

FINANCE DEPARTMENT

NOTIFICATION

Bhubaneswar, the 28th November, 2003

No. **CS – I – 7/03 - 50211/F**, In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules further to amend the Orissa Service Code, namely :-

1. (i) These rules may be called the Orissa Service Code (Amendment) Rules, 2003.

(ii) They shall come into force on the date of their publication in the Orissa Gazette.
2. In the Orissa Service Code, (hereinafter referred to as the said Code), in rule 54,-

(i) In clause (2) of sub-rule (a), the comma and words, "or would hold a lien had his lien not been suspended under rule 68" shall be omitted; and

(ii) sub-rule (b) shall be omitted.
3. In the said code, for rule 67, the following rule shall be substituted, namely :-

"67. A Government Servant who has acquired lien on a post retains the lien on that post –

(a) while performing the duties of that post;

(b) while on foreign service, or holding a temporary post or officiating in another post;

(c) during joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;

(d) while on leave other than refused leave granted after the date of compulsory retirement; and

(e) while under suspension;

Provided that no lien of a Government Servant shall be retained :-

(i) where a Government servant has proceeded on immediate absorption basis to a post or service out-side his service/cadre/post in the Government from the date of absorption and;

(ii) on foreign service/deputation beyond the maximum limit limit admissible under the orders of the Government issued from time to time."

4. In the said Code, rule 68 shall be omitted.
5. In the said Code, for sub-rule (a) of rule 69, the following sub-rule shall be substituted, namely :-
"(a) Except as provided in sub-rule (b) of this rule and in rule 67, a Government servant's lien on a post may in no circumstances be terminated, if the result will be to leave him without a lien upon a regular post."
6. In the said Code, in rule 70, the words "even if that lien has been suspended" shall be omitted.

By Order of the Governor

**U. Sarat Chandran
Principal Secretary To Government**