Department Letter No. 22227/D&A dt. 25.06.2016.

Details of the postal address of the State Police Hqrs., Cuttack, Application Form and relevant Govt. orders cited above are available in Odisha Police web-site: www.odishapolice.gov.in.

Addl.D.G of Police(Hqrs.),
Odisha, Cuttack
APPLICATION FORM FOR THE POST OF LEGAL ADVISOR (CONTRACTUAL)

1. Name of the Applicant : 
2. Father’s Name : 
3. Date of Birth : 
4. Age as on 01.03.2020 (YY/MM/DD) : 
5. Date of retirement : 
6. Post hold at the time of Retirement : 
7. Pay level under ORSP Rules, 2017 at the time of retirement : 
8. Present Address : 
9. Permanent Address : 
10. Education Qualification : 
11. Work experience (may attach separate sheet) : 
12. Contact details: 
    Mobile No. 
    E-mail ID: 

Place: 

Date: 

Signature of the candidate
POSTAL ADDRESS OF THE DIRECTOR GENERAL OF POLICE, ODISHA

DIRECTOR GENERAL OF POLICE, ODISHA, AT/PO-BUXI BAZAR DISTRICT-CUTTACK PIN-753001
From,

Shri B.K. Hota, OAS
Deputy Secretary to Government

To,

DG & IG of Police, Odisha, Cuttack

Sub: Engagement of Retired District Judge/Addl. District Judge/ Public Prosecutor/ Addl. Public Prosecutor on contractual basis as Legal Advisor in the State Police Headquarters, Cuttack

Sir,

Inviting a reference to the Letter No.4428/OP dt. 02.12.2019 of State Police Headquarters, Odisha, Cuttack, I am directed to say that Government, after careful consideration, have been pleased to accord permission for engagement of one retired District Judge/ Addl. District Judge/ Public Prosecutor/ Additional Public Prosecutor on contractual basis against the only vacant post of Legal Advisor in the Office of the D.G. & I.G of Police, Odisha, Cuttack for a period of one year or till filling up of the post on regular basis, whichever is earlier, in the terms and conditions as laid down in the erstwhile General Administration Department Resolution No.23750/Gen. dated 27.08.2014 with monthly consolidated remuneration to be fixed as per the Finance Department O.M No.7022/F. dated 17.03.2018.

This has been concurred by FD in their File No.FIN-GS1-CADRE-0001-2020

Yours faithfully,

[Signature]

Deputy Secretary to Government
GOVERNMENT OF ODISHA
FINANCE DEPARTMENT

No. Pen- 73/18 [7028] F., Dated 17.03.2018

OFFICE MEMORANDUM

Sub:- Fixation of consolidated remuneration on engagement of the retired Government Servant.

The fixation of re-employment pay of pensioners is guided by Finance Department Office Memorandum No. 5554/F., dated 16.02.2012 and Guidelines relating to re-employment of contractual basis with consolidated remuneration is guided by Finance Department Office Memorandum No. 8852/F., dated 12.03.2012.

2. Now after careful consideration Government have been pleased to supersede the aforesaid Memoranda and have decided to fix the consolidated remuneration on engagement of the retired Government servants in the following manner.

3. On engagement, the retired Government servant will avail remuneration only in consolidated manner as per prescribed remuneration structure attached to the Level in the Pay Matrix as given in table below:

<table>
<thead>
<tr>
<th>Sl No</th>
<th>Levels under ORSP Rules, 2017</th>
<th>Consolidated Remuneration (per month)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
<td>1</td>
<td>15, 16 &amp; 17</td>
<td>Rs.42,000/-</td>
</tr>
<tr>
<td>2</td>
<td>11, 12, 13 &amp; 14</td>
<td>Rs.30,000/-</td>
</tr>
<tr>
<td>3</td>
<td>5, 6, 7, 8, 9 &amp; 10</td>
<td>Rs.13,000/-</td>
</tr>
<tr>
<td>4</td>
<td>1, 2, 3 &amp; 4</td>
<td>Rs.6,500/-</td>
</tr>
</tbody>
</table>

The above remuneration on engagement of retired Government servants is excluding the Pension and T.I. which he/ she avails.
4. There may be requirement of expertise and talent of specialised nature on certain occasion for a particular purpose and specific tenure. The Government in such exceptional circumstances may go for engagement of suitable retired Government Servants. In such exceptional cases, the quantum of the remuneration may be decided on a different principle. The terms of engagement and the remuneration in such exceptional cases will be determined and finalised only on prior concurrence of the Finance Department.

5. Prior concurrence of Finance Department in all cases will be obtained before any engagement and in subsequent engagement order is issued. The order must state the UOR No. of the Finance Department in each occasion.

6. The Office Memorandum is not applicable to the Allopathic Doctors & Teachers who have been engaged after their retirement as separate orders to be issued by the H & F.W. Department after concurrence with Finance Department. It will also not apply to the engagement of retired Government servants in the constitutional/statutory post and to any Commission as ordered by Government from time to time.

7. The Fixation of remuneration on engagement of retired Government servants shall come into force with effect from 01.10.2017. Re-employment pay/remuneration fixed earlier shall accordingly be revised as per this Office Memorandum.

(T. K. Pandey)
Principal Secretary to Government
Memo No. F023 /F., Dated: 17.03.2018

Copy forwarded to All Departments of Government / All Heads of Department/ All Revenue Divisional Commissioners/ All Collectors/ Principal Secretary to Governor, Odisha, Bhubaneswar/ Principal Secretary to Chief Minister, Odisha/ Secretary to Member, Board of Revenue, Odisha, Cuttack/ Secretary to Rajya Sainik Board, Odisha, Bhubaneswar/ Secretary to Odisha Legislative Assembly / Director General, Gopabandhu Academy of Administration, Bhubaneswar/ Principal, Secretariat Training Institute, Bhubaneswar / Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar / All District and Sessions Judges/ All Treasury Officers of District Treasuries and Special Treasuries/ All Sub-Treasury Officers/ A.G (A&E), Odisha, Bhubaneswar/ Senior D.A.G., Orissa, Puri/ Manager, Reserve Bank of India, Public Accounts Department, Bhubaneswar for information.

Under Secretary to Government

Memo No. F024 /F., Dated: 17.03.2018

Copy forwarded to all Officers / All Branches of Finance Department for information and immediate necessary action.

Under Secretary to Government

Memo No. F025 /F., Dated: 17.03.2018

Copy forwarded to the President, Odisha Retired Government Employees Association, Plot No.30, Goutam Nagar, BBSR - 751014 for information.

Under Secretary to Government
Memo No. 7086 /F., Dated, 17-03-2018

Copy forwarded to the Head of Portal Group, I.T. Centre, Secretariat, Odisha for information and necessary action.

He / She is requested to launch this Office Memorandum on fixation of Pay on re-employment of pensioners after implementation of recommendations of the Fitment Committee constituted by the State Government on the basis of recommendations of the 7th Central Pay Commission in the Website (www.odisha.gov.nic.in/finance/index.htm) of Finance Department for General Information.

Under Secretary to Government
GOVERNMENT OF ODISHA
HOME DEPARTMENT

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No. 22228
HOME-DA1-CRTN2-0033-2016

/D&A,
Bhubaneswar, Dated 25.6.16

From
Shri Asit Kumar Tripathy, IAS,
Principal Secretary to Govt.

To
The D.G & I.G. of Police, Odisha, Cuttack.


Sir,

In inviting a reference to the subject noted above, I am directed to convey the approval of Government for engagement of retired District Judges/ Addl. District Judges/ Public Prosecutors/ Addl. Public Prosecutors on re-employment basis as Legal Adviser in 32 Police Districts to render legal advice to the investigating officers during investigation of cases involving sensational incidents/heinous crimes with the following stipulations.

i. The engagement shall be made in a transparent manner for one year initially.

ii. The performance of Legal Advisors is to be reviewed periodically and documented, at least once in a quarter.

iii. Continuance of the system of Legal Advisors after the 1st year would be considered after assessment of the impact of the new system in improving the quality of investigation.

iv. After initial engagement of one year, the same should be renewed basing on their satisfactory performance.

v. Their consolidated remuneration is to be fixed on case to case basis in consultation with C.S.-III Branch of Finance Deptt.

It is, therefore, requested to kindly take expeditious steps for engagement of Legal Advisers in 32 Police Districts accordingly.

This has been concurred in by the Finance Department in their UOR No. 16-GS-
dt 15.01.16

Yours faithfully,

Principal Secretary to Government
Memo No. 22229 / Dated: 25-6-16

Copy forwarded to the Director Public Prosecution, Odisha, Toshali Bhawan (4th Floor), Satyanagar, Bhubaneswar-751007 for information & necessary action. He is requested to furnish draft containing duties and responsibilities of the Legal Advisers to this Department for further necessary action at this level.

Under Secretary to Government.

Memo No. 22230 / Dated: 25-6-16

Copy forwarded to the Finance Department for information & necessary action.

Under Secretary to Government.

Memo No. 22231 / Dated: 29-6-16

Copy forwarded to the all Police Sections of Home Department/Ten copies to Home (D & A) Department for information.

Under Secretary to Government.
Sub: Comprehensive Guidelines relating to engagement of retired Government servants.

The engagement of retired officers is at present being governed by the guidelines issued by the government in General Administration Department Resolution No. 19637/Gen. dt. 30.06.1999. According to these stipulations no proposal for re-engagement of any retiring/retired functionary shall be considered in any circumstances except in certain specified cases as laid down in the said Resolution. The situation, in the meantime, has undergone a drastic change. On account of delayed recruitment for various unavoidable reasons most of the government establishments have inordinate workload on the remaining staff. On the basis of the above consideration certain Departments of Government have obtained orders of the government in the past to engage retired government servants temporarily on contractual basis for different spells with different remuneration and terms and conditions on obtaining concurrence of Finance Department wherein the prescribed upper age limit for engagement was not uniform.

After careful consideration of the above situation and with a view to ensure a uniform principle, it has been decided by the Government that the Departments of Government, while taking decisions for engagement of retired persons having professional excellence in government assignments, shall follow the following principles to engage the retired government servants on contractual basis:

1. Applicability:

These guidelines shall apply to officers to be re-employed to such posts/services as may be decided by the Government from time to time.

2. Eligibility Conditions:

(i) Officers who have retired from Government service on attaining the age of superannuation and below the age of sixty-five years having good service records and are physically fit shall be eligible to be considered for re-employment.
(ii) Officers against whom departmental proceedings or criminal cases are contemplated/pending or who have been penalized for misconduct during the period of preceding five years will not be eligible for consideration.

3. Selection Process:

(i) Selection of persons will be made through open advertisement.
(ii) There shall be a Selection Committee as may be decided by the appointing authority for the posts required to be filled up by re-employment.

4. Tenure, Terms and Conditions:

(i) The re-employment shall be made initially for a period of two years and can be extended for subsequent period of two years with spells of one year each subject to satisfactory performance up to a total period of four years not beyond the age of sixty-five years of age in any case or till the posts are filled up by regular process whichever is earlier.

(ii) Re-employed officers will be entitled to pay and other allowances as determined by the Administrative Department/Appointing Authority with the concurrence of the Finance Department.

(iii) Re-employed officers shall be governed by the provisions of Odisha Government Servants’ Conduct Rules, 1957 and shall be liable to be proceeded against for their misconduct, omissions and commissions as per the provisions under the Odisha Pension Rules, 1992.

(iv) The re-employment can be terminated at any time by the respective appointing authority due to unsatisfactory performance of any of the re-employed officer by giving one month notice. On the contrary if any re-employed officer desires to resign he shall do so by giving one month's written notice to the competent authority.

5. Retention of Government Quarters:

As provided in the Resolution No.19837/Gen. dated 30.06.1999, during the period of the contract appointment the appointee may be accommodated in Government Quarters subject to the availability, provided he pays normal rent as applicable to a Government servant occupying Government accommodation.
6. Overriding effect: The provisions of this resolution will supersede all
previous executive instructions of the Government pertaining to re-
employment of retired persons.
This Resolution shall come to force with effect from the date of publication
in Odisha Gazette.

ORDER: Ordered that the Resolution be published in the extraordinary
issue of the Odisha Gazette. Ordered also that copies of the
Resolution be forwarded to all Departments of Government / all
Heads of Departments / all Collectors / Registrar, Odisha High
Court / Registrar, Odisha Administrative Tribunal / Special
Secretary, Odisha Public Service Commission / Secretary,
Odisha Staff Selection Commission / Secretary, Odisha Sub-
ordinate Staff Selection Commission, Bhubaneswar.

By order of the Governor

[Signature]
Special Secretary to Government.