

[O. H. C.-97-A]

KARUNAKAR DAS, A.S.C.

In the High Court of Orissa
ORDER SHEET

BLAPL/W. P. (W) No. 1013/2024 of 20



STATE OF ODISHA

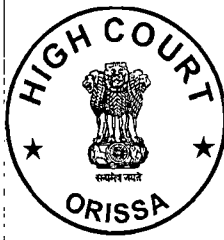
Versus

NARMADA DAS

M/s. SAIBRATA RATH
A. BEHERA, S.K. BEHERA, S. DAS,
P.K. BASANTIA, A. ROUT, A. MOHANTY,
T.N. ROUT, V. MISHRA,
S. CHANDAN
(OP-1)

Petitioner
M/s. Buddhadu Rout
S. Routroy
Opposite-Party
S.K. Samal
S.P. Nath
S. Sekhar

Sl. No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action (if any), taken on Order
 FC197314 SCANNED			<p>PRESENTED ON 03/05/2024</p> <p>Register and Put up for Orders</p> <p> Registrar (Judicial)</p>



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1013 of 2024

State of Odisha and others

....

Appellants

Mr. R.N. Mishra, Additional Government Advocate

-versus-

Narmada Das and others

....

Respondents

Mr. Budhadev Routray, Senior Advocate

Mr. Prafulla Kumar Rath, Senior Advocate assisted by

Mr. S. Sekhar, Advocate

CORAM:

THE CHIEF JUSTICE

MR. JUSTICE MURAHARI SRI RAMAN

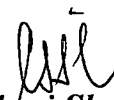
ORDER

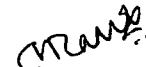
16.05.2024

Order No.

04. This matter is taken up through Hybrid mode.

2. As requested by Mr. R.N. Mishra, learned Additional Government Advocate, appearing on behalf of the appellants, list this matter on 21.05.2024 within first ten cases.


(Chakradhri Sharan Singh)
Chief Justice


(M.S. Raman)
Judge

S. Behera



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1013 of 2024

State of Odisha and Others* *Appellants

Mr. R.N. Mishra, Addl. Govt. Advocate

-versus-

Narmada Das and Others* *Respondents

Mr. P.K. Rath, Senior Advocate (R/1)

Mr. Budhadev Routray, Senior Advocate (R/2 to 8)

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

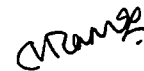
21.05.2024

Order No.

05. This matter is taken up through Hybrid mode.

2. As requested by Mr. R.N. Mishra, learned Addl. Government Advocate appearing on behalf of the State-appellants, list this matter on 20.06.2024.


(Chakradhari Sharan Singh)
Chief Justice


(M.S. Raman)
Judge

SK Jena/Secy.



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1013 of 2024

State of Odisha & Others

....

Appellants

Mr. Manoj Ku. Khuntia, A.G.A.

-versus-

Narmada Das & Others

....

Respondents

Mr. P. K. Rath, Sr. Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

20.06.2024

Order No.

06. This matter is taken up through Hybrid mode.

2. As requested on behalf of the State, list this matter on 04.07.2024.

(Chakradhari Sharan Singh)
Chief Justice

(Savitri Ratho)
Judge

Subhalaxmi



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1013 of 2024

State of Odisha & Others

Appellants

Mr. Manoj Ku. Khuntia, A.G.A.

-versus-

Narmada Das & Others

Respondents

Mr. Budhadev Routray, Sr. Advocate
along with Mr. P. K. Rath, Sr. Advocate

CORAM:

**HON'BLE THE CHIEF JUSTICE
HON'BLE MISS JUSTICE SAVITRI RATHO**

ORDER

12.08.2024

Order No.

04.

This matter is taken up through Hybrid mode.

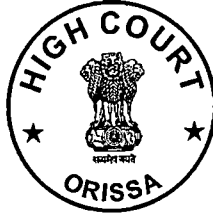
2. The office has pointed out that Order No. 01 has been inadvertently typed as Order No.04, Order No. 02 has Order No.05 and Order No. 03 has Order No. 06. Let the serial of the order nos. be corrected accordingly.

3. List this matter on 27.08.2024 within first five cases.


(Chakradhari Sharan Singh)
Chief Justice


(Savitri Ratho)
Judge

Subhalaxmi



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.1013 of 2024

State of Odisha and others

.... *Appellants*

Mr. M.K. Khuntia, A.G.A.

-versus-

Narmada Das and others

.... *Respondents*

Mr. Budhadev Routray, Senior Advocate

Mr. P.K. Rath, Senior Advocate

CORAM:

THE CHIEF JUSTICE

MISS JUSTICE SAVITRI RATHO


Order No.

ORDER

27.08.2024

05. This matter is taken up through Hybrid mode.

2. As jointly requested on behalf of the parties, list this matter on 03.09.2024.


(Chakradhari Sharan Singh)
Chief Justice


(Savitri Ratho)
Judge

S.K. Guin/P.A.



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1013 of 2024

State of Odisha & Others

.....

Appellants

Mr. M.K. Khuntia, A.G.A.

-versus-

Narmada Das & Others

.....

Respondents

Mr. Budhadev Routray, Senior Advocate

Mr. P.K. Rath, Senior Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER


03.09.2024


Order No.

06.

This matter is taken up through hybrid Mode.

2. As jointly requested on behalf of the parties, list this matter on 10.09.2024.


(Chakradhari Sharan Singh)
Chief Justice


(Savitri Ratho)
Judge

Sukanta/Puspa

D - WA - 18900/24

IN THE HIGH COURT OF ORISSA

MA Case No. 1013/24


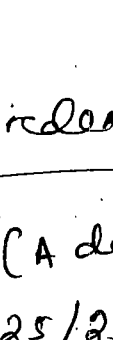
OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
		<p>SR made</p> <p>24.4.24</p> <p>Defect - 6(b)</p> <p>Ph</p> <p>24.4.24</p> <p>Vakalatnama filed.</p> <p>Defect no. 6 (b) as per S.R. is removed.</p> <p>No Defect</p> <p>Ph</p> <p>2.5.24</p> <p>M/s Buddhadev Routray and associates entered appearance for the Respondent no. - 2 to 8.</p> <p>08/05/24</p>

IN THE HIGH COURT OF ORISSA

Case No. WA - 1013 / 24

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
		<p>(i) Certified copy of impugned order not filed, in the meanwhile I.A no. - 2399 / 24 is at flag 'A' for dispensing with filing of C. copy of impugned order,</p> <p style="text-align: center;"><u>For orders</u></p> <p>Along with wpic) - 36009 / 23 (A disp. of case) and connected CONTC - 9525 / 23 sent to List Section on 03.05.2024. </p> <p><u>Litan Kumar Sahoo</u> 08-05-2024</p> <p></p>

D.B

IN THE HIGH COURT OF ORISSA

Case No. WA-1013/24

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
04.	16.05.2024	<p><u>Order NO. -04</u></p> <p>Office note dated 20-08-05-2024 may kindly repeated.</p> <p><u>Adi to 21-05-2024.</u></p> <p>Along with wp(c) - 36009/23 and CONTC - 9525/23. (A pending case). <u>Litan Kumar Sahoo</u> <u>20-05-2024</u> D.B</p>
02.	21.05.2024	<p><u>Order NO. -02</u></p> <p>(i) order no. -01 is inadvertently typed out as order no. -04 and order no. -02 is inadvertently typed out as order no. -05.</p> <p>(ii) certified copy of impugned order not filed, in the meanwhile I.A no. 2399/24 is at flag 'A' for dispensing with filing of c. copy of impugned order for orders <u>Adi to 20-06-24</u></p> <p>Along with wp(c) - 36009/23 (A disp. of case) and CONTC - 9525/23 (A pending case), <u>Litan Kumar Sahoo</u> D.B</p>

18-06-2024

IN THE HIGH COURT OF ORISSA

Case No. INA-1013/2024



OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
06	20.6.24	<p>Office note dated 18.6.24 at prepage may kindly be looked.</p> <p>for orders</p> <p>alongwith INPC-36009/23 (adup-jeer) & CONTC-9525/23 (a pending case)</p> <p>Neerajon Mudele</p> <p>3.7.24 8.8.24</p> <p>DB</p> <p>Adm. to 4.7.24. (Adm. Case)</p> <p><i>[Signature]</i></p>
04	12.8.24	<p>Office note dt. 18.6.24 may be repeated.</p> <p>for orders</p> <p>Ad's to 27.8.24</p> <p>DB</p> <p>Along with CPC 36009/23 CONTC 9525/23</p> <p><i>[Signature]</i></p>

IN THE HIGH COURT OF ORISSA

Case No. WA 1013/2024

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
05.	27.08.2024	<p><u>Order NO. 5</u></p> <p>Completed copy of impugned order not filed, in the meanwhile D.A. NO. 2399/24 is at play for disposing with delay for completed copy of impugned order for orders</p> <p>Along with WP(C) 36009/23 (disposed of case) & CONTC - 9525/23 (a pending case)</p> <p>Akash Pradhan 27.08.2024</p> <p style="text-align: right;">D.B <u>Admitted to 03.09.24</u></p> <p></p>
06	03.09.2024	<p><u>Order NO. 6</u></p> <p>Office Note dated 27-08-2024 as above may kindly be repeated.</p> <p style="text-align: right;">for orders</p> <p>Along with WP(C) 36009/23 (disp. case) and CONTC - 9525/23 (a pending case)</p> <p>Akash Pradhan 06.09.2024</p> <p style="text-align: right;">D.B <u>adj. to dt. 10.09.2024</u></p> <p></p>

IN THE HIGH COURT OF ORISSA

Case No. WA-1013/2024

OFFICE NOTES

Sl. No. of Order for compliance	Date of Order for compliance	Notes and action taken on order with signature of Dealing Assistant and Superintendent
06	03.09.2024	<p><u>Order NO-6</u></p> <p>(i) P.A NO. 2399 of 2024 is at flag A for dispensing with filing of corrected copy.</p> <p>for orders</p> <p>Alongwith WP(C) 36009/2023 (a disposed of case)</p> <p>& CONTC-9525/2023 (a pending case)</p> <p>Aakash Pradhan 29.11.2024</p> <p>D.B</p> <p><i>[Signature]</i> 29/11</p>
06	03.09.2024	<p><u>Order NO-6</u></p> <p>(i) P.A NO 2399 of 2024 is at flag A) for dispensing with filing of corrected copy.</p> <p>for orders</p> <p>Alongwith WP(C) 36009/2023 (a disp. of cases)</p> <p>& CONTC-9525/2023 (a pending case)</p> <p>Aakash Pradhan 02/12/24</p> <p>D.B</p> <p>vide CI no 10.12.2024</p>



ORISSA HIGH COURT
FILING ACKNOWLEDGEMENT SLIP

CNR	ODHC010316792024
Filing No	D- WA/0018900/2024
Date and Time	26/04/2024-12:10:31
Case No	WA/1013/2024
Registration Date and Time	03/05/2024
Misc Case/IA	2399/2024,2400/2024
Petitioner Name	STATE OF ODISHA
Petitioner Advocate Name	KARUNAKAR DAS, A.S.C.
Respondents Name	NARMAIDA DAS
Respondents Advocate	
Amount	
Police Station	
FIR	



Friday 03rd of May 2024 12:10:56 PM

High Court of Orissa

Acknowledgement



CNR : ODHC010316792024

Efiling No. : AOD20220001886C202400300

Filing No. : D-WA/18900/2024

Date of Filing : 26-04-2024

Case No : --

Time of Filing : 13:12:21

Petitioner : STATE OF ODISHA

Respondent : NARMADA DAS

Petitioners Advocate : KARUNAKAR DAS, A.S.C.

Amount : 0.00

[Print](#)



STAMP REPORT

MA CASE NO.....1012/24

LIMITATION

Date of Judgement Awards

Date of Valid Presentation

Total Period Occupied

Limitation

Certified Copy Period

Delay in filing

day

day

6.4.24

26.4.24

20 dy
30

1. In timeExpired on

2. Period of delay

3. Court Fee

4. Authentication fee due on the
(a) Copy of Trial Court Judgement

Rs..... Decree Rs.....

(b) Appellate Court Judgement Rs.....

Decree Rs.....

5. (a) Copy of Trial Court Judgement/Order

(b) Appellate Court/Revisional Order
Judgement

(c) Second Copy Petition

(d) Receipt showing copy on A.G.

(e) Vakalatnama properly stamped,
Executed and accepted

6. (a) Cause Title

(b) Provision of Law

7. Code

8. Single Judge/Division Bench Case

9. Other Defects

STAMP REPORTER

29.4.24

D-WA-18900/2024

1. RFA/RSA/FAO/SAO/LPA/SPA/CRP/Review pet/O. Ref/EXFA/EXSA/SM/APP Tr. P(c) WP (c)/WA/SCLP/Co. Appl/Co. Pet/Co. Case/Co. App/Bkg, P/Mat. A/Mat Ref/RP (FAMCT) Test Case / Intest. Case/L.A. Ref/ RCFA/ L.A.A./RCSA/RE Rev/MAC/MAC APP/EL Pet/ ELAPP/Arb, P/Arb. A/Arb. A/Insurance Ref/Cont. Cas(c)/Coutd. App (c) / MFA(name of the Act)/MSA/SP. JC (name of the Act) Cri A/Cri. Rev/Ckl. M. C/ BLAPI/Cal. MAPPI/WP (crl) CUSREF STREV.

Case Type WA No 1013 / 2024 Date of Regn. 26/4/24

2. If 'State' is Party, Name of the Deptt: (Pet/Res) [Put Mark]

H & Fwd
If Public Undertakings (Specify name): (Pet/Res) [Put Mark]

3. (a) Number of Category under which the matter fails:

21

07

99

If Others, Specify the subject

(b) Which is applicable? [Put Mark]

(Single Bench/Div. Bench/Three Judge Bench/Five Judge Bench)

4. Article of the Constitution/Act (Central/State) [Put Mark]

Article - 4 of Odisha High Court
order - 1948

5. Section/Sub-Section Involved

6. Rules Involved

7. Whether any other matter is pending in this Court on the same point of law:

If so, give the number of matter:

NA

8. Whether any other matter is pending against the impugned order/Judgement?

If so give the number of matter

9. Whether the matter is covered by any judgement of. the Supreme Court this Court or any other High Court, If so give the details of the judgement

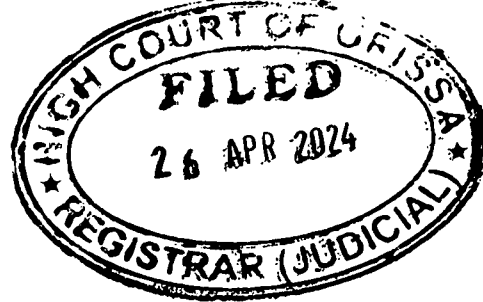
NO

10. Point of law involved in the matter

challenging the order
passed by the Single Bench

Date 26/4/24

Signature of the Advocate



IN THE HIGH COURT OF ORISSA : CUTTACK
(Appellate Jurisdiction Case)

W.A. No. 1013 of 2024

(Arising out of Order dtd. 06.04.2024 passed in
CONTC No. 9525 of 2023, in connection with W.P.(C)
No. 36009 of 2023 disposed of on 07.11.2023)

State of Odisha and Others ... Appellants

-VERSUS-

Narmada Das and others ... Respondents.

I N D E X

Sl. No.	Description of Documents	Pages
1.	SYNOPSIS	A-
2.	DATE CHART	B-E
3.	Writ Appeal	1-18
4.	<u>Annexure-1</u> Copy of the Advertisement dtd. 21.01.2023	19-25
5.	<u>Annexure-2</u> Copy of a list of disqualified candidates published on 20.10.2023.	26-34
6.	<u>Annexure-3</u> Copy of the Provisional Select List.	35-73
7.	<u>Annexure-4</u> Copy of the order dtd. 07.11.2023.	74-84
8.	<u>Annexure-5</u> Copy of the Order dtd. 24.11.2023.	85-88
9.	<u>Annexure-6</u> Copy of Order dtd. 05.12.2023	89-96

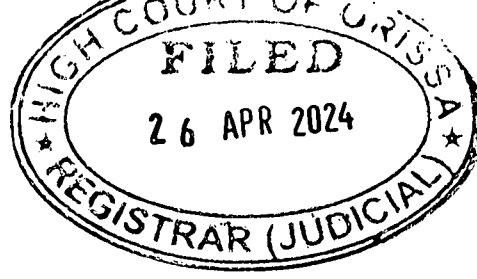
10.	<u>Annexure-7</u> Copy of Order dtd. 12.12.2023.	97
11.	<u>Annexure- 8</u> Copy of Order dtd. 15.12.2023.	98-99
12.	<u>Annexure- 9</u> Copy of order dtd. 01.02.2024.	100-101
13.	<u>Annexure- 10</u> Copy of the order dtd. 02.03.2024.	102-109
14.	<u>Annexure- 11</u> Copy of the order dtd. 15.03.2024.	110-
15.	<u>Annexure-12</u> Copy of the compliance affidavit (without annexures).	111
16.	<u>Annexure- 13</u> Copy of order dtd. 06.04.2024 passed in CONTC No. 9525 of 2023.	121-124
17.	<u>Annexure- 14 Series</u> Copies of the Nursing Service Rules	125-128
18.	<u>Annexure- 15</u> Copy of the Notice No.658 dtd. 09.08.2023	139

Cuttack

Date: 26.04.2024

Addl. Standing Counsel.

KARUNAKAR DAS
ADDL. STANDING COUNSEL
ENRL NO-O-3625/1999
MCB-8917233161
E-MAIL- karunakardasadv@gmail.com



IN THE HIGH COURT OF ORISSA, CUTTACK

W.A. No. 1013 of 2024

(Arising out of Order dtd. 06.04.2024 passed in
CONTC No. 9525 of 2023, in connection with W.P.(C)
No. 36009 of 2023 disposed of on 07.11.2023)

State of Odisha and Others

... Appellants

-VERSUS-

Narmada Das & others ... Respondents.

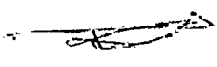
SYNOPSIS

The respondents having invalid Registration Certificate applied for the post of Nursing Officer as per the Advertisement dtd. 21.01.2023 published by Odisha Sub-Ordinate Staff Selection Commission. At the time of scrutiny candidature of candidates having invalid Registration Certificate were rejected. Being aggrieved with the rejection order the Respondents filed Writ Petition bearing W.P.(C) No.36009 of 2023 and the Hon'ble Court was pleased to allow the writ petition vide order dtd. 07.11.2023 without affording any opportunity of hearing to present Respondents. The Appellant No.1 passed speaking order and subsequently recalled the same to comply the order passed by the Hon'ble Court. The respondent also filed a contempt petition and the Hon'ble Court in the interim directed to reject the show cause affidavit filed by present appellants.

Hence the instant Writ Appeal.

Cuttack

Date 26 04.2024.


Addl. Govt. Advocate.

B

IN THE HIGH COURT OF ORISSA, CUTTACK

W.A. No. 1013 of 2024

(Arising out of Order dtd. 06.04.2024 passed in
CONTC No. 9525 of 2023, in connection with W.P.(C)
No. 36009 of 2023 disposed of on 07.11.2023)

State of Odisha and Others

... Appellants

-VERSUS-

Narmada Das & others ...

Respondents.

DATE CHART

Date	Particulars
21.01.2023	The Advertisement was issued by Odisha Sub-ordinate Staff Selection Commission for the post of Nursing Officers.
19.03.2023	Result of Written Examination was published.
09.08.2023	Notice was issued by OSSSC for verification of Original Documents.
20.10.2023	OSSSC published list of disqualified candidates for not having valid Registration Certificate.
30.10.2023	Provisional Select List was prepared.
02.11.2023	Writ Petition bearing W.P.(C) No. 36009 of 2023 filed by present Respondents with a prayer to direct present Appellants to consider their case and appoint as Nursing Officer pursuant of the Advertisement.

C

07.11.2023	Writ Petition was disposed of by the Hon'ble Single Judge by remanding the matter to Opposite Party No. 1 and 3 (Present Appellant No.1 and Proforma Respondent i.e. OSSSC) to consider the issue.
24.11.2023	Govt. of Odisha, Health and Family Welfare Department vide Order No. 29094 dtd. 24.11.2023 considered the prayer of present Respondents to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 and rejected the same being devoid of any merit.
01.12.2023	Present Respondents filed CONTC No.9525 of 2023 alleging non-compliance of order 07.11.2023 passed in W.P.(C) No. 36009 of 2023.
04.12.2023	Present Respondents being aggrieved with the order dtd. 24.11.2023 passed by Health and Family Welfare Department further filed a writ petition bearing W.P.(C) No.39529 of 2023 with a prayer to quash the order dated 24.11.2023 along with the reject list dtd. 20.10.2023.
05.12.2023	Hon'ble Court took up W.P.(C) No.39529 of 2023 directed to take immediate steps for compliance of the order passed in

D

	36009 of 2023 and list the matter on 15.12.2023 along with CONTC No. 9525 of 2023.
12.12.2023	Govt. of Odisha, Health and Family Welfare Department recalled the order No. 29094 dtd. 24.11.2023.
15.12.2023	Hon'ble Court disposed of the writ petitions with liberty to pursue the contempt application bearing CONTC No. 9525 of 2023.
08.01.2024	Present Appellant Filed W.A. No. 09 of 2024 challenging the Order dtd. 07.11.2023 passed in W.P.(C) No. 36009 of 2023.
01.02.2024	Hon'ble Division Bench was pleased to dismiss the writ appeal by confirming the Order passed by the Hon'ble Single Judge and directed to State authorities to consider the matter.
02.03.2024	State of Odisha after reconsidering the matter, decided that their prayer to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 have no merit for consideration.
15.03.2024	Hon'ble Court adjourned the matter to 22.03.2024 with a finding that the order

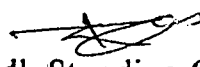


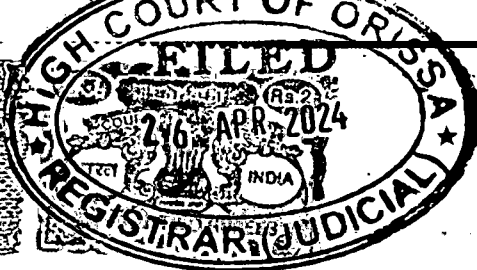
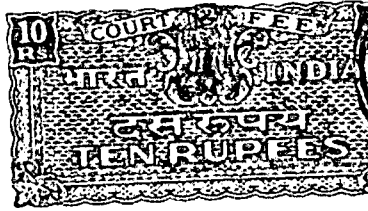
E

	passed by the authorities prima facie contemptuous.
28.03.2024	Compliance Affidavit was filed by State Authorities in CONTC No. 9525 of 2023.
06.04.2024	Hon'ble Court rejecting the compliance Affidavit filed by the State directed to list the matter on 26 th April, 2024.
.....04.2024	Writ Appeal filed.

Cuttack

Date 26 04.2024.


Addl. Standing Counsel.



IN THE HIGH COURT OF ORISSA, CUTTACK

W.A. No. 1013 of 2024

(Arising out of Order dtd. 06.04.2024 passed in
CONTC No. 9525 of 2023, in connection with W.P.(C)
No. 36009 of 2023 disposed of on 07.11.2023)

Code No. 310799

In the matter of :

Presented on 3/5/2024

km
Registrar (Judicial)

An appeal under Article-4 of the
Orissa High Court Orders, 1948 read
with Clause-10 of the Letter Patent
of the Patna ~~Orissa~~ High Court;

And

Red
Dec
9.5.2024

In the matter of :

An appeal challenging the Order
dated 06.04.2024 passed in CONTC
No. 9525 of 2023 by the Hon'ble
Single Judge;

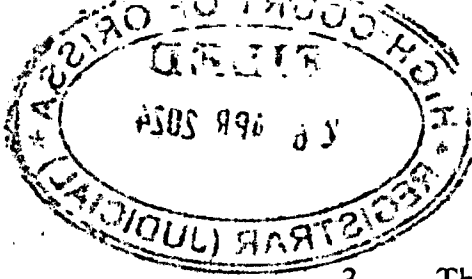
And

In the matter of :

1. State of Odisha represented through
its Commissioner-cum-Secretary to
Government, Health & Family
Welfare Department, Lokseva
Bhawan, Bhubaneswar, Dist-Khurda.
2. Director, Health Services, Odisha,
Bhubaneswar, Dist.-Khurda.

Satyam Narayan Das

AS



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3. The Secretary, OSSSC, At/PO
Bhubaneswar /Dist-Khurda

4. The Registrar, Odisha Nurses and
Midwives, Registration Council,
HoD Building, Bhubaneswar

...APPELLANTS

(Opposite Party Nos.1 and 2 as
described in the Writ Petition)

-VERSUS-

1. Narmada Das, aged about 30 years,
daughter of Adikanda Das, At: Oda, P.O./
P.S: Mahanga, District: Cuttack
2. Lili Swain, aged about 28 years, daughter
of Ajay Kumar Swain, At: Bodhei,
P.O:Dagarapada, P.S:Tirtol,
District: Jagatsinghpur.
3. Mamata Swain, aged about 37 years,
daughter of Prafulla Kumar Swain,
At/P.O: Bhogasalada, P.S.: Nimapara, Dist: Puri.
4. Sumitra Swain, aged about 34 years,
daughter of Maheswar Swain, At: Balapur
Jenasahi, P.O:Balapur, P.S.: Satyabadi,
Dist: Puri.
5. Rajashree Pradhan, aged about 33 years,
daughter of Seshadev pradhan, At:
Nuapada, P.O.: Kerandapangi, Via
Chandapur, Dist Nayagarh.

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6. Rojalin Nayak, aged about 34 years, wife of Dasarathi Sahoo, At / p.o: Baigunia, Via:Khandapara, P.S: Fategarh, Dist: Nayagarh.
7. Jalandhar Pradhan, aged about 27 years, son of Umakanta Pradhan, At: Budhapal. P.O. :Sarapal, Via:Reamal. Dist: Deogarh.
8. Vishal Dash, aged about 38 years, wife of Prabhat Kumar Padhi, At: Imperial Mansion Apartment, behind Baramunda Bus Stand, Bhubaneswar, Dist: Khurda.

...RESPONDENTS

(Petitioners as described in the writ application)

(The matter out of which this writ appeal arises was before this Hon'ble Court in CONTC No. 9525 of 2023, which is pending, in connection with W.P.(C) No. 36009 of 2023 disposed of on 07.11.2023)

To

The Hon'ble Chief Justice and His Lordships companion justices of the High Court of Orissa.

The humble memorandum of appeal of the above named Appellants;

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MOST RESPECTFULLY SHEWETH:

1. That the appellants challenge herewith the order dated 06.04.2024 passed in CONTC No. 9525 of 2023 by the Hon'ble Single Judge on the ground that the same is arbitrary and contrary to law.

2. That the facts giving rise to filing of present writ appeal are described in brief as hereunder:

2(a). That an Advertisement was issued on 21.01.2023 for recruitment of Nursing Officers. The terms and conditions of the Advertisement were stipulated clearly in the said Advertisement, copy of which is annexed herewith as Annexure-1. The written examination was conducted on 19.03.2023. The Odisha Sub-ordinate Staff Selection Commission (OSSSC) issued notice for verification of original documents on 09.08.2023. The list of disqualified candidates was published on 30.10.2023, for whereof is annexed herewith as Annexure- 2. It is needless to mention that the ground of disqualification was that those candidates did not have a valid registration certificate as on the date of the Advertisement, as stipulated in the advertisement, so also in the Rules governing the field.

2(b). That the provisional select list was prepared on 30.10.2023. The writ petitioners approached this Hon'ble Court in W.P.(C) No. 36009 of 2023, without impleading any of the candidates found place in the

May no further 24/3/25

provisional select list. Copy of the Provisional Select List is annexed herewith as **Annexure- 3**.

2(c). That the aforesaid W.P.(C) No. 36009 of 2023 was disposed of on the very first date of listing of the matter i.e. on 07.11.2023. The Hon'ble Single Judge held that the writ petitioners have already been selected and have valid registration, but however, remanded the matter to the Appellant No.1 to reconsider the whole issues keeping in view the observations made in the order. Copy of the order dtd. 07.11.2023 is annexed herewith as **Annexure- 4**. The Appellants undertake to produce the copy of the writ petition as and when required by this Hon'ble Court during the course of hearing.

2(d). That it is humbly submitted that on complete reading of the order, the appellant was under the genuine understanding that the Hon'ble Single Judge has left the matter to the appellant to take a decision in the matter and that no decision has been arrived by the Hon'ble Single Judge. In such circumstances the Appellant No.1 vide Order No. 29094 dtd. 24.11.2023 considered the claim of the writ petitioners and rejected the same. Copy of the Order dtd. 24.11.2023 is annexed herewith as **Annexure- 5**.

2(e). That in consequence of the order under Annexure- 5 the writ petitioners filed CONTC No. 9525 of 2023 alleging non-compliance of the order dtd.

Copy annexed as 2-4-5

07.11.2023. A writ petition was also filed bearing W.P.(C) No. 39529 of 2023 with a prayer for quashing of the order dtd. 24.11.2023. The W.P.(C) No.39529 of 2023 was taken up on 05.12.2023, the date of fresh admission, was directed to be listed along with CONTC No. 9525 of 2023 on 15.12.2023. During the course of argument, it was pointed out that the Order dtd. 24.11.2023 was not in accordance with the order dtd. 07.11.2023 disposing of the W.P.(C) No. 36009 of 2023. Accordingly, the order dtd. 24.11.2023 was recalled by the Appellant No.1 on 12.12.2023. Copy of Order dtd. 05.12.2023 and 12.12.2023 are annexed herewith as **Annexure- 6 and 7** respectively. Thereafter, W.P.(C) No.39529 of 2023 was disposed of with liberty to the writ petitioners to pursue CONTC No. 9525 of 2023. Copy of Order dtd. 15.12.2023 is annexed herewith as **Annexure- 8**.

2(f). That at this juncture the appellants approached this Hon'ble Court in W.A. No. 09 of 2024 against the Order dtd. 07.11.2023 in W.P.(C) No.36009 of 2023. The W.A. was disposed of on 01.02.2024, copy whereof is annexed herewith as **Annexure- 9**. It is humbly submitted that a complete reading of Annexure- 9 makes it clear that this Hon'ble Court required the appellant to decide the claim of the writ petitioners independently. Accordingly, the appellant passed a speaking order on 02.03.2024 on the claim of the writ petitioners and

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rejected the same. Copy of the order dtd. 02.03.2024 is annexed herewith as **Annexure-10**.

2(g). That the CONTC No. 9525 of 2023 was listed on 15.03.2024. The Hon'ble Single Judge passed an order observing that the order dtd. 02.03.2024 was contemptuous prima facie, copy of the order dtd. 15.03.2024 is annexed herewith as **Annexure-11**.

2(h). That in such circumstance the appellant under genuine understanding of the fact that independent decision was to be taken and such decision having been taken on 02.03.2024, filed compliance Affidavit on 28.03.2024. Copy of the compliance affidavit (without annexures) is annexed herewith as **Annexure -12**. The appellants undertake to submit the complete compliance affidavit along with annexures as and when required by this Hon'ble Court during course of hearing.

2(i). That the Hon'ble Single Judge vide order dtd. 06.04.2024 rejected the compliance Affidavit and directed for filing of fresh compliance Affidavit, copy of order dtd. 06.04.2024 is annexed herewith as **Annexure- 13**.

Being aggrieved by the order dated 06.04.2024 passed by the Hon'ble Single Judge in CONTC No. 9525 of 2023 under Annexure-13 the humble appellants beg to

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prefer this appeal on the following
amongst other;

G R O U N D S

A) For that the impugned order passed by the Hon'ble Single Judge is illegal, violative of principles of natural justice and therefore, is required to be interfered with by this Hon'ble Court.

B) For that the law is well settled that the writ appeal lies against the interim order passed in a Contempt Proceeding. Reliance is placed on the decision of the Hon'ble Supreme Court in the Case of Midndapur Cement reported in (2006) 5 SCC 399. This Hon'ble Court has also taken note of such decision and adjudicated many similar Writ Appeals.

C) For that, it is imperative to bring it to the notice of this Hon'ble Court that the speaking order dtd. 02.03.2024 was not interfered with by the Hon'ble Single Judge. The compliance Affidavit showing compliance of direction of this Hon'ble Court dtd. 07.11.2023 in W.P.(C) No. 36009 of 2023 was rejected. The Hon'ble Single Judge directed on 06.04.2024 for filing of fresh compliance Affidavit. It is humbly submitted that no further/fresh compliance affidavit can be filed in view of the speaking order dtd. 02.03.2024, which was not interfered with.

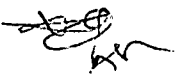
Saty Narayan Ray

[Signature]

D) For that the Appellants are aggrieved since the Hon'ble Single Judge did not take note of the fact that none of the writ petitioners admittedly had a valid registration certificate as mandated in the Advertisement, also so prescribed in the Rules governing the field. Copy of the Rules, is annexed herewith as **Annexure- 14**.

E) The averments made by the Respondents that, they have been selected for the posts is not a fact. Only they were provisionally called for document verification as per the terms and conditions of the Advertisement. Those who were found eligible after verification of original documents have been selected on merit. This has been misconceived by the Respondents and their claims that they have already been selected by OSSSC has been repeatedly raised before the Hon'ble Court only to mislead the Court. The letter dated 09.08.2023 is very clear in this regard which is annexed as Annexure -15. It has been clearly mentioned in Para 3 of the letter that "It is also made clear that candidature of the candidates for this recruitment is purely provisional. The candidature is liable for rejection in the event of inadequacy/deficiency found at any stage. Mere participation in the document verification process does not confer any right upon the candidate for appointment."

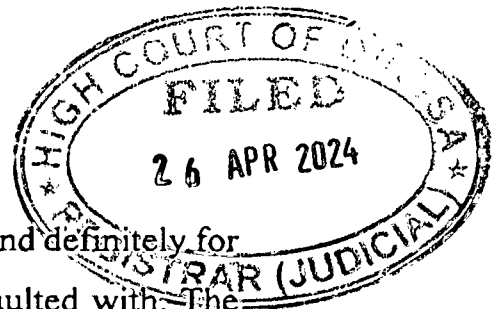
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14



F) For that the appellants are aggrieved since the Hon'ble Single Judge did not take note of the fact that the writ petitioners had misled the authority while submitting their application forms, it was not disclosed that they did not have valid Registration certificates. It is humbly submitted that none of the writ petitioners had submitted the requisite documents as stipulated in the Advertisement. It is not a fact that the writ petitioners had applied with due compliances for the renewal before the date of advertisement and because of the delay on the part of the renewal authority, they could not get the renewal in time. In such circumstances the writ petitioners were not entitled to get any relief from this Hon'ble Court of equity. It is further humbly submitted that a renewal application submitted with required documents normally takes a period of about two weeks. It is further submitted that none of the Writ Petitioners had applied for renewal prior to the date of advertisement, except for one case. But, in the case at hand, the registration for a period of five years, expired in the year 2019 and was not renewed till 2023. Not a single case was made out that any application for renewal made prior to the date of advertisement remained pending for the fault of renewal authority except the writ Petitioner No.1. In the case of Narmada Das (writ petitioner No.1) though she applied for renewal but did not submit the late fee for a period of over six months after being communicated for the same,

Sety narmada Das



for which the renewal was not granted and definitely for this, the renewal authority cannot be faulted with. The renewal was granted within ten days of deposit of late fees as is ascertained from the competent authority.

G) For that the Appellants are aggrieved since a deviation, if at all is to be made, for the writ petitioners for considering their claim of appointment, will apply to many others who might not have applied because of non-availability of a valid registration or the other candidates who have been rejected on the same ground.

H) For that the appellants are aggrieved since the Hon'ble Single Judge did not appreciate the fact that the order dtd. 07.11.2023 when challenged in W.A. No. 09 of 2024, in order dtd. 01.02.2024 this Hon'ble Court made it clear that the appellant was to only take a decision on the claim of the petitioners. The Hon'ble Single Judge also did not appreciate the fact that the appellant could not have filed any further fresh affidavit since the order dtd. 02.03.2024 was not interfered with by the Hon'ble Single Judge. As such no error was committed on the part of the appellant while passing the order dtd.02.03.2024.

I) For that the Hon'ble Single Judge did not take note of the fact that the terms and conditions of the Advertisement and the provisions of the Rules were supreme and was required to be followed scrupulously. Any deviation thereof in the absence of necessary order

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to that effect could cause serious administrative impediments.

J) For that it has been clearly notified in the advertisement that application is valid after verification of all original documents and validation of bio-data. The Respondents in fact suppressed regarding renewal of registration certificates in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement. Accordingly, they have been provisionally called for document verification on the basis of their performances in the Written Test. During document verification when the Respondents could not produce valid registration certificate as on the date of Advertisement, they have been found ineligible and have been disqualified as stated in Para 2(a) above. In the advertisement, it was stipulated that if at any stage any misrepresentation / suppression / furnishing of wrong information / manipulation by candidates shall result in cancellation/disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order. If the cases of the candidates are considered at this stage, it will be a great injustice to those candidates, who though in similar footing did not apply for the posts abiding by the conditions stipulated in the advertisement that they should possess valid registration certificate as on the date of advertisement.

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Further, the process will be unending and whoever, renews a certificate at any stage can claim validity of the certificate on the basis of it's continuance. It is made clear that the Appellant No.1 examined the case of the Respondents, did not dispute the fact of validity of a renewed certificate with the same Registration Number, but of the view that, this process of renewal should have been completed before the date of advertisement as per the conditions of advertisement as well as provision of Cadre Rules.

K) For that OSSSC has allowed all candidates, applied for the post of Nursing Officers, to appear the examination by issuing Provisional Admission Letters including the Respondents. It was clearly mentioned under Para 12 of the Advertisement which reads:

"The Commission is not verifying any original document for admission of the candidates to the examination. The candidates shall be admitted to the examination provisionally based on the information submitted by them in their online application along with declaration. The original documents shall be verified with reference to the bio-data and application of the candidate by the appointing authority concerned for validation of the candidature before issue of appointment order. As such, the candidature of

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the applicant shall remain provisional till validation by appointing authority.”

But during verification of the original documents by the Commission as advertised for the post of Nursing Officers pursuant to the advertisement dated-21.01.2023 it was found that they did not possess valid Registration Certificate as on the date of Advertisement. The Respondents in fact suppressed regarding possession of valid registration certificates in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement, because of which, i.e., suppression of fact, their cases have been considered and they have been provisionally called for verification of original documents. This is against the conditions stipulated in the advertisement, wherein it was stipulated that if at any stage any misrepresentation / suppression / furnishing of wrong information / manipulation by candidates shall result in cancellation/disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order.

L) For that the candidature of Respondents were rejected for not having Valid Registration Certificate under Clause-3 (A) (v) of the advertisement Nursing Officer-2023 on 20.10.2023. As per rule-9(xi) in order to be eligible for direct recruitment to the post of Staff Nurse, a candidate must have registered her/his name in

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Nursing Council in the state and have possessed valid Registration Certificates as on the date of advertisement. The claim of the Respondents basing on this Department Notification No.33172 dated 18.12.2019 read with Corrigendum dated 02.01.2020 relating to issuance of the guidelines at Point No.7 that there is a relaxation of six months for production of valid Registration Certificates, though the said provision of eligibility criteria has not been taken into account while amending the Rules on 28.11.2020 by Odisha Nursing Service (Method of Recruitment and Conditions of Service) Amendment Rules, 2020. As such, subsequent to notification of the amended cadre rule, the Notification read with Corrigendum issued before this amendment lost its validity. Further, provisions of no Notification can contravene the provision of Statutory Rules. Any notification in contravention of the provision of Rules is bad in law. It has been clearly notified in the advertisement that application is valid after verification of all uploaded documents. The Respondents in fact suppressed regarding renewal of registration certificates in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement. Accordingly, they have been provisionally called for document verification on the basis of their performances in the Written Test. It was clearly stated in Para 3 of the Notice No. 658(C)/OSSSC dt.09.08.2023 which reads:

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satisfied



"It is also made clear that candidature of the candidates for this recruitment is purely provisional. The candidature is liable for rejection in the event of inadequacy/ deficiency found at any stage. Mere participation in the document verification process doesn't confer any right upon the candidate for appointment."

Further, it was also stipulated in the advertisement that if at any stage "any misrepresentation/ suppression / furnishing of wrong information / manipulation by the candidate shall result in cancellation/disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order."

During document verification when the Respondents could not produce valid registration certificate as on the date of Advertisement, they have been found ineligible and have been disqualified as stated in Para 2(a) above.

If the cases of the candidates are considered at this stage, it will be a great injustice to those candidates, who though in similar footing did not apply for the posts abiding by the conditions stipulated in the advertisement that they should possess valid registration certificate as on the date of advertisement. Further, the process will be unending and whoever, renews a certificate at any

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stage can claim validity of the certificate on the basis of its continuance.

M) The Respondents at no point have been communicated by any letter/notification or otherwise by the OSSSC that they have been selected for the post. The Respondents have deliberately and repeatedly misled the Hon'ble Court in this regard.

N) For that the Respondents who were appearing for the post of Nursing Officer pursuant to an Advertisement ought to have been more vigilant and should have taken prompt steps to qualify themselves to the conditions of the Advertisement. Law is well settled that the advertisement is supreme and any deviation of the Advertisement would amount to changing Rules of the Game after the whistle is blown. If, the Respondents at this juncture are allowed the same would cause immense prejudice to many other similarly situated candidates and as such the process of recruitment would linger for the sheer fault of the Respondents. Such a situation should not be allowed.

O) For that the impugned judgment is otherwise bad in law and is liable to be set aside.

any
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PRAYER

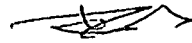
Under these circumstances the Appellants most humbly pray that this Hon'ble Court be graciously pleased to Admit this Appeal, Call for the Records and after hearing the parties be pleased to set aside the impugned order dated 06.04.2024 passed by the Hon'ble Single Judge in CONTC No. 9525 of 2023 under Annexure-13;

And for this act of kindness the Appellants shall as in duty bound ever pray.

By the Appellants through

Cuttack

Date: 26.04.2024



ADDL. STANDING COUNSEL

CERTIFICATE

Certified that the grounds set forth above are good grounds to challenge and I undertake to support the same at the time of hearing.

Further certified that Cartridge papers are not available.

Cuttack

Date: 26.04.2024.



ADDL. STANDING COUNSEL

KARUNAKAR DAS
ADDL. STANDING COUNSEL
ENRL NO-O-3626/1999
MOB-8917233161
E-MAIL- karunakardasadv@gmail.com

*Day
Sathyarajan*

- 19 - 9 -

ANNEXURE-1

ODISHA SUB-ORDINATE STAFF SELECTION COMMISSION

BLOCK NO- 3 & 5, UNIT-1, BHUBANESWAR-751009

Tel-0674-2597149/2597152, Fax- 0674 2597155, Website: www.osscc.gov.in

ADVERTISEMENT

No.IIE-01/2023- 4516/OSSCC

dated 21st Jan, 2023

Invitation of online application for recruitment to 7483 number of District Cadre Group-C posts of Nursing Officer-2023


Important Dates

Event	Start date	End date
Online Registration/Re-registration/ Submission of Online Application	27.01.2023	17.02.2023

Applications are invited online through the OSSCC website www.osscc.gov.in for recruitment to 7483 number of District Cadre Group-C posts of Nursing Officer in all 30 District establishments and 13 Medical College and Hospitals under Health & Family Welfare Department of Government of Odisha. The district-wise, Medical College & Hospital-wise and category-wise break-up of the posts to be filled up by this recruitment and reservation for each category of candidates is at Annexure-I. The recruitment is being conducted according to the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019, the Odisha grant of weightage in marks in the Recruitment for Short-Term COVID-19 Healthcare workers Rules, 2022 and the Odisha Group "B", "C" and Group "D" posts (Repeal and Special Provisions) Rules, 2022.

1. Details of Posts to be filled up:

- (i) The vacancies in the post of Nursing Officer are of district cadre. District cadre means a candidate, after being selected, will be posted and transferred within the district. Each Medical College & Hospital is a "district" for the purpose.
- (ii) **Exercise of choice of districts:** Applicants are required to indicate their choice for the districts in the online application form as per their order of preference. Candidates are advised to be careful while exercising choices/preferences of Districts which shall be final as mentioned by them in the online application. No further request for change of such preferences/choices exercised shall be entertained thereafter. Allocation will be made on the basis of merit and choice/preference of districts, as exercised by the candidate in the online application. However, the exercise of choice of district/districts will not confer any right upon the candidate for appointment in the said district in order of preference, if selected.
- (iii) The number of posts to be filled up on the basis of this recruitment may undergo change without any prior notice at the discretion of the Government.
- (iv) Reservations of vacancies for candidates belonging to Scheduled Caste, Scheduled Tribe, Socially and Educationally Backward Classes, Women, Sportsperson, Ex-serviceman and Persons with Disability categories shall be made in accordance with the provisions made under relevant Acts and Rules. Notifications, Resolutions, Orders and Instructions of Government of Odisha in force


Deputy Secretary
H & FW Deptt

2. Scale of pay & conditions of service:

The appointment to the posts shall be made carrying the level of pay as given below in the table. The appointment shall be guided by the Odisha Group "B", "C" and Group "D" posts (Repeal and Special Provisions) Rules, 2022.

Sl. No.	Name of the post	Scale of Pay and Pay matrix level
1	Nursing Officer	Pay Scale 29200-92300, Pay Matrix level-8, Cell-01

3. Eligibility Criteria:**A) Age & Educational Qualification: -**

- (i) A candidate must have attained the age of 21 years and must not be above the age of 38 years as on the date of advertisement. Date of birth as recorded in the HSC Certificate issued by the Board of Secondary Education, Odisha or equivalent certificate issued by recognized Board/Council/Indian University shall only be accepted.

(ii) Relaxation of Upper Age Limit:

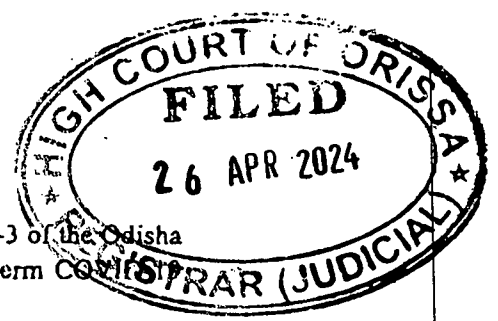
- a. The upper age limit is relaxable by 5 years for the candidates belonging to SC/ST/SEBC/Women category. The upper age limit is also relaxable by 10 years in case of Persons with Disabilities (PwD). The upper age limit is relaxable by the total period of service rendered in defence service in case of Ex-Servicemen. The persons in Defence Service having more than six months to retire or to be discharged from service as on the last date of the submission of online application are not eligible to apply for the post. Provided that those Ex-Servicemen who have already secured regular employment under the State Government in civil post and services would be permitted the benefit of age relaxation as admissible for Ex-Servicemen for securing another employment in any higher post or services under the State Government but such candidates shall not be eligible for the benefit of reservation, if any, for Ex-Servicemen in the State Government.
- b. A candidate who comes under more than one category shall be eligible for only one benefit of relaxation which shall be considered most beneficial to him/her.

Provided that Persons with Disabilities under SC/ST/SEBC category shall be entitled to cumulative age relaxation of ten years on account of their disability over and above the normal relaxation available to them as SC/ST/SEBC candidate.

- c. **Contractual Nursing Officer:** The upper age limit for contractual Nursing Officers under OSH&FW Society/Scheme and for ASFIAs, who shall take part in the recruitment process, if otherwise eligible, shall be 45 years of age as on the date of advertisement. They must upload online the appointment letter/s from their employers with self-attestation for availing such relaxation. Such candidates shall keep the original appointment letters and other documents in support of their claim with them for verification to be done on a later date after the written examination.

TRUE COPY ATTESTED

[Signature]
Deputy Secretary
t/2. f.w. Deptt



- (iii) **Weightage for COVID-19 Healthcare worker:** Under Rule-3 of the Odisha Recruitment for Short-Term COVID-19 Healthcare workers Rules, 2022,

"the Short-Term COVID-19 healthcare workers who have been engaged in and performed COVID-19 duty for a minimum period of 3 months shall be allowed 5 percent extra marks on the total marks of the recruitment examination under the said relevant recruitment rules subject to the award of marks up to the maximum marks for which recruitment is conducted".

This provision is applicable for this recruitment only as one time measure.

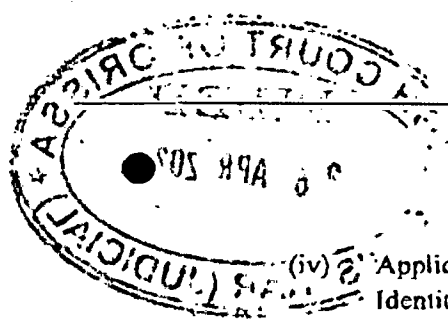
- (iv) In order to be eligible, the candidates must have passed +2 in the 10+2 system or its equivalent with Diploma in GNM/BSc Nursing from any Medical College and Hospital of the State/any other institutions duly recognised and approved by Indian Nursing Council.
- (v) They shall have to register their name in Nursing Council in the State and have valid registration certificate as on the date of advertisement which shall be uploaded online.
- (vi) A candidate must be able to speak, read and write Odia and have
- passed the Middle School Examination with Odia as a language subject; or
 - passed Matriculation or equivalent examination with Odia as the medium of examination in non-language subjects; or
 - passed Odia as language subject in the final examination of Class-VII or above from a School or Educational Institution recognised by the Government of Odisha or Central Government; or
 - Passed a test in Odia in M.E. School Standard conducted by the School & Mass Education Department.
- (vii) The Advertisement No. IIE-17/2022-105(C)/OSSSC, dated 9th May, 2022 for the post of Nursing Officer-2022 has been cancelled. All the interested candidates who have applied earlier in response to the Advertisement shall have to apply afresh as the old applications already filed online shall not be considered for the purpose of recruitment.
- (viii) The candidates, who had already applied online earlier for recruitment to the post of Nursing Officer-2022 in response to this Commission's Advertisement No. IIE-17/2022-105(C)/OSSSC, dated 9th May, 2022 but ineligible to apply now on account of attainment of upper age limit, shall be eligible to apply for the post.

B) Other Eligibility Criteria: An applicant, in order to be eligible for the post, must be-

- A citizen of India,
- Of good character,
- If married, must not have more than one spouse living. Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from operation of the rule.

TRUE COPY ATTESTED

[Signature]
Deputy Secretary
6/2 for Deptt



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- (iv) Applicant(s) claiming reservation as Sports person must possess Sports Identity Card(s) issued by the Sports & Youth Services Department, Government of Odisha as on the date of application and upload the scanned copy of original (not photo copy) Sports ID card online.
- (v) Applicants claiming reservation under Persons with Disability(PwD) category must ensure that they possess Permanent Disability Certificate and belong to the category and sub-category of disability for which the post has been reserved, as mentioned under Notes below the Annexure-I(Physical Requirements and Functional Classification), as the case may be. They must upload the scanned copy of the original (not photo copy) Unique Disability Identity (UDID) card issued by the Competent Authority. Those who do not have UDID card must enrol/apply online for UDID card and mention the enrolment/application registration number in the specified text box of the online application. The disability certificate other than UDID card is not acceptable.

Further, to take the help of scribe in appearing the examination, they need to take written permission of the ADM-cum-District Superintendent concerned, at least three days prior to the date of Examination.

- (vi) Applicants claiming reservation as Ex-serviceman must have possessed Discharge Certificate/documents in support of service rendered in different services and must furnish an undertaking to the effect that they have not availed of any re-employment under the Government of Odisha till the date of this application.
- (vii) If any candidate has, at any time been debarred from recruitment examination for a certain period by this Commission, he/she shall not be eligible for appearing the same for that specific period.
- (viii) All the eligibility conditions should have been fulfilled as on the date of Advertisement.

4. NO EXAMINATION FEE IS PAYABLE FOR THE POST.

5. Last date of receipt of applications:

The last date of receipt of online applications in response to this advertisement is **17.02.2023**. The system will be automatically disabled and no application for this post will be made available thereafter. Incomplete application/paper application/application received after the last date shall be summarily rejected. However, the applicants are advised to submit online applications well in advance without waiting for the last date in order to avoid the last hour rush in online application system.

6. How to apply:

- 1) All eligible persons who have not registered themselves earlier for any previous recruitment of the Commission have to register for the post by clicking on the button, "Register" on the Home page of the Commission's website- www.ossce.gov.in. Those who have registered earlier and got the User ID have to login and re-register for this post by selecting the "Re-registration" option provided under the Applicant Menu. After completing the Registration/re-

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[Signature]
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H & PwD Deptt

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registration, they have to login, furnish the details of the required documents, then proceed to fill up and submit online application. Step by step procedure for registration/ re-registration/ application can be viewed by clicking on "How do I register/re-register/apply". The Instructions for the same shall also appear on the computer screen by clicking on "Registered User" or "New User". These instructions are to be read carefully before proceeding to fill up the Registration and Online Application Form.

II) Pre-Requisites for Registration/Re-registration and Online Application:

1. Full Specimen Signature of the Applicant, scanned in "jpg/jpeg/png" format between the ranges of 20Kbs to 50Kbs shall be kept handy for up-loading prior to making Registration/re-registration for any Post.
2. Applicants shall keep their Certificates and Mark Sheets ready for filling in the details of the educational qualifications during Online Application.
3. In addition, they shall keep ready a copy of the recent passport size coloured photograph, scanned in the "jpg/jpeg/png" format between the ranges of 20Kbs to 100Kbs for uploading in the Online Application.
4. The photograph and full specimen signature of the candidate scanned for uploading must be clearly identifiable/visible, otherwise the registration/re-registration and application shall be liable to rejection and no correspondence on this account shall be entertained.
5. Applicants must have their own personal e-mail ID and mobile/cell phone number with validity till the completion of the recruitment process for receiving all important communication, like, Activation Key, various Alerts and downloading Admission Letters and other intended document(s) from the OSSSC Web Portal. Under no circumstances, the applicant should share/change his/her e-mail ID and mobile/cell number with any other person. In case, he/she does not have a valid personal e-mail ID, he/she shall create a new e-mail ID for applying online.

7. Original Certificates/documents to be produced during verification:

- (i) Certificate of Registration in Nursing Council of State of Odisha.
- (ii) Candidates claiming reservation as SC/ST/SEBC/Persons with Disabilities (PwD) category shall produce Caste Certificate issued for the purpose of service/Unique Disability Identity (UDID) card showing permanent disability issued by the Competent Authority.
- (iii) HISC examination Certificate, other educational certificates and Mark sheets of qualifying examinations.
- (iv) Certificate of passing Odia as a language subject in the final examination of Class-VII from any School/Educational Institution of Odisha or Central Government or passing a test in Odia language in Middle School Standard examination conducted by the School & Mass Education Department, Odisha.
- (v) Discharge Certificate/Idemity Card and documents in support of service rendered in defence services in case of Ex-Servicemen. An undertaking to the effect that the person claiming benefit under Ex-Servicemen has not got any employment under State Government utilising the benefit under Ex-Serviceman.

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 Deputy Secretary
 H & PW Deptt

- (vi) Candidates claiming one time weightage as Short term COVID-19 Healthcare Workers engaged by Health & Family Welfare Department shall produce the original certificates in support of their claim issued by the Competent Authority.
- (vii) Certificate/documents of contractual work experience in case of contractual Nursing Officers under OSH&FW Society/Scheme and for ASHAs.
- (viii) Sports ID card issued by the Sports & Youth Services Department of Government of Odisha, if claimed reservation as Sports person.

8. Place and Date of Written Examination:

The written examination shall be held in all the districts. The date, time and venue of written examination will be intimated through admission letters to be issued in due course from a specific date to be notified in the said website later. The written examination is likely to be held on **19th March, 2023** in all districts. The candidates are advised to visit the website of the Commission at regular intervals and also keep track of different notices to be published by the Commission to know about the detail programme of the examination.

9. Admission Letter:

Provisional Admission letters, containing intimation about the date, time and venue for the written examination shall be uploaded in the Commission's website-www.osscc.gov.in well ahead of the date of the examination. Each eligible applicant shall have to download his/her Admission Letter by using his/her User ID & Password before the date of examination by visiting the Commission's website and clicking "Download Admission Letter" option under the Applicant Menu. The Commission will not send any printed admission letter to any candidate through post or any other mode.

10. Plan of Examination:

- (i) There shall be a Written Examination for 100 marks (MCQ type in OMR system) in one paper only as detailed below:

Papers	Subjects of Written Test	No of Questions	Maximum Marks	Time
One Paper	Questions on subjects as per syllabus of Diploma in GNM / B.Sc. Nursing	60	60	2 hours
	Questions based on practical skills	25	25	
	Arithmetic (HSC Standard)	10	10	
	English (HSC Standard)	5	5	
	Total	100	100	

The minimum qualifying marks for SC, ST, PwD, Ex-serviceman and Sports person category of candidates shall be 30% and for other candidates it shall be 35%.

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Deputy Secretary
H&FW Dept

-7- 25-

(ii) **Syllabus of Examination:**

Standard Syllabus and subjects for examination will be as per the Indian Nursing Council Syllabus for Diploma in GNM/B.Sc. Nursing.

(iii) There shall be a Written Test only. The pattern of examination will be MCQ (Multiple Choice Questions) type in OMR system. There shall be negative marking @ 0.25 mark per question for wrong/multiple answers.

11. Select list:

A provisional single merit list shall be prepared in order of merit on the basis of sum total of marks secured by the candidates in the Written Test and the marks awarded to Short-Term COVID-19 healthcare workers, if any. Allocation of successful candidates to different district cadres will be made on the basis of their merit and the choices/preferences exercised by them in the online application. District-wise provisional select lists shall be drawn thereafter for each district category wise as per the vacancies requisitioned.


12. Results:

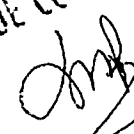
The provisional results shall be published in due course in the Commission's website- www.usssc.gov.in. The result published by the Commission is provisional till verification of original documents/validation of bio-data by the Requisitioning Authority/ Appointing Authority and acceptance of candidature.

The Commission is not verifying any original document for admission of the candidates to the examination. The candidates shall be admitted to the examination provisionally based on the information submitted by them in their online application along with declaration. The original documents shall be verified with reference to the bio-data and application of the candidate by the appointing authority concerned for validation of the candidature before issue of appointment order. As such, the candidature of the applicant shall remain provisional till validation by appointing authority.

Any misrepresentation/ suppression/ furnishing of wrong information/ manipulation by the candidate shall result in cancellation/ disqualification of his/her candidature at any stage of the recruitment process, even after issue of appointment order.

By order of the Commission


Secretary
21/11/21

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Deputy Secretary
H & FW Deptt



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No 2

11/01/2023

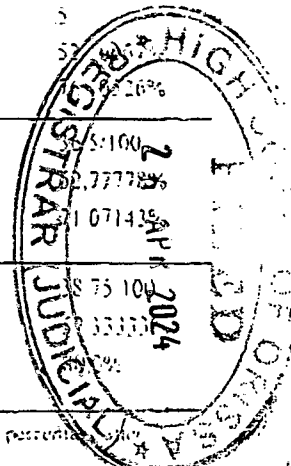
List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded
9	0555000424 BL0045923NO-00000541 BALANGIR	SANGITA PATEL SEBC (W)	1) Contractual Nursing Officer under OSH & F.W Society Scheme and for ASHA, 2) Short-Term COVID-19 Health worker	11/05/1991	Total : 35.5/100 WT 10.5/100 EX 5 +2 67.16667% BscN/GNM 77.05263%
10	0555000457 BL0045923NO-00000276 BALANGIR	PRATIMA MISHRA UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	26/02/1992	WT 43.75/100 +2 47.66667% BscN/GNM 77.21429%
11	0555000513 BL0045923NO-00000252 BALANGIR	RUNU SAHU SEBC (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	06/05/1991	Total : 39/100 WT 34/100 EX 5 +2 46.33333% BscN/GNM 74.46429%
12	0755000013 CU0045923NO-00000788 CUTTACK	LIPSA DAS SEBC (M)		25/03/2001	WT 62.5/100 +2 70.0% BscN/GNM 78.07143%
13	0755000208 CU0045923NO-00000234 CUTTACK	SUCHISMITA PANDA UR (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	03/05/1991	Total : 40.5/100 WT 35.5/100 EX 5 +2 51.66667% BscN/GNM 76.5263%
14	0755000212 CU0045923NO-00000699 CUTTACK	TAPASWINI PATRA UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	06/07/1990	WT 32.5/100 +2 52.77778% BscN/GNM 61.07143%
15	0755000328 CU0045923NO-00001320 CUTTACK	MANASWINI SAMAL UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	17/07/1995	WT 38.75/100 +2 53.33333% BscN/GNM 69.0%

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Not in list

Office Secretary
4/2/2023



Note: WT - Written Test, EX - SHORT-TERM COVID-19 HEALTH WORKER WEIGHTAGE, +2, +2 percentage in any stream after Document Verification, BscN/GNM - Bsc Nursing or GNM percentage



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No 3
29/10/2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded
16	0755000545 CU0045923NO-00001457 CUTTACK	MANAS RANJAN SAHOO SEBC (M)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	08/10/1995	WT 35.100 +2 64.3333% BscN/GNM 75.90%
17	0755000572 CU0045923NO-00000591 CUTTACK	PRAGYANPRITI SAHOO SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	13/06/1994	WT 37.75/100 +2 50.3333% BscN/GNM 65.6250%
18	0755000609 CU0045923NO-00001470 CUTTACK	SUJATA NAIK ST (W)		03/05/1992	WT 35.75/100 +2 53.6567% BscN/GNM 73.15789%
19	0755000632 CU0045923NO-00000232 CUTTACK	SAMBEKSHYA LIMA SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	14/05/1995	WT 34.75/100 +2 63.500% BscN/GNM 70.85714%
20	0755000687 CU0045923NO-00001463 CUTTACK	SWAYAMPRAYA MISHRA ST (W)	1) Short-Term COVID-19 Health worker	26/04/1995	WT 37.5/100 +2 49.8333% BscN/GNM 64.90909%
21	0755000711 CU0045923NO-00000987 CUTTACK	SONALI NAYAK UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	05/06/1989	WT 45.5/100 +2 52.7778% BscN/GNM 73.74359%
22	0755000836 CU0045923NO-00001334 CUTTACK	SONALI NAYAK SC (W)	1) Short-Term COVID-19 Health worker	30/05/1988	Total : 34.5/100 WT 29.5/100 EN 5 +2 39.4444% BscN/GNM 66.00%
	0755001077 CU0045923NO-00001330 CUTTACK	RASKUMAR SURJULIA SC (M)	1) Short-Term COVID-19 Health worker	03/06/1995	WT 51.75/100 +2 63.60% BscN/GNM 82.30%

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Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No. 4

20/03/2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded	
24	0755001371 CU0045923NO-00000648 CUTTACK	SUMITRA SENAPATI UR (W)		14/04/1995	WT +2 BscN/GNM	56/100 59.16667% 50.23101%
25	0755001379 CU0045923NO-00000693 CUTTACK	MAMATA NAYAK SEBC (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. HE-17/2022	07/06/1979	Total : WT EX +2 BscN/GNM	49.25/100 44.25/100 5 53.33333% 74.36842%
26	0755001427 CU0045923NO-00000295 CUTTACK	ROJALIN DAS UR (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. HE-17/2022	07/06/1989	WT +2 BscN/GNM	41.75/100 51.400% 71.65421%
27	0855000193 DE0045923NO-00000176 DEOGARH	JALANDHAR PRADHAN SEBC (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. HE-17/2022	15/03/1996	WT +2 BscN/GNM	39.25/100 55.83333% 69.63158%
28	1055000003 GP0045923NO-00000153 GAJAPATI	SANGHAMITRA ROUT UR (W)	1) Short-Term COVID-19 Health worker	02/06/1999	Total : WT EX +2 BscN/GNM	41.75/100 36.75/100 5 60.0% 67.57143%
29	1055000039 GP0045923NO-00000004 GAJAPATI	BILENDRA BUYAN ST (M)		15/03/1994	WT +2 BscN/GNM	33/100 56.16667% 75.15789%

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Health & FW Deptt.

Note: WT: Weight, EX: SHORT-TERM COVID-19 HEALTH WORKER WEIGHTAGE, +2: +2 percentage in any stream after Document Verification, BscN/GNM: Bsc Nursing or GNM percentage after the final exam.



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No 8

21.06.2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded
48	1355000202 JS0045923NO-00000419 JAGATSINGHPUR	SUSHREESMITA MOTIANTY UR (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	07/04/1997	WT 38.100 +2 43.8333% BscN/GNM 73.10526%
49	1255000207 JS0045923NO-00000382 JAGATSINGHPUR	RAJASHREE PRADHAN UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	25/05/1990	WT 63.5/100 +2 48.22222% BscN/GNM 76.07436%
50	1355000301 JS0045923NO-00000454 JAGATSINGHPUR	SUPRIYA BHARATI UR (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	01/03/1995	Total : 39.75/100 WT 44.75/100 EX : +2 BscN/GNM 58.66667% 72.15789%
51	1255000417 JS0045923NO-00000186 JAGATSINGHPUR	MANJALI MALICK SC (W)		15/03/2000	WT 31.25/100 +2 58.00% BscN/GNM 76.2500%
52	1355000020 JP0045923NO-00000537 JAIPUR	BINUSRI BULBUL SAKHIA MOHAPATRA UR (W)	1) Contractual Nursing Officer under OSHP & FV Society Scheme and for AGTAs	14/09/1988	WT 38.75/100 +2 58.00% BscN/GNM 73.47368%
53	1355000039 JP0045923NO-00000137 JAIPUR	SONALISA MOHANTY SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	22/01/1996	WT 35.5/100 +2 71.33333% BscN/GNM 78.94231%
54	1355000163 JP0045923NO-00000507 JAIPUR	RASMI REKHA JENA SEBC (W)	1) Short-Term COVID-19 Health worker	10/07/1989	Total : 48.5/100 WT 43.5/100 EX : +2 65.33333% BscN/GNM 70.73171%

Deputy Secretary to Govt.

WT : Written Test, EX : SHORT-TERM COVID-19 HEALTH WORKER WEIGHTAGE, +2 : +2 percentage in any stream after Document Verification, BscN/GNM : Bsc Nursing or GNM percentage after Document Verification



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No. 14

20/10/2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded
89	1955001298 KH0045923NO-00001404 KHORDHA	VISHAL DASH UR (W)		26/06/1985	WT 46.75/100 +2 58.88889% BscN/GNM 71.15789%
90	1955001715 KH0045923NO-00062774 KHORDHA	SASMITA DUTTA SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	05/03/1992	WT 42.35/100 +2 57.33333% BscN/GNM 78.52617%
91	1955001728 KH0045923NO-00004078 KHORDHA	SUPRIYA SUBHADARSINI ROUT SEBC (W)	1) Short-Term COVID-19 Health Worker	15/06/1994	Total : 36/100 WT 37/100 EX 5 +2 54.16667% BscN/GNM 68.52632%
92	1955001747 KH0045923NO-00001259 KHORDHA	SUMITRA SWAIN UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	23/06/1988	WT 45.5/100 +2 43.500% BscN/GNM 73.68421%
93	1955001777 KH0045923NO-00003378 KHORDHA	ROSLIN DEB UR (W)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	25/06/1985	Total : 44.75/100 WT 39.75/100 EX 5 +2 37.56842% BscN/GNM 67.85%
94	1955001813 KH0045923NO-00004109 KHORDHA	ALPHA MOUSUMI NAYAK SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	20/03/1983	WT 42/100 +2 33.18182% BscN/GNM 69.43590%
95	1955001886 KH0045923NO-00004469 KHORDHA	ASHMITA NAIK SC (W)		01/03/1997	WT 34/100 +2 46.66667% BscN/GNM 75.12500%

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Note: WT - Weight Test, EX - SHORT-TERM COVID-19 HEALTH WORKER WEIGHTAGE, +2 : +2 percentage in any stream after Document Verification, BscN/GNM : Bsc Nursing or GNM percentage after Document Verification



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No. 10
20/10/2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl. No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Mark secured/awarded
103	1955002531 KH0045923NO-00004180 KHORDHA	LILI SWAIN UR (W)		13/06/1995	WT 37.25/100 +2 30.66667% BscN/GNM 64.64737%
104	1955002715 KH0045923NO-00001201 KHORDHA	MANASINT SAHU UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	23/08/1989	WT 65.5/100 +2 51.41485% BscN/GNM 73.74220%
105	1955002849 KH0045923NO-00002820 KHORDHA	SAROJ KUMAR BEHERA SC (M)		24/04/1992	WT 54.100 +2 53.69667% BscN/GNM 69.21571%
106	1955002876 KH0045923NO-00000051 KHORDHA	SWAGATIKA SENAPATI UR (W)		01/06/1990	WT 45.75/100 +2 57.66667% BscN/GNM 75.04737%
107	1955002972 KH0045923NO-00004551 KHORDHA	MAHATA SWAIN UR (W)		15/06/1987	WT 49/100 +2 53.66667% BscN/GNM 63.30288%
108	1955003158 KH0045923NO-00002173 KHORDHA	SANJITA SAMAL UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	02/06/1992	WT 35.5/100 +2 47.83333% BscN/GNM 74.26316%
109	1955003294 KH0045923NO-00003788 KHORDHA	BOBULI DAS SERC (W)	1) Short-Term COVID-19 Health worker. 2) Applied in response to this commissions Advertisement no. IIE-17/2022	03/08/1996	Total : 49/100 WT 44/100 EX 5 +2 71.60% BscN/GNM 71.47368%

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Health & Fam. Deptt.



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No. 18

20/12/2022

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl.No.	Roll No./Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Marks secured/awarded
116	1955003785 KH0045923NO-00000765 KHORDHA	NAMITA BARIK SEBC (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	16/06/1989	WT -2 BscN/GNM 44.35/100 50.12277% 75.59286%
117	1955003793 KH0045923NO-00001902 KHORDHA	NARMADA DAS UR (W)	1) Applied in response to this commissions Advertisement no. IIE-17/2022	01/07/1993	WT -2 BscN/GNM 37.75/100 50.33333% 73.36842%
118	1955003834 KH0045923NO-00003550 KHORDHA	ROJALINI SAMANTARAY UR (W)	1) Short-Term COVID-19 Health Worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	04/05/1995	Total : WT EX -2 BscN/GNM 44.25/100 39.25/100 5 63.00% 73.10526%
119	1955003902 KH0045923NO-00001885 KHORDHA	BHAGABAN BEHERA SEBC (M)	1) Short-Term COVID-19 Health worker, 2) Applied in response to this commissions Advertisement no. IIE-17/2022	15/06/1996	Total : WT EX -2 BscN/GNM 47.5/100 42.5/100 5 68.07% 59.87518%
120	1955003922 KH0045923NO-00004583 KHORDHA	ROJALINI SWAIN UR (W)		12/06/1987	WT +2 BscN/GNM 56.75/100 55.44444% 75.92857%
121	1955004043 KH0045923NO-00003185 KHORDHA	PRATNA PARAMITA PATTANAYAK UR (W)	1) Short-Term COVID-19 Health worker	11/05/1987	WT +2 BscN/GNM 43.5/100 35.72727% 72.57895%
122	1955004095 KH0045923NO-00001898 KHORDHA	AYISHA NAYAK SEBC (W)		10/10/1996	WT +2 BscN/GNM 42.5/100 50.16667% 65.30909%

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WT - Written Test, EX - SHORT-TERM COVID-19 HEALTH WORKER WEIGHTAGE, +2 - +2 percentage in any stream after Document Verification, BscN/GNM - Bsc Nursing or GNM percentage after Document Verification



Odisha Sub-ordinate Staff Selection Commission (OSSSC)

Page No.23
20/10/2023

List of candidates disqualified for not having Valid Registration certificate under clause 3(A)(v) of the advertisement
Nursing Officer 2023-00459

Sl No.	Roll No/Application No./District	Name/Category/ Gender	Special Category / Special Provisions	Date of Birth	Mark secured/awarded
166	3055001198 SU0045923NO-00000767 SUNDARGARH	ANITA BECK ST (W)) Applied in response to this commissions Advertisement no. 11E-17/2022	29/03/1994	WT 30.25/100 +2 38.500% BscN/GNM 69.89:74%
167	3055001242 SU0045923NO-00000051 SUNDARGARH	SEEMA SUMITA TETE ST (W)		05/06/1993	WT 48/100 +2 50.14:667% BscN/GNM 67.57:43%

Deputy Secretary to Govt.
Health & FW Deptt.

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ORISSA SUB-ORDINATE STAFF SELECTION COMMISSION

ଓଡ଼ିଶା ସବୁ-ଅବିନୀତ କର୍ମଚାରୀ ଚୟନ ଆୟତନ

ORISSA SUB-ORDINATE STAFF SELECTION COMMISSION

NOTICE

No. : IIE - 64/2023- 763 (C)/OSSSC

Dated 30.10.2023

p126

Publication of Result on recruitment to the post of Nursing Officer, 2023

In pursuance of the Advertisement No. IIE-01/2023-459(C)/OSSSC dated 21.01.2023, Notice No. IIE-02/2023-475(C)/OSSSC dated 16.02.2023 and Notice No. IIE-52/2023-658(C)/OSSSC dated 09.08.2023, the Results along with allocation of the candidates to different district cadres for the post of Nursing Officer - 2023 made on the basis of marks secured in the Written Test and marks awarded to Short-Term COVID-19 healthcare workers engaged by H & FW Department as per rules is hereby published in the Commission's web portal as given below:

1. The Roll Numbers of the candidates who are selected at Annexure-I
2. Master Merit List ✓
3. Select Lists (District-Wise) ✓
4. List of Disqualified candidates

The candidates may see the details of their results by logging into the Commission's web portal www.osscc.gov.in with their User ID and Password.

The Results published herewith is subject to final outcome of the Hon'ble High Court, Orissa in W.P(C) No. 6037 of 2023 and similar other cases. Moreover, final selection of the candidates belonging to PwD category shall be subject to clearance by the Appellate Medical Board.

The aforesaid information is hereby made available as PROACTIVE DISCLOSURE under the provisions of Right To Information Act, 2005. This will remain available for a period of 60 days for the candidates in the portal. Candidates are advised not to seek these information in any other mode like e-mail, grievance, Janasunani & RTI.

By order of the Commission

[Signature]
Joint Secretary

Enclosure: Annexure - I

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04/11/2024

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Deputy Secretary
H & FW Dept

ANNEXURE-I

Page No

Roll Nos. of the Candidates Provisionally selected for the Post of Nursing Officer-2023-00459

ANGUL

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1655000514 ✓	1755000193 ✓	1855000169 ✓	1955000257 ✓	1955000400 ✓	1955000710 ✓

11/01/2024

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11/01/2024

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Deputy Secretary
H & FW Deptt.

37

Page No 2

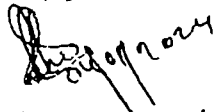
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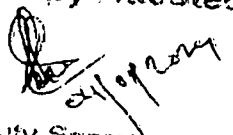


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Deputy Secretary
Hr. Bd. Nepal

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Deputy Secretary to Govt.
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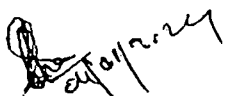
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Deputy Secretary
H. & F.V. Dept.

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Page 124

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- 48 -

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Page No 11

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Health & FW Deptt.

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Deputy Secretary
H & FW Deptt.

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 Health & Family Welfare

Deputy Secretary
 H & FW Deptt

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1855000346	1855000348	1855000352	1855000362	1855000370	1855000380
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KJORDHA

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KORAPUT

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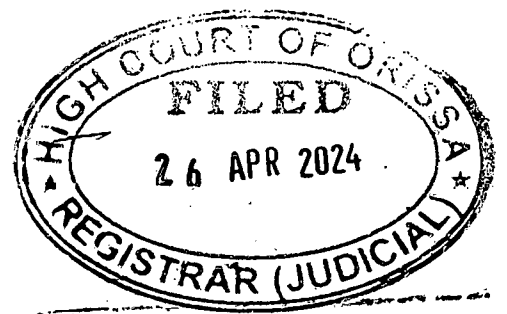
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57-

Page No. 22

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58

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- 59 -

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 04/01/2024

SUNDARGARH

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Maharaja Krushna Chandra Gajapati Medical College & Hospital Berhampur

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Sri Rama Chandra Bhanja Medical College & Hospital Cuttack

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Bhima Bhoi Medical College & Hospital Balangir

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Deputy Secretary
H & FW Deptt.

- 64 -

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Veer Surendra Sai Institute of Medical Science & Research Burla Sambalpur

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Sabhed Laxman Nayak Medical College & Hospital Koraput

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Pandit Raghunath Murmu Medical College & Hospital Baripada

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-66-

Page No 11

Sri Jagannath Medical College & Hospital, Puri

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Govt. Medical College & Hospital, Keonjhar

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Govt. Medical College & Hospital, Jajpur

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Health & FW Dept.

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H & FW Dept.

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Govt. Medical College & Hospital, Kandhamal

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Govt. Medical College & Hospital, Kalahandi

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Govt. Medical College & Hospital, Sundargarh					
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78

Page 106 of 11

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Health & FW Dept.

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IN THE HIGH COURT OF ORISSA: CUTTACK
(ORIGINAL JURISDICTION CASE)

W.P.(C) No. 36009 of 2023

CODE NO. 310799

IN THE MATTER OF :

An application under Articles 226 and 227 of the
Constitution of India;

AND

IN THE MATTER OF :

An application challenging the action of the
opposite parties in rejecting the candidature of the
petitioners pursuant to the advertisement dated
21.01.2023 on the ground that they do not have valid
registration certificate though the petitioners have not
only qualified in the written test but also were found
suitable for appointment after appearing in the
document verification process;

AND

IN THE MATTER OF :

1. Narmada Das, aged about 30 years, daughter of
Adikanda Das. At: Oda, P.O./ P.S: Mahanga,
District: Cuttack.
2. Lili Swain, aged about 28 years, daughter of
Ajay Kumar Swain. At: Bodhei, P.O:
Dagarapada, P.S: Tirtol. District: Jagatsinghpur.
3. Mamata Swain, aged about 37 years, daughter
of Prafulla Kumar Swain, At / P.O.:
Bhogasalada, P.S.: Nimapara. Dist: Puri.

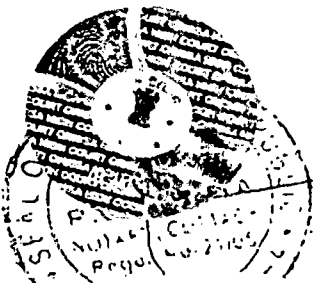
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4. Sumitra Swain, aged about 34 years, daughter of Maheswar Swain, At: Balapur Jenasahi, P.O.: Balapur, P.S.: Satyabadi, Dist: Puri.
5. Rajashree Pradhan, aged about 33 years, daughter of Seshadev Pradhan, At: Nuapada, P.O.: Kerandapangi, Via: Chandapur, Dist: Nayagarh.
6. Rojalini Nayak, aged about 34 years, wife of Dasarathi Sahoo, At / P.O: Baigunia, Via: Khandapara, P.S: Fategarh, Dist: Nayagarh.
7. Jalandhar Pradhan, aged about 27 years, son of Umakanta Pradhan, At: Budhapal. P.O.: Sarapal, Via: Reamal. Dist: Deogarh.
8. Vishal Dash, aged about 38 years, wife of Prabhat Kumar Padhi, At: Imperial Mansion Apartment, behind Baramund Bus Stand, Bhubaneswar, Dist: Khurda.

..... Petitioners

Versus

1. State of Odisha, represented through its Commissioner-cum-Secretary, Department of Health & Family Welfare, Rajiv Bhawan, Bhubaneswar, District: Khurda
2. Director, Health Services, Odisha, Bhubaneswar, District: Khurda.
3. Secretary, Odisha Sub-Ordinate Staff Selection Commission, A/P.O.-Bhubaneswar, District: Khurda.



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Deputy Secretary
H2 for Health

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4. Registrar, Odisha Nurses and Midwives
Registration Council, Heads of Department
Building, At / P.O: Bhubaneswar, Dist: Khurda.
... .. Opp. Parties
(The matter out of which this suit arises.)



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Deputy Secretary
H.A. Bhubaneswar

- 77 -

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36009 of 2023

Narmada Das & Ors.

.... *Petitioners*

Mr. B.Routray, Sr. Advocate

-versus-

State of Odisha & Ors.

.... *Opposite Parties*

Mr. Nikhil Pratap, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

Order No.

07.11.2023

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. .Heard Mr. B.Routray, learned Senior counsel appearing for the Petitioner along with Mr. S.D. Routray, learned counsel and Mr. Anjan Kumar Biswal, learned counsel appearing in W.P.(C) No.36100 of 2023 and learned Additional Standing counsel appearing for the Opposite Party board above noted application. Perused the Writ Petition as well as the documents annexed thereto including the additional affidavit filed in Court today.
3. Both the writ application has been filed with an identical prayer. Accordingly the prayer in the aforesaid writ application that is W.P.(C) No.36009 of 2023 is quoted present below.

*"It is therefore, most humbly prayed that this Hon'ble
Court be graciously pleased to*

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Duty Secretary
to the Bench

- i) Admit the writ application.
- ii) Call for the record.
- iii) Issue rule NISI calling upon the Opp. parties to show cause as to why the reject list dated 20.10.2023 under Annexure-6 so far as the petitioners are concerned shall not be quashed.
- iv) And if the Opp. Parties fails to show cause of show insufficient cause, issue a writ in the nature of certiorari or any other writ/ writs, direction/ directions by quashing the reject list dated 20.10.2023 under Annexure-9 so far as the petitioners are concerned.
- v) Issue a writ in the nature of mandamus or any other writ/writs, direction/ directions directing the opposite parties to consider the case of the petitioners for appointment as Nursing Officer pursuant to the advertisement under Annexure-1 as per merit within a stipulated time to be fixed by this Hon'ble Court.
- vi) And/or pass any other order/orders, direction/directions as this Hon'ble Court deems fit and proper for the ends of justice."

4. Mr. Routray learned counsel appearing for the petitioner submitted that the petitioners have completed GNM/ B.Sc in Nursing in between 2014-17 from an institution recognized by the Government. Thereafter they had applied for registration with the Nursing Council of Odisha, pursuant to which they were granted a valid registration certificate in the year 2017. Thereafter such registration certificate fell due for renewal. In the meantime the Government of Odisha issued an

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 Dated 20.10.2023
 J. P. D. B. K.

advertisement dated 21.01.2023 under Annexure-1 to the writ application, inviting application from the eligible candidates for 7483 posts of Nursing Officer. Pursuant to the aforesaid advertisement the petitioner along with other eligible candidates participated in the recruitment posts by submitting their duly filled up application forms. On scrutiny of their application forms, they were found to be in order and accordingly the candidates were allowed to participate in the recruitment test conducted by the Odisha Staff Selection Commission. Finally the petitioners qualified in the present recruitment examination and received a notices from Opposite Party No.3 for verification of the petitioner's original documents on 09.08.2023. As per the notice the petitioners appeared before the Opposite Party No.3 on 21.08.2023 for verification of their certificates with their original documents. In between 21.08.2023, -01.09.2023 their documents were verified by the concerned GDM & PHO of their respective districts.

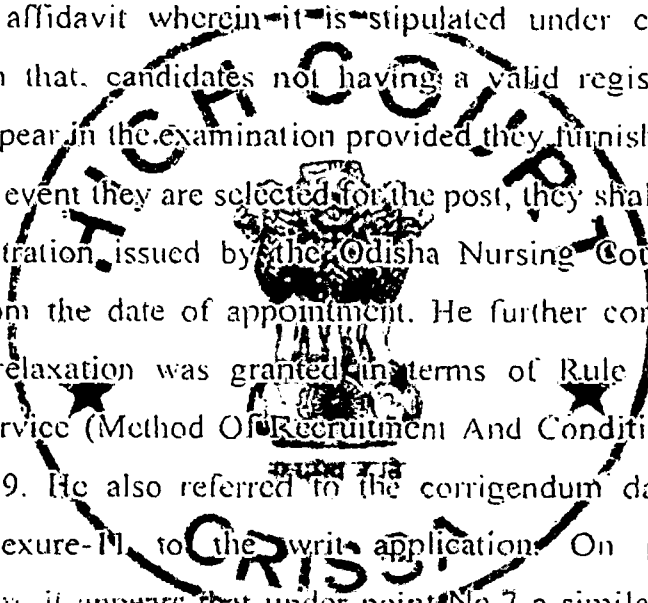
5. On 20.10.2023 the commission published a list of qualified candidates, such list reveals the names of the present petitioners. On perusal of the list which has been appended to the writ application under Annexure 9 it seems that the candidature of the petitioners has been disqualified as they were not having valid registration certificate from the Nursing Council of Odisha, as is required under Clause 3 (A) (v) of the advertisement, under Annexure-1 to the writ application. It was also contended before this Court that on 30.10.2023 another list was published under Annexure-7 containing the names of 3732 candidates who were provisionally selected for recruitment of Nursing Council. It was also contended by the counsel appearing for the petitioner that at the moment 3751 posts of Nursing Officer are still vacant. So far the present petitioner and similarly situated many other candidates are concerned, it is stated by learned Senior counsel and Mr B. Routray learned counsel in the second writ application, that although

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Adv. B. Routray
for the petitioner

many posts of Nursing Officer are still vacant, the petitioner and other similarly situated candidates who were selected via the selection process have been disqualified illegally and arbitrarily on the ground that they do not have a valid registration certificate from the Nursing Council of Odisha as on the date of advertisement as required under the advertisement under Annexure-1.

6. Mr. Routray, learned Senior counsel appearing for the petitioner at this juncture, referring to the additional affidavit, submitted before this Court that on an earlier occasion the state Government has come up with a notification dated 18.12.2019 under Annexure-10 to the additional affidavit wherein it is stipulated under clause-7 of said notification that, candidates not having a valid registration shall be allowed appear in the examination provided they furnish an undertaking that, in the event they are selected for the post, they shall re-produce the valid registration issued by the Odisha Nursing Council within six months from the date of appointment. He further contended that the aforesaid relaxation was granted in terms of Rule 8(4) of Odisha Nursing service (Method Of Recruitment And Conditions Of Service) Rules, 2019. He also referred to the corrigendum dated 02.01.2020 under annexure-11 to the writ application. On perusal of the corrigendum, it appears that under point No.7 a similar relaxation has also been granted in the shape of seeking extension of joining time in the event the selected candidates does not have a valid registration certificate by the Odisha Nursing Council. So far the present petitioner is concerned it is stated by learned counsel for the petitioner that, the petitioners had the valid registration certificate. However, the same fell due of renewal after expiry of inspection while the same was process of renewal advertisement. Such registration certificates have been renewed before the last date of submission of the application form, i.e. 17.02.2023. It was also contended that the fact had also been reflected

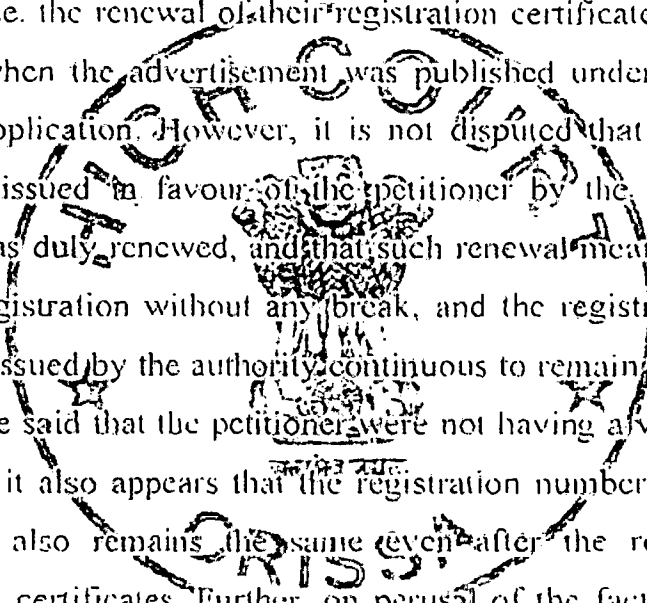


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 Deputy Secretary
 (to the Bench)

authorities by keeping in view the aforesaid position. Learned Addl. Standing Counsel on that the advertisement under Annexure-1 of registration certificate is one of the mandatory consideration for the appointment to the post of Nurse. It is intended that, during verification of certificate it was found that the petitioner were not in a certificate as required under Annexure-1, they are disqualified and they have not been appointed as officer. In such view of the matter learned

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Parties: *WILLIAM W. WILSON*
John
4 Deputy Secretary
4 2nd Secy

and on a careful examination of the background facts, this court observes that the candidature of petitioners has been disqualified on the ground that the petitioners were not having a valid registration certificate by the Odisha Nursing Council. On perusal of the record it appears that, the petitioners after completion of the course from recognized government institutions, had applied for registration with the Odisha Nursing Council. Subsequently they have been granted a valid registration certificate by such council. Further, it appears that such registration certificate issued by the council is required to be renewed from time to time. So far the present petitioners are concerned, in their case, the renewal of their registration certificate fell due during the time when the advertisement was published under Annexure-1 to the writ application. However, it is not disputed that the registration certificate issued in favour of the petitioner by the Odisha Nursing Council was duly renewed, and that such renewal means revival of the original registration without any break, and the registration certificate originally issued by the authority continues to remain valid. Therefore it cannot be said that the petitioners were not having a valid registration certificate. It also appears that the registration number assigned to the petitioners also remains the same even after the renewal of such registration certificates. Further, on perusal of the facts of the present case, this court is also of the observation that, merely because the registration certificate is required to be renewed after a certain interval, it cannot be presumed that the same can valid certificate is in process of renewal. Moreover it is settled law that when a certificate is renewed, the certificate continues to remain valid, from the date of its initial issue, until the same is lawfully cancelled or terminated. From the records of this case, it reveals what the opposite parties have not stated that the registration certificate has either been cancelled or terminated. Therefore, the conduct of the Opposite Parties in holding that the



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Handwritten notes and signatures:
 T. K. ...
 0-2-2017
 01.2.2017
 Secretary

- 83 -

petitioners were not having valid registration in terms by the advertisement is not correct and the same is too harsh. Moreover, this court also observed that the power under Rule 8(4) having been exercised by the government earlier as it appears from the additional affidavit, there is no bar in exercising such power of relaxation in genuine and appropriate cases. In view of the aforesaid analysis as well as keeping in view factual background of the present case this court deems it proper to dispose of the present writ application by remanding the matter to the Opposite Parties No. 1 & 3 to reconsider the whole issue again keeping in view aforesaid observations made by this court as well as the documents under Annexure-10 & 11 to the Additional Affidavit filed by the petitioner. Let the petitioner approach the opposite party no. 1 & 3 along with certified copy of this order within a period of two weeks from today. In such event opposite party no. 1 & 3 shall do well to consider the same as directed by this Court hereinabove and take a final decision within two weeks thereafter. The decision so taken be communicated to the petitioner within a week thereafter. Any appointment made in the meantime shall be subject to the decision to be taken by the Opposite Party 1 & 3 as directed hereinabove.

8. With the aforesaid observations/ directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

Sd/- A. K. Mahapatra, J.



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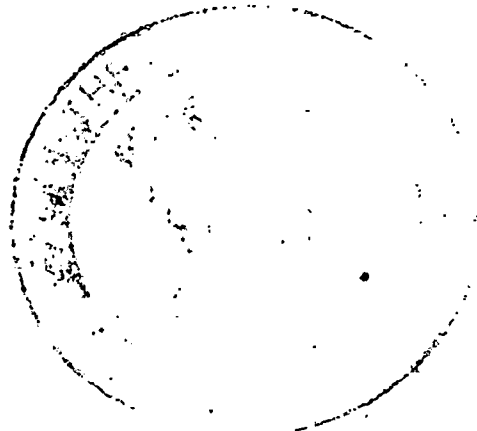
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THE
Deputy Secretary
H. A. P. Deptt

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Date of Application : 8
Date of Notification : 08/11/23
Date of Supply :-
Date of Ready :-
Date of Delivery :-

C.A. No- 113608/2023		
MEMO OF COST		
	Rs.	P.
Application Fee.....	10	00
Folios / No. Pages 10 x 2	20	00
Hologram Fees 10 x 1	10	00
Photo Copier Fee 10 x 1	10	00
Total	50	00
(Rupees Fifty only)		
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CERTIFIED TO BE A TRUE COPY
Date 8/11/23
Assistant Registrar (Estt.)
ORISSA HIGH COURT
Authorized Under Section-75, Act of 1950

TRUE COPY
JMS
Deputy Secy
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ANNEXURE-5

Government of Odisha
Health and Family Welfare Department

ORDER

-0192-2023
No HFV-MS-III-CASE-IH 2994 Date 24.11.2023

Whereas, perused the common order dated-07.11.2023 and dated-08.11.2023 passed by the Hon'ble High Court of Orissa in WP(C) No-36009 of 2023 filed by Narmada Dash & 07 others, WP(C) No-36238 of 2023 filed by Madhusmita Jena & 74 Others and WP(C) No-36239 of 2023 filed by Rojalin Dash & 02 others, wherein the Hon'ble High Court has disposed of the writ petitions with following observations and directions.

Having heard the learned counsel appearing for the petitioners and the learned Addl. Standing Counsel for the State-Opposite Parties, and on a careful examination of the background facts, this court observes that the candidature of petitioners has been disqualified on the ground that the petitioners were not having a valid registration certificate by the Odisha Nursing Council. On perusal of the record it appears that, the petitioners after competition of the course from recognized government institutions, had applied for registration with the Odisha Nursing Council. Subsequently they have been granted a valid registration certificate by such counsel. Further, it appears that such registration certificate issued by the counsel is required to be renewed from time to time. So far the present petitioners are concerned, in their case, the renewal of their registration certificate fell due during the time when the advertisement was published under Annexure-1 to the writ application. However, it is not disputed that the registration certificate issued in favour of the petitioner by the Odisha Nursing Council was duly renewed, and that such renewal means revival of the original registration without any break, and the registration certificate originally issued by the authority continuous to remain valid. Therefore it cannot be said that the petitioner were not having a valid registration certificate. It also appears that the registration number assigned to the petitioners also remains the same even after the renewal of such registration certificates. Further, on perusal of the facts of the present case, this court is also of the observation that, merely because the registration certificate is required to be renewed after a certain interval, it cannot be presumed that the same can valid certificate is in process of renewal. Moreover it is settled law that when a certificate is renewed, the certificate continues to remain valid, from the date of its initial issue, until the same is lawfully cancelled or terminated. From the records of this case, it reveals what the opposite parties have not stated that the registration certificate has either been cancelled or terminated. Therefore, the conduct of the Opposite Parties in holding that the petitioners were not having valid registration in terms by the advertisement is not correct and the same is too harsh. Moreover, this court also observed that the power under Rule 8(4) having been exercised by the government earlier as it appears from the additional

This Copy Attested

Section Officer
Health & F.W. Deptt.

SECRETARY
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F.W. DEPTT

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affidavit, there is no bar in exercising such power of relaxation in genuine and appropriate cases. In view of the aforesaid analysis as well as keeping in view factual background of the present case this court deems it proper to dispose of the present writ application by remanding the matter to the Opposite Parties No. 1 & 3 to reconsider the whole issue again keeping in view aforesaid observations made by this court as well as the documents under Annexure-10 & 11 to the Additional Affidavit filed by the petitioner. Let the petitioner approach the opposite party no. 1 & 3 along with certified copy of this order within a period of two weeks from today. In such event opposite party no. 1 & 3 shall do well to consider the same as directed by this Court hereinabove and take a final decision within two weeks thereafter. The decision so taken be communicated to the petitioner within a week thereafter. Any appointment made in the meantime shall be subject to the decision to be taken by the Opposite Party 1 & 3 as directed hereinabove.

And whereas, pursuant to the above orders of the Hon'ble High Court, the above Petitioners have filed their representations along with copy of the above orders of the Hon'ble High Court to the Commissioner-cum-Secretary to Government, Health and Family Welfare Department (OP No-1) as well as to the Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) with request to include their names in the list of qualified candidates for recruitment to the post of Nursing Officer, 2023

And whereas, the Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) vide letter dated-22.11.2023 has forwarded the representations of the above Petitioners to the Commissioner-cum-Secretary to Government, Health and Family Welfare Department (OP No-1) to take the appropriate decision in the matter.

And whereas, perusal of the representations of the Petitioners revealed that they have requested to consider their cases for appointment as Nursing Officers pursuant to the advertisement under Annexure-1 as per merit within a stipulated time to be fixed by this Hon'ble Court.

And whereas, perusal of the records revealed that the Annexure-1 of the writ petition is the advertisement for recruitment of the Nursing Officer published by the OP No-3. The Annexure-10 of the writ petition is the Notification No-33172, dated-18.12.2019 relating to issuance of the guidelines on the Rule-8 (4) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019. Further, the Annexure-11 of the writ petition is the corrigendum No-128, dated-02.01.2020 regarding modification of the point No-3, 7 & 8 of the Notification dated-18.12.2019 under Annexure-10.

And whereas, pursuant to the above orders of the Hon'ble High Court, the OP No-1 has formed a Committee vide this Department order No-28918, dated-23.11.2023 to examine the cases of the Petitioners following the relevant provisions of law as well as the relevant records and to submit their report in the matter.

And whereas, the Committee examined the cases in pursuance of the relevant provisions of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019, relevant records along with the Advertisement under Annexure-1 and the documents under Annexure-10 & 11 of the writ petition and submitted their report.

And whereas, perused the report of the Committee and the advertisement under Annexure-1 and other documents under Annexure-10 & 11 along with the relevant provisions of the Cadre Rule and relevant records.

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Deputy Secretary
11/2/24

And whereas, pursuant to the provision of Rule-8(3) of Odisha Nursing Service (Method of Recruitment and conditions of service) rules 2019 and amendment rules 2020, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) has been empowered to make the detail scrutiny of the application forms, the manner of submission of application, the documents required to be accompanied with the application form and fee required.

And whereas, as per rule-9(xi) in order to be eligible for direct recruitment to the post of Staff Nurse, a candidate must have registered her/his name in Nursing Council in the state and have possessed valid Registration Certificates as on the date of advertisement. The Petitioners have referred this Department vide No.33172 dated 18.12.2019 under Annexure-10 relating to issuance of the guidelines on the Rule-8 (4) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019, wherein there is a relaxation of six months for production of valid Registration Certificates, though the said Notification dated-18.12.2019 has already been amended in 2020 (came into force with effect from 04.11.2020) after issuance of this letter as well as corrigendum dated-02.01.2020 under Annexure-11. As such, subsequent to Notification of the amended cadre rule, the letter issued before this amendment ceased to be in force.

And whereas, the Petitioners have not mentioned fresh / renewed at the space meant for registration certificates on their applications. It has been clearly notified in the advertisement that application is valid after verification of all uploaded documents. The applicants in fact suppressed regarding renewal of registration certificates in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement, because of which, i.e., suppression of fact, their cases have been considered and they have been selected. This is against the conditions stipulated in the advertisement, wherein it was stipulated that if at any stage any misinterpretation / suppression / furnishing of wrong information / manipulation by candidates shall result in cancellation/disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order.

And whereas, if the cases of the candidates are considered at this stage, it will be a great injustice to those candidates, who though in similar footing did not apply for the posts abiding by the conditions stipulated in the advertisement that they should possess valid registration certificate as on the date of advertisement. Further, the process will be unending and whoever, renews a certificate at any stage can claim validity of the certificate on the basis of its continuance.

And whereas, the Committee did not dispute the fact of validity of a renewed certificate with the same Registration Number, but of the view that, this process of renewal should have been completed before the date of advertisement as per the conditions of advertisement as well as provision of Cadre Rules.

And whereas, the Commissioner-cum-Secretary to Government (OP No-1) as well as the OP No-3 have not been given the opportunities to appraise the above facts through the Counter affidavit before the Hon'ble High Court prior to passing of the above orders by the Hon'ble High Court.

And whereas, especially the views of the Committee, the advertisement under Annexure-1 and other documents under Annexure-10 & 11 along with the relevant provisions of the Cadre Rule and relevant records were examined in detail and reconsidered and found to be reasonable and in order as per the prevailing norm of Government

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Deputy Secretary
H.O. for Deptt.

Therefore, the prayers of the Petitioners to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 have not merit for consideration and hence, the same is rejected being devoid of any merit. Supply the copy of this order to the Petitioners.

24/11/23
Commissioner-cum-Secretary to Government

Memo No- 29095 dated 24.11.2023

Copy forwarded to the Advocate General, Odisha, Cuttack for information and necessary action.

24.11.23
Additional Secretary to Government

Memo No- 29096 dated 24.11.2023

Copy forwarded to the Director, Health Services, Odisha, Bhubaneswar / Director, Nursing, Odisha, Bhubaneswar for information and necessary action.

24.11.23
Additional Secretary to Government

Memo No- 29097 dated 24.11.2023

Copy forwarded to the Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

24.11.23
Additional Secretary to Government

Memo No- 29105 dated 24.11.2023

Copy forwarded to Narmada Das, D/o Adikanda Das, At-Oda, PO/PS-Mahanga, District-Cuttack and Others for information.

24.11.23
Additional Secretary to Government

Memo No- 29106 dated 24.11.2023

Copy forwarded to Rojalini Das, W/o Sangram Kumar Panda, At-Chatol, PO-Dhunpur, Dist-Jagatsinghpur and Others for information.

24.11.23
Additional Secretary to Government

Memo No- 29107 dated 24.11.2023

Copy forwarded to Madhusmita Jena, D/o Rashbihari Jena, At-PO-Bartana, PS-Jaleswar Dist-Balasore and Others for information.

24.11.23
Additional Secretary to Government

Memo No- 29108 dated 24.11.2023

Copy forwarded to Priyankarani Jena, C/o-Isha Dutta Lima, At-Church Street, PO-Badapada, Dist-Gajapati and Others for information.

24.11.23
Additional Secretary to Government

True copy of the order

Signature

Secretary to Government

Signature
Deputy Secretary
H. A. S. W. S. S.

ANNEXURE - 6

- 89 - 80 -

IN THE HIGH COURT OF ORISSA :: CUTTACK
(ORIGINAL JURISDICTION CASE)

W.P.(C) No. 39529 of 2023

CODE NO.

IN THE MATTER OF :

An application under Articles 226 and 227 of the
Constitution of India;

A N D

IN THE MATTER OF :

An application challenging the impugned order
of rejection dated 24.11.2023 passed by opposite party
No.1 on the ground that the same is illegal, arbitrary
and contrary to the judgment passed by this Hon'ble
Court in the earlier writ petition;

A N D

IN THE MATTER OF :

1. Narmada Das, aged about 30 years, daughter of
Adikanda Das, At: Oda, P.O./ P.S: Mahanga,
District: Cuttack.
2. Lili Swain, aged about 28 years, daughter of
Ajay Kumar Swain, At: Bodhei, P.O:
Dagarapada, P.S: Tirtol, District: Jagatsinghpur.
3. Mamata Swain, aged about 37 years, daughter
of Prafulla Kumar Swain, At / P.O.:
Bhogasalada, P.S.: Nimapara, Dist: Puri.

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[Signature]
24/11/2024

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[Signature]

Deputy Secretary
H & FW Deptt.

4. Sumitra Swain, aged about 34 years, daughter of Maheswar Swain, At: Balapur Jenasahi, P.O.: Balapur, P.S.: Satyabadi, Dist: Puri.
5. Rajashree Pradhan, aged about 33 years, daughter of Seshadev Pradhan, At: Nuapada, P.O.: Kerandapangi, Via: Chandapur, Dist: Nayagarh.
6. Rojalini Nayak, aged about 34 years, wife of Dasarathi Sahoo, At / P.O: Baigunia, Via: Khandapara, P.S: Fategarh, Dist: Nayagarh.
7. Jalandhar Pradhan, aged about 27 years, son of Umakanta Pradhan, At: Budhapal, P.O.: Sarapal, Via: Reamal, Dist: Deogarh.
8. Vishal Dash, aged about 38 years, wife of Prabhat Kumar Padhi, At: Imperial Mansion Apartment, behind Baramund Bus Stand, Bhubaneswar, Dist: Khurda.

... Petitioners

Versus

1. State of Odisha, represented through its Commissioner-cum-Secretary, Department of Health & Family Welfare, Rajiv Bhawan, Bhubaneswar, District: Khurda.
2. Director, Health Services, Odisha, Bhubaneswar, District: Khurda.
3. Secretary, Odisha Sub-Ordinate Staff Selection Commission, At/P.O./-Bhubaneswar, District- Khurda.

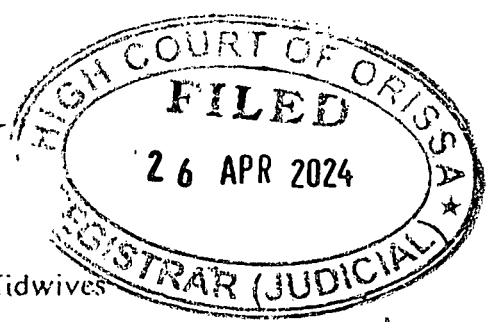
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Deputy Secretary to Govt.
Health & Family Welfare

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H & F W Deptt

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4. Registrar, Odisha Nurses and Midwives Registration Council, Heads of Department Building, At / P.O: Bhubaneswar, Dist: Khurda.
5. Director of Nursing, Odisha, At: Ground Floor, Naa Tala, P.O.: Keshari Nagar, Bhubaneswar, District: Khurda.

... .. Opp.Parties

(The matter out of which this writ application arises was before this Hon'ble Court in W.P. (C) No. 36009/2023 disposed of on 07.11.2023 as per instruction received from the clients.)

ADVOCATES FOR THE PETITIONER:
SUBHADUTTA ROUTRAY (O-442/2013),
SHAKTI SEKHAR (O-229/2018), JAGDISH
BISWAL (O-572/2015), AMIT KUMAR DAS
(O-1436/2019), MUNMUN PANDA (O-
764/2014).

To

The Hon'ble The Acting Chief Justice & His
Lordship's companion Justices.

The humble petition of the
Petitioners, named above;

MOST RESPECTFULLY SHEWETH:

1. That the petitioners who are registered Nursing staffs since the year 2012-14 offered their candidatures for the post of Nursing Officers pursuant to the advertisement dated 21.01.2023 and since the candidatures were rejected on the ground that the

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Deputy Secretary
H & F W DEPT

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IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39529 of 2023

Narmada Das & others

..... *Petitioners*
Mr. B. Routray, Sr. Advocate

-versus-

State of Odisha and others

..... *Opposite Parties*
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2023

Order No.

- 01
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Shri B. Routray, learned Senior Counsel appearing for the Petitioners and Mr. P.C. Das, learned Additional Standing Counsel for the State-Opposite Parties:
 3. On perusal of the writ application it appears that the present writ application is the second journey of the Petitioners to this Court seeking the self-same relief. So far the present writ application is concerned, the Petitioners have sought for quashing of the rejection list dated 20.10.2023 under Annexure-9 to the writ application so far the same relates to the present Petitioners and the impugned order dated 24.11.2023 under Annexure-12 to the writ application. Further, a prayer has already been made seeking for a direction to the Opposite Parties to consider the case of the petitioners for appointment as Nursing Officers

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Deputy Secretary to Govt.
Health & FW Deptt.

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Deputy Secretary
H & FW Deptt.

pursuant to advertisement under Annexure-1 as per merit within a stipulated period of time.

4. Mr. Routray, learned Senior Counsel appearing on behalf of the Petitioners, at the outset expressed his anguish with regard to non-implementation of the order passed by this Court in the earlier round of writ application. He also alleged that the Opposite Parties have not carried out the order passed by this Court in the writ application in its letter and spirit with a mala fide intention. In the aforesaid context, learned Senior Counsel appearing for the Petitioners drawing attention of this Court to order dated 07.11.2023 passed in Narmada Das & Ors. vs. State of Odisha & Ors. (W.P.(C) No.36009 of 2023) under Annexure-11 to the writ application submitted that this Court after taking note of contentions raised on behalf of the Petitioners as well as the State-Opposite Parties and on a careful consideration of the materials placed before this Court disposed of the above noted writ application specifically concluded that it cannot be said that the Petitioners were not having a valid Registration Certificates and that once the Certificates are renewed by the authorities the same will continue to remain valid from the date of initial issue till the certificates are specifically cancelled/revoked/terminated. Further, this Court has also observed that nowhere the Opposite Parties have pleaded that such certificates have been cancelled or terminated. Moreover, the authorities have been vested with the power of relaxation under Rule 8 (4) and such power has been exercised by the authorities in the past and as such there is no bar in exercising the power of relaxation in genuine and appropriate cases. With the aforesaid observations, the earlier writ application was terminated against the Opposite Party Nos.1 & 3 with a direction to reconsider the whole issue again keeping in view the observations made by this Court as well as the documents under

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04/01/2024

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Health & FW Deptt.

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H & FW Deptt.

Annexures-10 & 11 to the additional affidavit filed by the Petitioners. The Opposite Party Nos.1 & 3 were further directed to take a decision within two weeks from the date of communication of that order.

5. The necessity to approach this Court again by filing the writ application arose, when the Petitioners approached the Opposite Party Nos.1 & 3 pursuant to order dated 07.11.2023 and the Opposite Party No.1 vide order dated 24.11.2023 under Annexure-12 rejected the prayer of the Petitioners to include their names in the list including candidates for recruitment to pass of Nursing Officers, 2023. Learned Senior Counsel appearing for the Petitioners specifically alleged that while passing the impugned order dated 24.11.2023 under Annexure-12, the Opposite Party No.1 has not taken into consideration the observations made by this Court in the earlier writ application as well as Rule 8 (4) and the documents filed by the Petitioners as Annexures-10 & 11. Thus, it was alleged that the order dated 24.11.2023 under Annexure-12 does not satisfy the requirement of order dated 07.11.2023 as such the same is unsustainable in law.

6. This Court, on a careful consideration of the record as well as the order passed by this Court in the earlier writ application, found that the Opposite Party Nos.1 & 3 were directed to consider the case in the light of the observations made by this Court. However, a cursory look at the order under Annexure-12 reveals that the same is in conformity with the order dated 07.11.2023. Moreover, certain observations have been made by the Opposite Party No.1 in order dated 24.11.2023 which are not only out of context but the same reflects the mind-set of the Administrative Authority. On an overall assessment of the order under Annexure-12, this Court is of the prima facie view that the impugned order under Annexure-12 has been passed as if the Opposite Party No.1 is the Appellate Authority of this Court. The manner and the language

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20/11/2024

Deputy Secretary to Govt.
Health & FW Deptt.

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Deputy Secretary
H & FW Deptt.

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used in order dated 24.11.2023 prima facie relates to contempt of this Court's order dated 07.11.2023. When there was a specific finding/ observation by this Court, the Opposite Parties are bound by such observations and they should follow such observations while considering the case of the petitioners in the manner as has been directed by this Court. However, this Court at the outset is convinced that the Opposite Party No.1 has not taken into consideration such observations of this Court, on the contrary the Opposite Party No.1 has come to its own conclusion by ignoring the findings/ observations made by this Court in the order passed on 07.11.2023. Once this Court has concluded that the Registration Certificates submitted by the Petitioners are valid, even though the same are submitted for extension of the validity of such Registration Certificates, the Opposite Party No.1 in its order has ignored such finding of this Court and instead has come to a conclusion that the Registration Certificates were not valid. Such finding of the Opposite Party No.1 is in direct conflict with the finding arrived at by this Court.

7. Moreover, the Opposite Parties are of the view that they were not given adequate opportunity to appraise certain facts through counter affidavit before this Court. It was open to them to assail order dated 07.11.2023 by filing a writ appeal before the Hon'ble Division Bench. Therefore, it was no more open to the Opposite Party No.1 to take a different view than the background expressed by this Court in its order dated 07.11.2023. Thus, this Court is convinced that the conduct of the Opposite Party No.1 in passing order dated 23.11.2023 is contemptuous as the same is in violation of order dated 07.11.2023.

8. At this juncture, Mr. Routray, learned Senior Counsel appearing for the petitioners submitted that the Petitioners have filed the contempt application bearing CONTC No.9525 of 2023 for violation of this

Deputy Secretary

Deputy Secretary to Govt.
Health & FW Deptt.

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Deputy Secretary
Health & FW Deptt

-96-

Court's order dated 07.11.2023 by the Opposite Party No.1. A prayer was also made by learned Additional Standing Counsel for the State- Opposite parties to grant them some time to obtain proper instruction in the matter and to ensure that order dated 07.11.2023 is implemented in its letter and spirit by withdrawing the impugned order dated 23.11.2023.

9. Accordingly, list this matter on 15.12.2023 along with CONTC No.9525 of 2023, by which date if the Opposite Parties fail to implement the order dated 07.11.2023, this Court would be constraint to issue notice to the contempt to the Opposite Parties. In the aforesaid Contempt application filed by the Petitioners alleging violation of the order dated 07.11.2023.

10. It is further made clear that in the event the Opposite Parties fail to take immediate steps of compliance order passed in W.P.(C) No.36009 of 2023 disposed of 07.11.2023, they will be asked to explain as to why they shall not be proceeded for willful and violation of this Court order by issuing notice in the connected contempt application.

11. List this matter on 15.12.2023 as directed hereinabove.

12. A free copy of this order be handed over to the learned Additional Standing Counsel for Communication.

True Copy Attested

Anil

[Signature] 01/12/2024

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(A.K. Mohapatra)
Judge

[Signature]
Deputy Secretary
Health & F&W Deptt



GOVERNMENT OF ODISHA
HEALTH & FAMILY WELFARE DEPARTMENT

ORDER

No.HFW-MS-III-CASE-0192-2023 IH. 30621 Dated. 12th Dec.2023

Pursuant to the order dated-05.12.2023 passed by the Hon'ble High Court, Orissa in W.P (C) No.39529/2023 filed by Narmada Das & Others and W.P.(C) No-39530/2023 filed by Priyanka Rani Jena & Others as well as the submissions made by the Learned Additional Standing Counsel before the Hon'ble High Court for the State Opposite Parties on 05.12.2023, the Order No-29094, dated-24.11.2023 of Health & Family Welfare Department is hereby recalled.

Memo. 30622 dated 12th dec 23 Commissioner-cum-Secretary to Government
Copy forwarded to the Advocate General, Odisha, Cuttack for information and necessary action.

Memo No. 30623 dated 12th dec 23 Additional Secretary to Government
Copy forwarded to the Director, Health Services, Odisha, Bhubaneswar / Director, Nursing, Odisha, Bhubaneswar / Secretary, OSSSC, Bhubaneswar for information and necessary action

Memo No. 30624 dated 12th dec 23 Additional Secretary to Government
Copy forwarded to Narmada Das, D/o Adikanda Das, At-Oda, PO/PS- Mahanes, District- Cuttack / Rajalini Das, W/o Sangram Kumar Parida, At- chatol, PO- Ohunpur, District- Jagatsinghpur / Madhusmita Jena, D/o Rashbikari Jena, At/PO- Bartana, PS- Jaleswar, Dist- Balasore / Priyankarani Jena, C/o-Isha Dutta Lima, At-Church Street, PO- Badapada, Dist-Gajapati for information.

Copy Submitted

[Signature]
12/11/2024

Additional Secretary to Government

[Signature]
12/11/23

[Signature]
12/11/23

Deputy Secretary
Health & Fam Dept

ANNEXURE - 8

= 98 -

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39529 of 2023

Narmada Das & others

..... *Petitioners*
Mr. B. Routray, Sr. Advocate

-versus-

State of Odisha and others

..... *Opposite Parties*
Mr. N.K. Praharaj, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

15.12.2023

Order No.

W.P.(C) Nos.39529, 40043 & 39530 of 2023

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Shri B. Routray, learned Senior Counsel appearing for the Petitioners and Mr. N.K. Praharaj, learned Additional Government Advocate for the State-Opposite Parties.
 3. Learned Additional Government Advocate produced order vide letter No.30621 dated 12.12.2023 passed by the Opposite Party No.1 pursuant to the direction of this Court dated 05.12.2023.
 4. On perusal of the said order it appears that in view of letter dated 12.12.2023 which reveals that the order No.29094, dated 24.11.2023 has been recalled, the impugned order No.29094 dated 24.11.2023 under Annexure-12 to the writ application i.e. Madhusmita Jena & ors. vs. State of Odisha & ors. in W.P.(C) No.40043 of 2023 also stands recalled. Therefore, the submission made by the learned Senior counsel

[Signature]
Deputy Secretary
H. 2. 12.2023

for the petitioner that the writ application bearing W.P.(C) No.40043 of 2023 has not been mentioned in order dated 12.12.2023 as recalled.

5. In view of the aforesaid clarification, all the three writ applications are being disposed of.

6. Accordingly, liberty is granted to the Petitioners to pursue the contempt application bearing CONTC No.9525 of 2023, in the event the order passed by this Court in the earlier writ application bearing W.P.(C) No.36009 of 2023, which was disposed of on 07.11.2023 is not implemented by the Opposite Party No.1 in its letter and spirit.

(A.K. Mohapatra)
Judge

Anil

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Deputy Secretary
for f.w. left

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 20-Dec-2023 12:17:53



- 100 -

ANNEXURE-9

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 9 of 2024

State of Odisha and another

...

Appellants

Mr. R.N. Mishra, AGA

Vs.

Narmada Das and others

.....

Respondents

Mr. S.K. Das, Adv. [Caveator]

Mr. S.D. Routray, Sr. Adv. along with

Mr. S.D. Routray, Adv.

[Respondent Nos. 2 to 8]

CORAM:

**ACTING CHIEF JUSTICE DR. B.R. SARANGI
MR. JUSTICE MURAHARI SRI RAMAN**

ORDER

01.02.2024

I.A. No. 51 of 2024

Order No.

01.

This matter is taken up by hybrid mode.

2. Heard learned counsel for the parties.
3. This application has been filed by the appellants seeking condonation of delay of 28 days in preferring the appeal.
4. Considering the grounds taken in the application and after hearing the parties, the delay of 28 days in filing the writ appeal is condoned.
5. I.A. stands disposed of.

**(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE**

**(M.S. RAMAN)
JUDGE**

W.A. No. 9 of 2024

Order No.

02.

This matter is taken up by hybrid mode.

2. Heard Mr. R.N. Mishra, learned Addl. Government Advocate appearing for the State-appellants; Mr. S.K. Das, learned counsel appearing for the caveator; and Mr. B. Routray, learned Senior Counsel appearing along with Mr. S.D. Routray, learned counsel for respondent nos. 2 to 8.

Page 1 of 2

[Signature]
Secretary
Deputy
4/2

- 101 -

3. This writ appeal has been filed by the State-appellants challenging the order dated 07.11.2023 passed in W.P.(C) No. 36009 of 2023, by which the learned Single Judge directed the appellants to consider the case of the private respondents and take a final decision within two weeks and the decision shall be communicated to the respondents within a week thereafter. As such, this Court further directed that any appointment made in the meantime shall be subject to the decision to be taken by the opposite parties no.1 and 3 to the writ petition, as directed hereinabove.

4. As it appears, the State authorities have filed this writ appeal challenging the order dated 07.11.2023 passed by the learned Single Judge as a matter of routine, as if any order passed by the learned Single Judge is amenable to writ appeal. But that is not the purpose for which the fora have been made available under the Letters Patent and the Odisha High Court Order, 1948. In any case, looking at the order passed by the learned Single Judge it is made clear that there is no decision, save and except remanding the matter to the authority to pass appropriate order. But the State authorities have challenged the same by way of this writ appeal. Therefore, this Court is not inclined to entertain this writ appeal and confirms the order passed by the learned Single Judge, so that the authorities can apply their mind and pass appropriate order in accordance with law.

5. Accordingly, the writ appeal stands dismissed.

(DR. B.R. SARANGI)
ACTING CHIEF JUSTICE

Ashok

(M.S. RAMAN)
JUDGE

[Signature]
Secretary
Deputy
for the Deptt



ANNEXURE-10

GOVERNMENT OF ODISHA
HEALTH & FAMILY WELFARE DEPARTMENT

No. HFW-MSIII-CASE-0190-2023 5675

/H&F.W. Dated, 02.03.2024

ORDER

The State of Odisha and another filed the Writ Appeal No-09 of 2024 before the Division Bench of the Hon'ble High Court against the order dated 07.11.2023 of the Single Bench passed in WP(C) No-36009 of 2023 filed by Narmada Das & Others.

2. Hon'ble High Court vide order dated-01.02.2024 dismissed the Writ Appeal No-09 of 2024 filed by the State of Odisha and another with following directions:

"Para-4-As it appears, the State authorities have filed this writ appeal challenging the order dated 07.11.2023 passed by the learned Single Judge as a matter of routine, as if any order passed by the learned Single Judge is amenable to writ appeal. But that is not the purpose for which the fora have been made available under the Letters Patent and the Odisha High Court Order, 1948. In any case, looking at the order passed by the learned Single Judge it is made clear that there is no decision, save and except remanding the matter to the authority to pass appropriate order. But the State authorities have challenged the same by way of this writ appeal. Therefore, this Court is not inclined to entertain this writ appeal and confirms the order passed by the learned Single Judge, so that the authorities can apply their mind and pass appropriate order in accordance with law."

3. Whereas, the Single Bench of the Hon'ble High Court vide order dated-07.11.2023 passed in WP(C) No-36009 of 2023 filed by Narmada Dash & others has disposed of the writ petition with following observations and directions.

"Having heard the learned counsel appearing for the petitioners and the learned Addl. Standing Counsel for the State-Opposite Parties, and on a careful examination of the background facts,

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Secretary
Health & Family Welfare Department

Deputy Secretary
Health & Family Welfare Department

this court observes that the candidature of petitioners has been disqualified on the ground that the petitioners were not having a valid registration certificate by the Odisha Nursing Council. On perusal of the record it appears that, the petitioners after competition of the course from recognized government institutions, had applied for registration with the Odisha Nursing Council. Subsequently they have been granted a valid registration certificate by such council. Further, it appears that such registration certificate issued by the council is required to be renewed from time to time. So far the present petitioners are concerned, in their case, the renewal of their registration certificate fell due during the time when the advertisement was published under Annexure-1 to the writ application. However, it is not disputed that the registration certificate issued in favour of the petitioner by the Odisha Nursing Council was duly renewed, and that such renewal means revival of the original registration without any break, and the registration certificate originally issued by the authority continuous to remain valid. Therefore it cannot be said that the petitioner were not having a valid registration certificate. it also appears that the registration number assigned to the petitioners also remains the same even after the renewal of such registration certificates. Further, on perusal of the facts of the present case, this court is also of the observation that, merely because the registration certificate is required to be renewed after a certain interval, it cannot be presumed that the same can valid certificate is in process of renewal. Moreover it is settled law that when a certificate is renewed, the certificate continues to remain valid, from the date of its initial issue, until the same is lawfully cancelled or terminated. From the records of this case, it reveals what the opposite parties have not stated that the registration certificate has either been cancelled or terminated. Therefore, the conduct of the Opposite Parties in holding that the petitioners were not having valid registration in terms by the advertisement is not correct and the same is too harsh. Moreover, this Court also observed that the power under Rule 8 (4) having been exercised by the government earlier as it appears from the additional affidavit, there is no bar in exercising such power of relaxation in genuine and appropriate cases. In view of the aforesaid analysis as well as keeping in view factual background of the present case this court deems it proper to dispose of the present writ application by

- 104 -

remanding the matter to the Opposite Parties No. 1 & 3 to reconsider the whole issue again keeping in view aforesaid observations made by this court as well as the documents under Annexure-10 & 11 to the Additional Affidavit filed by the petitioner. Let the petitioner approach the opposite party no. 1 & 3 along with certified copy of this order within a period of two weeks from today. In such event opposite party no. 1 & 3 shall do well to consider the same as directed by this Court hereinabove and take a final decision within two weeks thereafter. The decision so taken be communicated to the petitioner within a week thereafter. Any appointment made in the meantime shall be subject to the decision to be taken by the Opposite Party 1 & 3 as directed hereinabove."

4. In view of the above-said order dated 01.02.2024 of the Division Bench of High Court, the claim of the Petitioners namely Narmada Das and others have been examined as given below.


5. Narmada Das and others filed WP(C) No-36009 of 2023 before the Hon'ble High Court of Orissa with prayer to quash the reject list dated-20.10.2023 under Annexure-9 and consider their appointment as Nursing Officers pursuant to the advertisement under Annexure-1 as per merit.

Annexure-1 of the WP(C) No-36009 of 2023 is the Advertisement published by the Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) on 21.01.2023 inviting online applications within the period from 27.01.2023 to 17.02.2023 for recruitment of 7483 number of district cadre Group-C posts of Nursing Officers in all 30 district establishments and 13 Medical College and Hospitals pursuant to the provisions of Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019 and subsequent Amendment Rules, 2020, the Odisha Grant of Weightage in marks in the Recruitment for short-term COVID-19 Healthcare workers Rules, 2022 and the Odisha Group-B, Group-C and Group-D posts (Repeal and Special Provisions) Rules, 2022.

Annexure-9 of the WP(C) No-36009 of 2023 is the reject list dated-20.10.2023 published by the Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3), wherein the name of the petitioners are not found place.

Annexure-10 of the WP(C) No-36009 of 2023 is the Notification No-33172, dated-18.12.2019 relating to issuance of the guidelines on the Rule-8 (4) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019. Further, the Annexure-11 of the writ petition is the corrigendum No-128, dated-02.01.2020 regarding modification of the point No-3, 7 & 8 of the Notification dated-18.12.2019 under Annexure-10.

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Deputy Secretary
Health & FW DEPT

- 27 - 105 -


6. The Petitioners had submitted their representations along with copy of the above orders of the Hon'ble High Court to the Commissioner-cum-Secretary to Government, Health and Family Welfare Department (OP No-1) as well as to the Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) with request to include their names in the list of qualified candidates for recruitment to the post of Nursing Officer, 2023. The Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar (OP No-3) vide letter dated-22.11.2023 had forwarded their representations to the Commissioner-cum-Secretary to Government, Health and Family Welfare Department (OP No-1) to take the appropriate decision in the matter.

7. Pursuant to the order dated-07.11.2023 of the Single Bench of the Hon'ble High Court, the Commissioner-cum-Secretary to Government, Health and Family Welfare Department (OP No-1) vide order No-29094, dated-24.11.2023 has rejected the prayers of the Petitioners to include their names in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023. Subsequently, the OP No-1 vide order No-30621, dated-12.12.2023 has recalled the rejection order No-29094, dated-24.11.2023 pursuant to the order dated-05.12.2023 of the Hon'ble High Court passed in WP(C) No-39529 of 2023 filed by Narmada Das and others as well as the submissions made by the Learned Additional Standing Counsel before the Hon'ble High Court.

8. Advertisement was issued by Odisha Sub-ordinate Staff Selection Commission (OSSSC) inviting applications for recruitment to the district. cadre Group-C Posts of Nursing Officer in 30 district establishments and 13 Medical College and Hospitals under Government of Odisha. In the said advertisement it was clearly mentioned that all the eligibility conditions should have been fulfilled as on the date of Advertisement. The OSSSC took steps for selection of Nursing Officers strictly in accordance with the Advertisement. The candidates also appeared in the office of the concerned CDM & PHO of their respective districts for verification. At the time of verification, the candidature of some candidates were found ineligible on various grounds. Some candidates had not renewed their registration certificate after expiry of the stipulated date of 5 years and applied for the post of Nursing Officer. After scrutiny on 20.10.2023, the OSSSC issued a list of candidates disqualified for not having renewal of the registration certificates after expiry of stipulated period of 05 years under Clause-3(A)(v) of the Advertisement under Annexure-1 to the writ petition.

9. Pursuant to order dated-07.11.2023 of the Hon'ble Court passed in WP(C) No-36009 of 2023 filed by the Petitioners, the OP No- I has formed a Committee vide this Department order No-28918, dated-23.11.2023 to examine the cases of the Petitioners following the relevant provisions of law as well as the relevant records and to submit their report in the matter. The Committee examined the cases in

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Deputy Secretary
Health & FW Dept.

pursuance of the relevant provisions of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule. 2019 and subsequent Amendment Rules, 2020 , relevant records along with the Advertisement and the documents and submitted their report. The OP No-1 has carefully examined the report of the Committee and the advertisement and other documents along with the relevant provisions of the Cadre Rule and relevant records and found as follows:-

(a) Pursuant to the provision of Rule-8(3) of Odisha Nursing Service (Method of Recruitment and conditions of service) Rules 2019 and Amendment Rules 2020, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar has been empowered to make the detailed scrutiny of the application forms, the manner of submission of application, the documents required to be accompanied with the application form and fee required.

(b) As per rule-9(xi) in order to be eligible for direct recruitment to the post of Staff Nurse, a candidate must have registered her/his name in Nursing Council in the state and have possessed valid Registration Certificates as on the date of advertisement. The Petitioners had referred to this Department Notification No-33172, dated-18.12.2019 relating to issuance of the guidelines on the Rule-8 (4) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019, wherein there is a relaxation of six months for production of valid Registration Certificates, though the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019 have already been amended in the year 2020 (came into force vide Gazette Notification dated-04.11.2020). Pursuant to issuance of the above Rules vide Gazette Notification dated-04.11.2020, the Notification dated-18.12.2019 under Annexure-10 to the writ petition and the corrigendum dated-02.01.2020 under Annexure-11 to the writ petition arising out of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019 have no locus standi and ceased to be in force from 04.11.2020.

(c) The Petitioners have not mentioned fresh / renewed at the space meant for registration certificates on their applications. It has been clearly notified in the advertisement that application is valid after verification of all uploaded documents. The Petitioners in fact suppressed regarding renewal of registration certificates in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement, because of which. i.e.. suppression of fact, their cases have been considered and they have been selected. This is against the conditions stipulated in the advertisement, wherein it was stipulated that, if at any stage any misinterpretation / suppression / furnishing of wrong information / manipulation by candidates shall result in cancellation / disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order.


Deputy Secretary
Health & FW Dept

(d) If the cases of the Petitioners are considered at this stage, it will be a great injustice to those candidates, who though in similar footing did not apply for the posts abiding by the conditions stipulated in the advertisement that they should possess valid registration certificate as on the date of advertisement. Further, the process will be unending and whoever, renews a certificate at any stage can claim validity of the certificate on the basis of its continuance.

(e) The OP No-1 did not dispute the fact of validity of a renewed certificate with the same Registration Number, but of the view that, this process of renewal should have been completed before the date of advertisement as per the conditions of advertisement as well as provision of Cadre Rules. There should be no gap in between the expiry of period of 5 years as validity and the date of renewal. Since the matter was disposed of at the stage of fresh admission, the OP No-1 herein had no occasion to bring the relevant facts to the notice of the Hon'ble Single Judge, regarding suppression of facts by the Petitioners and the fact that the Petitioners deliberately mislead the Hon'ble Single Judge.

(f) The advertisement under Annexure-1 to the writ petition and other documents (under Annexure-10 & 11 of the additional affidavit to the writ petition) along with the relevant provisions of the Cadre Rule and relevant records were examined in detail and reconsidered and found to be reasonable and in order as per the prevailing, norm of Government. Therefore, the prayers of the Petitioners to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 have been rejected by the OP No-1 being devoid of any merit and communicated to the Petitioners vide orders dated-24.11.2023 under Annexure-12 to the writ petition.

10. The OSSSC has allowed all candidates, applied for the post of Nursing Officers, to appear the examination by issuing the admit cards including the Respondents. But during verification of the original documents by the Commission as advertised for the post of Nursing Officers pursuant to the advertisement dated-21.01.2023, it was found that the Petitioners have not mentioned fresh / renewed at the space meant for registration certificates on their applications. It has been clearly notified in the advertisement that application is valid after verification of all uploaded documents. The Petitioners in fact suppressed that they did not renew their registration certificates after expiry of continuance period of 05 years in their application forms and submitted that they possess valid Registration Certificates as on the date of advertisement, because of which, i.e., suppression of fact, their cases have been considered and they have been selected. In the advertisement, it was stipulated that if at any stage any misinterpretation suppression / furnishing of wrong information / manipulation by candidates shall result in cancellation / disqualification of his / her candidature at any stage of the recruitment process, even after issue of appointment order.

True Copy Attested

Section Officer
Health & Family Welfare

Deputy Secretary
Health & Family Welfare

11. The candidature of the Petitioners were rejected for not having renewal of their Registration Certificate after completion of 05 years from the date of initial issue under Clause-3 (A) (v) of the advertisement of Nursing Officer-2023 on 20.10.2023 as per rule-9(xi) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019 and subsequent Amendment Rules, 2020 wherein it has been stipulated that a candidate must have registered her/his name in Nursing Council in the state and have possessed valid Registration Certificates as on the date of advertisement.

12. with regards to the claim of the petitioners on issuance of the guidelines vide order No.33172 dated 18.12.2019 on the Rule-8 (4) of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rule, 2019, it is pertinent to mention here that there is a relaxation of six months for production of valid Registration Certificates, but the said Notification dated-18.12.2019 has already been amended in 2020 (came into force with effect from 04.11.2020) after issuance of this letter as well as corrigendum dated-02.01.2020. As such, subsequent to Notification of the amended cadre rule, the letter issued before this amendment ceased to be in force.


13. The Petitioners appearing for the post of Nursing Officer pursuant to an Advertisement ought to have been more vigilant and should have taken prompt steps to qualify themselves to the conditions of the Advertisement. The Law is well settled that the advertisement is supreme and any deviation of the Advertisement would amount to changing the Cadre Rules. If the Petitioners at this juncture are allowed, the same would cause immense prejudice to many other similarly situated candidates and as such the process of recruitment would be linger for the sheer fault of the Petitioners and such a situation should not be allowed to them.


14. The above views of the Committee, the advertisement under Annexure-1 and other documents under Annexure-10 & 11 along with the relevant provisions of the Cadre Rules and relevant records were examined in detail and reconsidered and found to be reasonable and in order as per the prevailing statutory norm of Government.


Therefore, the prayers of the Petitioners to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 have no merit for consideration and hence, the same is rejected being devoid of any merit.

Supply the copy of this order to the Petitioners.

True Copy Attached


02/03/24
Commissioner-cum-Secretary to Government


Secretary to Government


Deputy Secretary
for reply

Memo No- 5676 dated 02.03.2024

Copy forwarded to the Advocate General, Odisha, Cuttack for information and necessary action.

Additional Secretary to Government
JCM 02/03/24

Memo No- 5677 dated 02.03.2024

Copy forwarded to the Director, Health Services, Odisha, Bhubaneswar / Director, Nursing, Odisha, Bhubaneswar for information and necessary action.

Additional Secretary to Government
JCM 02/03/24

Memo No- 5678 dated 02.03.2024

Copy forwarded to the Secretary, Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

Additional Secretary to Government
JCM 02/03/24

Memo No- 5679 dated 02.03.2024

Copy forwarded to Narmada Das, D/o Adikanda Das, At-Oda, PO/PS-Mahanga, District-Cuttack and Others for information.

Additional Secretary to Government
JCM 02/03/24

Copy Attended

DP

Section Officer
Bhubaneswar

Deputy Secretary
H & AD Deptt

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ANNEXURE - II

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.9525 of 2023

Narmada Das and others

Petitioner

Mr. S.P. Nath, Advocate

-versus-

Shalini Pandit, I.A.S. and another

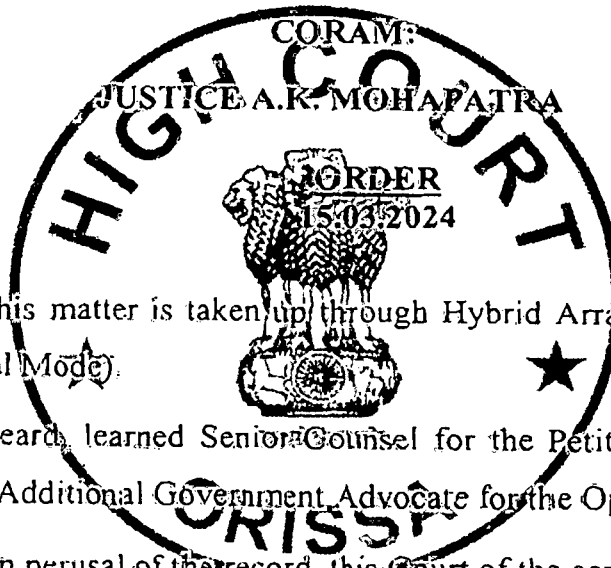
*Opposite
Parties/Contemnors*

Mr. Saswat Das, AGA

Order No.

06.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard, learned Senior Counsel for the Petitioners as well as learned Additional Government Advocate for the Opposite Parties.
3. On perusal of the record, this Court of the considered view that the order passed by the authorities prima facie contemptuous.
4. However, the prayer of learned Additional Government Advocate is granted one week's time to take instruction in the matter.
5. Accordingly, list this matter on next Friday (22.03.2024).



(A.K. Mohapatra)
Judge

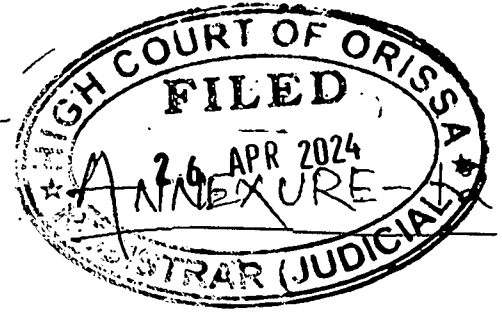
Signature Not Verified

Digitally Signed
Signed by: SANTANU KUMAR ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
18-Mar-2024 19:13:20

Deputy Secretary,
Health & Family Welfare Department

IN THE HIGH COURT OF ORISSA AT
CUTTACK

CONTC No. 9525 of 2023



(Arising out of W.P.(C) No.36009 of 2023,
Disposed of on 07.11.2023)

IN THE MATTER OF:

Narmada Das & othersPetitioners

—Versus—

Shalini Pandit, IAS.

Commissioner -cum- Secretary to Govt,

H&FW Dept., Odisha & others ...Contemnors


/ Opp. Parties

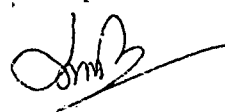
Shalini Pandit

COMPLIANCE AFFIDAVIT FILED BY
CONTEMNOR/ OPPOSITE PARTY NO. 1

I, Shalini Pandit, aged about 49 years, daughter of Mr. Arvind Pandit, at present working as the Commissioner-cum- Secretary to Government of Odisha, Health & Family Welfare Department, Lok Seva Bhawan, Bhubaneswar, District- Khurda do solemnly affirm and state as follow:

True Copy Attested


Section Officer
Health & F.W. Dept.


Deputy Secretary
Health & F.W. Dept.

- 112-
1. That, I am the deponent of this Affidavit and I have gone through the averments in the CONTC Petition filed by the Petitioner and understood the contents of the same.
 2. That, this contempt petition has been filed by the petitioner alleging non-compliance of the order dated-07.11.2023 of this Hon'ble Court passed in WP (C) No. 36009 of 2023.
 3. That, it is further respectfully submitted that the Hon'ble Court vide their order dated-07.11.2023 disposed of the WP (C) No- 36009 of 2023. The operative portion of the order is quoted below:

"Having heard the learned counsel appearing for the petitioners and the learned Addl. Standing Counsel for the State-Opposite Parties, and on a careful examination of the background facts, this court observes that the candidature of petitioners has been disqualified on the ground that the petitioners were not having a valid registration certificate by the Odisha Nursing Council. On perusal of the record it appears that, the petitioners after competition of the

Shalini Pandit

True Copy Submitted

[Signature]


[Signature]
Deputy Secretary
Health & FW Deptt.


113

course from recognized government institutions, had applied for registration with the Odisha Nursing Council. Subsequently they have been granted a valid registration certificate by such counsel. Further, it appears that such registration certificate issued by the counsel is required to be renewed from time to time. So far the present petitioners are concerned, in their case, the renewal of their registration certificate fell due during the time when the advertisement was published under Annexure-1 to the writ application. However, it is not disputed that the registration certificate issued in favour of the petitioner by the Odisha Nursing Council was duly renewed, and that such renewal means revival of the original registration without any break, and the registration certificate originally issued by the authority continuous to remain valid. Therefore it cannot be said that the petitioner were not having a valid registration certificate. It also appears that the registration number assigned to the petitioners also remains the same even after the renewal of such registration certificates. Further, on

Shalini Pandit

True Copy Attested:


Section Officer
Health & F.W. Dept.


Deputy Secretary
Health & F.W. Dept.

perusal of the facts of the present case, this court is also of the observation that, merely because the registration certificate is required to be renewed after a certain interval, it cannot be presumed that the same can valid certificate is in process of renewal. Moreover it is settled law that when a certificate is renewed, the certificate continues to remain valid, from the date of its initial issue, until the same is lawfully cancelled or terminated. From the records of this case, it reveals what the opposite parties have not stated that the registration certificate has either been cancelled or terminated. Therefore, the conduct of the Opposite Parties in holding that the petitioners were not having valid registration in terms by the advertisement is not correct and the same is too harsh. Moreover, this court also observed that the power under Rule 8(4) having been exercised by the government earlier as it appears from the additional affidavit, there is no bar in exercising such power of relaxation in genuine and appropriate cases. In view of the aforesaid analysis as well as keeping

Shashi Pandit

True Copy Attached

[Signature]
DIRECTOR
CIVIL & P.W. DEPT.

[Signature]
Deputy Secretary
4/3/2014

- 115 -

in view factual background of the present case this court deems it proper to dispose of the present writ application by remanding the matter to the Opposite Parties No. 1 & 3 to reconsider the whole issue again keeping in view aforesaid observations made by this court as well as the documents under Annexure-10 & 11 to the Additional Affidavit filed by the petitioner. Let the petitioner approach the opposite party no. 1 & 3 along with certified copy of this order within a period of two weeks from today. In such event opposite party no. 1 & 3 shall do well to consider the same as directed by this Court hereinabove and take a final decision within two weeks thereafter. The decision so taken be communicated to the petitioner within a week thereafter. Any appointment made in the meantime shall be subject to the decision to be taken by the Opposite Party 1 & 3 as directed hereinabove."

Chaitani Pandit

4. That, pursuant to the order dated-07.11.2023 of the Single Bench of the Hon'ble High Court, the Commissioner-cum-Secretary to Government,

True Copy Attested

[Signature]

Section Officer
Health & F&W Dept.

[Signature]
Dy. Secy
H&W Dept.

- 116 -

Health and Family Welfare Department (OP No-1) has considered the prayers of the Petitioners to include their names in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 strictly as per rules & relevant provisions and rejected the same by issuing the speaking orders No-29094, dated-24.11.2023.

Copy of the order No-29094, dated-24.11.2023 is annexed herewith and marked as ANNEXURE- A/1.

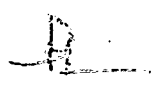
5. That, being aggrieved, the petitioner has filed the WP(C) No-39529 of 2023 before the Hon'ble High Court with following prayers:-

- (i) To quash the reject list dated-20.10.2023 under Annexure-9 so far as the petitioners are concerned and the impugned order dated-24.11.2023 under Annexure-12.
- (ii) To consider the case of petitioners for appointment as Nursing Officers pursuant to the advertisement under Annexure-1 as per merit.


6. That, Hon'ble High Court vide order dated-05.12.2023 passed in WP(C) No-39529 of 2023 has directed as follows:-

Shalini Pandit

For Deputy Secretary



Deputy Secretary
Health and Family Welfare Department


Deputy Secretary
Health and Family Welfare Department

1175

Para-9-Accordingly, list this matter on 15.12.2023 along with CONTC No.9525 of 2023, by which date if the Opposite Parties fail to implement the order dated 07.11.2023, this Court would be constraint to issue notice to the contempt to the Opposite Parties. In the aforesaid Contempt application filed by the Petitioners alleging violation of the order dated 07.11.2023.

Para-10- It is further made clear that in the event the Opposite Parties fail to take immediate steps of compliance order passed in W.P.(C) No.36009 of 2023 disposed of 07.11.2023, they will be asked to explain as to why they shall not be proceeded for willful and violation of this Court order by issuing notice in the connected contempt application."

7. That, pursuant to order dated-05.12.2023 of the Hon'ble High Court passed in WP(C) No-39529 of 2023, the Learned Additional Government Advocate advised to recall the Speaking order No-29094. dated-24.11.2023 and to file the Writ Appeal against the order dated-07.11.2023 of the

True Copy Attested

Signature
H. P. V. Dutt

THE COURT
J.P.B.
Deputy Secretary
H.A. F.W. Dutt

appropriate order. But the State authorities have challenged the same by way of this writ appeal. Therefore, this Court is not inclined to entertain this writ appeal and confirms the order passed by the learned Single Judge, so that the authorities can apply their mind and pass appropriate order in accordance with law.

9. That, pursuant to order dated-01.02.2024 of the Hon'ble High Court passed in Writ Appeal No-09 of 2024, the OP No-1 has examined & considered again the prayer of the petitioners keeping in view the orders dated-07.11.2023 of the Hon'ble High Court passed in WP (C) No-36009 of 2023 with reference to the relevant rules & regulations and rejected the prayers of the Petitioners to include in the list of qualified candidates for recruitment to the post of Nursing Officers, 2023 by issuing the speaking order No 5675, dated 02.03.2024 and communicated to the petitioners.

Shalini Kumbhat

Copy of the order No.5675, dated 02.03.2024 is annexed as Annexure-C/1.

10. That, the deponent has got the highest regard to the kind orders of this Hon'ble Court and never tried to

Copy of order No. 5675 dated 02.03.2024

[Signature]

Secy to the Court
H.C. No. 119 of 2024

[Signature]
Deputy Secretary
H.C. No. 119 of 2024

129

flout the orders passed by this Hon' ble Court and holds their Lordships in high esteem.

11. That, in view of the facts stated and submission made in the foregoing paragraphs, the Hon'ble Court may graciously be pleased to pass order to drop the present contempt proceedings or may pass any such other orders (s)/directions as deemed fit.

12. That, the statements made above in Para-1 to Para-2 are true to the best of my knowledge and belief. The statements made in Para-3 to 6 and 8 & 9 are true to my information derived from the records. The statements made in para-7 are based on the advice of the Learned Additional Government Advocate in Office of the Learned Advocate General, Odisha. The statements made in Para-10 & Para-11 are my submissions to this Hon'ble Court. I believe the information to be true as per available official records.

Shalini Khandait
28/02/2024

DEPONENT

Commissioner-cum-Secretary,
Health & F.W. Dept.

File Copy Attested

[Signature]

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[Signature]
Deputy Secretary
H. & F.W. Dept.

-121-

ANNEXURE-13

**IN THE HIGH COURT OF ORISSA :: CUTTACK
(ORIGINAL CRIMINAL MISCELLANEOUS
JURISDICTION)**

CONTC No. 9525 of 2023
(Arising out of W.P. (C) No. 36009 of 2023)
disposed of on 07.11.2023

code - 080300

IN THE MATTER OF:

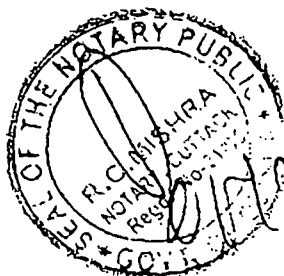
An application under section 12 of the Contempt of
Court's Act;

AND

IN THE MATTER OF:

1. Narmada Das, aged about 30 years, daughter of
Adikanda Das, At: Oda, P.O./ P.S: Mahanga, District:
Cuttack.
2. Lili Swain, aged about 28 years, daughter of Ajay
Kumar Swain, At: Bodhei, P.O: Dagarapada, P.S:Tirtol,
District: Jagatsinghpur.
3. Mamata Swain, aged about 37 years, daughter of
Prafulla Kumar Swain, At / P.O.: Bhogasalada, P.S.:
Nimapara, Dist: Puri.

Prakash
SADYA PRAKASH NATH
(ADVOCATE) ENO- O-10462007
8763712303



Am
Dy-Secretary
H. & FW Dept

4. Sumitra Swain, aged about 34 years, daughter of Maheswar Swain, At: Balapur Jenasahi, P.O.: Balapur, P.S.: Satyabadi, Dist: Puri.
5. Rajashree Pradhan, aged about 33 years, daughter of Seshadev Pradhan, At: Nuapada, P.O.: Kerandapangi, Via: Chandapur, Dist: Nayagarh.
6. Rojalini Nayak, aged about 34 years, wife of Dasarathi Sahoo, At / P.O: Baigunia, Via: Khandapara, P.S: Fategarh, Dist: Nayagarh.
7. Jalandhar Pradhan, aged about 27 years, son of Umakanta Pradhan, At: Budhapal. P.O.:Sarapal, Via:Reamal. Dist: Deogarh.
8. Vishal Dash, aged about 38 years, wife of Prabhat Kumar Padhi, At: Imperial Mansion Apartment, behind Baramund Bus Stand, Bhubaneswar, Dist: Khurda.

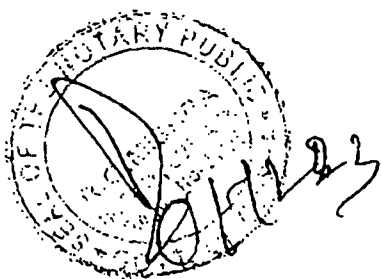
.. .. Petitioners

Versus

1. Shalini Pandit, I.A.S., Commissioner-cum-Secretary, Department of Health & Family Welfare, Government of Odisha, Rajiv Bhawan, Bhubaneswar, District: Khurda.
2. Bishnu Prasad Mishra, O.A.S, Secretary, Odisha Sub-Ordinate Staff Selection Commission, At/P.O./- Bhubaneswar, District- Khurda.

.. .. Contemnors

Math



*By Secretary
H & Pw Deptt.*

-123-

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC-9525 of 2023

Narmada Das and others

Petitioners

Mr. Mr. B. Routray, Sr. Advocate

-versus-

Shalini Pandit, IAS & another

Contemnors

Mr. Saswat Das, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER

06.04.2024

- 07.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Mr. B. Routray, learned senior counsel and Mr. P. K. Rath, learned senior counsel appearing for the Petitioners in their respective cases. Mr. Saswat Das, learned counsel appearing for the Contemnors.
 3. After hearing learned counsel for the parties and on perusal of the record as well as the compliance Affidavit filed by Contemnors, this Court is of the considered view that the decision taken by the Opposite Parties are not in consonance with the order passed by this Court in the Writ Petition, which was eventually confirmed by the Division Bench of this Court.
 4. In such view of the matter, the compliance Affidavit is hereby rejected. However, on the request of the learned counsel appearing for the Contemnors, he is given two weeks time to file a fresh

ShB
By Secretary
Heath, PW Deptt-

124-

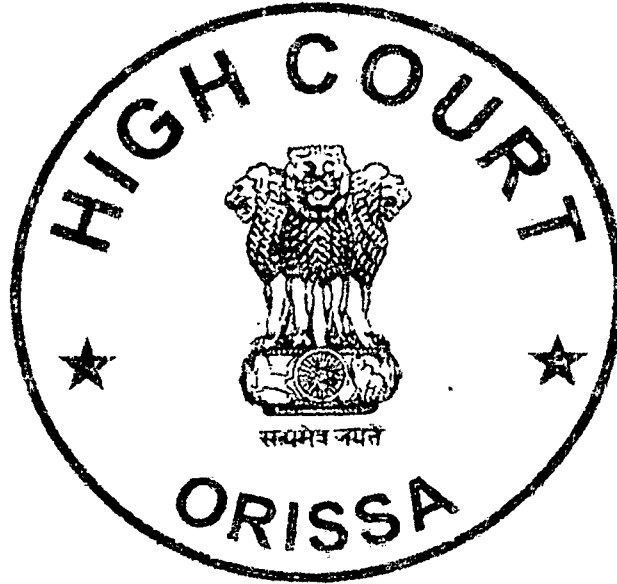
compliance affidavit.

5. List this matter on 26th April, 2024.

6. A free copy of this order be handed over to Mr.Das, learned Additional Government Advocate for communication.


RKS

(A.K. Mohapatra)
Judge



Signature Not Verified

Digitally Signed
Signed by: RAMESH KUMAR SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 08-Apr-2024 10:46:07


Dy. Secretary
Health & FW Deptt.

125

ANNEXURE-14
Serial

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.491 CUTTACK, WEDNESDAY, MARCH 13, 2019/PALGUNA 22, 1940

HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 8th March, 2019

No.6613-PT1-HFW-MSIII-MSNG3M-0035/2016/HFW.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2015 except as respects things done or omitted to be done before such supersession, the Governor of Odisha hereby makes the following rules regulating the method of recruitment and conditions of service of the persons appointed to the Odisha Nursing Service, namely:—

PART - I

GENERAL

1. Short title and commencement :—(1) These rules may be called the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019

(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions:—(1) In these rules, unless the context otherwise requires,—

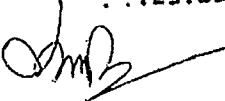
(a) "Appointing Authority" means (i) Chief District Medical and Public Health Officer in case of District Government Medical institutions and tertiary institutions; (ii) Superintendent in case of Government Medical College and Hospitals;

(b) "Commission" means the Odisha Sub-ordinate Staff Selection Commission;

(c) "Committee" means the Departmental Promotion Committee constituted under rule 13;

(d) "Ex-servicemen" means a person as defined in the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;

(e) "Government" means the Government of Odisha;


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- (f) "Medical Institution" means the District Government Medical Institutions and Government Medical College and Hospitals and tertiary institutions;
- (g) "Persons with Disabilities" means a person who has been granted a Disability Certificate by Competent Authority as per provisions of "the Rights of Persons with Disabilities Act, 2016"
- (h) "Schedule" means Schedule to these rules
- (i) "Scheduled Castes and Scheduled Tribes" shall have reference to the Schedule Castes and Tribes specified in the Constitution (Schedule Castes) order, 1950 and the Constitution (Schedule Tribe) order, 1950, as the case may be, under Article, 341 and 342 of the Constitution of India, respectively;
- (j) "SEBC" means the Socially and Educationally Backward Classes of citizens as defined in clause (a) of Section 2 of the Odisha State Commission Backward Class Act, 1993;
- (k) "Select List" means the list of persons prepared and published by the "Odisha Subordinate Staff Selection Commission" in case of direct recruitment and the list prepared by the Departmental Promotion Committee in case of promotion;
- (l) "Service" means the Odisha Nursing Service;
- (m) "Sportsperson" means a person who has been issued with identity card as sportsman by the Director, Sports as per Resolution No.24808/Gen., dated 18th November, 1985 of the General Administration Department;
- (n) "Year" means the calendar year;

(2) All other words and expressions used but not specifically defined in these rules shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

3. Constitution of Service:—The Service shall consist of such posts as specified in column 2 of the Schedule.

4. Conditions of taking over of existing Staff Nurse:— (1) On the date of commencement of these rules, all the contractual nursing staffs who have been duly recruited by concerned societies / Schemes and have completed 6 (six) years of satisfactory contractual service shall be deemed to be Regular Government Employees as one time measure subject to fulfilment of eligibility criteria as prescribed under rule 5:

Provided that all the contractual nursing staffs who are yet to complete six years of contractual service and having eligibility criteria as prescribed under rule 5 shall be


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deemed to be contractual government employees as one time measure and shall be regularized as and when they complete six years of satisfactory contractual service. Including the service that has already been rendered in concerned scheme/society:

Provided further that those contractual Staff Nurses, who do not meet the eligibility criteria, as mentioned under rule 5 & shall continue as such under the OSH&FW Society/ Scheme till closure of the project, retirement or disengagement, whichever is earlier.

(2) On their regularization, such posts of contractual Staff Nurses of the OSH&FW Society as in sub-clause (1) shall be deemed to have been abolished from the date of such induction of contractual Staff Nurses into the Cadre. As these posts shall cease to exist, no further recruitment to fill up these posts shall be made by the OSH & FW Society other than by the Commission:

5. Modalities for Induction of Staff Nurses Into the Cadre:—All the contractual Staff Nurses who have completed or are yet to complete 6 years of satisfactory contractual service under the Society / Scheme, shall be deemed to have been inducted into the Cadre subject to following conditions:

- (i) such Staff Nurses who have possessed the minimum educational qualification & other eligibility criteria as per rule 9 at the time of engagement under the Society/Scheme;
- (ii) who have been selected through an open & transparent recruitment process; and
- (iii) while inducting, the prevalent reservation principles as in rule 6 shall be followed.

PART-II

METHODS OF RECRUITMENT

6. Methods of recruitment:— Subject to the provisions made in these rules, the method of recruitment to the posts in different grades of the service shall be made in the following manner, namely:—

- (a) Recruitment to the post of Staff Nurse shall be made by direct recruitment through competitive examination to be conducted by "the Commission" in the manner provided under rule 7;
- (b) The posts other than Staff Nurse in the Nursing Cadre shall be filled up by promotion in accordance with the provisions made under these rules.

7. Reservations:—Notwithstanding anything contained in these rules reservation of vacancies or posts, as the case may be, for —

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 Dy-Secretary
 H & FW Dept

- (a) Candidates belonging to Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and
- (b) Candidates belonging to SEBC, Women, Sportsperson, Ex-servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, Orders, Resolution or Instructions issued in this behalf by the Government from time to time.

PART - III

DIRECT RECRUITMENT

8. Procedure for direct recruitment:—(1) In the month of January every year, the respective Appointing Authorities shall determine the existing vacancies and the anticipated vacancies likely to occur in the service in their respective jurisdictions in the year in which the recruitment is to be made and the vacancies shall be intimated to the Commission by the end of January indicating there in the number of posts belonging to different reserved categories as specified under rule 6.

(2) On receipt of the intimation, the Commission shall publish advertisement at least in two leading vernacular daily newspapers having wide circulation in Odisha, inviting applications from eligible candidates for appearing in the competitive recruitment Examination.

(3) The application forms, the manner of submission of application, the documents required to be accompanied with the application form, fee required and scrutiny of applications shall be such as may be decided by the Commission.

(4) The standard, syllabus and subjects of examination shall be as decided by the Commission in consultation with the Administrative Department.


9. Eligibility Criteria for direct recruitment:— In order to be eligible for direct recruitment to the post of Staff Nurse a candidate must:—

- (i) be a citizen of India.
- (ii) have attained the age of 21 years and must not be above the age of 32 years:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 6 shall be relaxed in accordance with the provisions of the Act, Rules, Orders or Instructions, for the time being in force, for the respective categories:

Further provided that, the upper age limit for contractual Staff Nurses under OSH&FW Society/Scheme and for ASHAs who shall take part in the recruitment process, if otherwise eligible, shall be 50 years as on the date of advertisement.

- (iii) be able to read, write and speak Odia;


Dy. Secretary
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- (iv) have passed Middle School Examination with Odia as a language subject; or
- (v) have passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or
- (vi) have passed in Odia as language subject in the final examination of Class VII from a School or Educational Institution recognized by the Govt. of Odisha or Central Govt.; or
- (vii) have passed a test in Odia in Middle English School Standard conducted by the School & Mass Education Department.
- (viii) not have more than one spouse living:

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule.

- (ix) have passed +2 in any stream under Council of Higher Secondary Education, Odisha or equivalent with Diploma in GNM Course in Nursing/BSc. Nursing from any Government GNM/BSc. Nursing institutions of the State / any institutions run by PSUs/any other recognized private Institutions duly approved by Indian Nursing Council and examination conducted by State Nursing and Midwives Examination Board.
- (x) be of good mental condition and health and free from any physical defect likely to interfere with the discharge of her/his normal duties in the service. A candidate, who after such medical examination as the Government may prescribe, is not found to satisfy these requirements shall not be appointed to the service.
- (xi) have registered her/his name in Nursing Council in the State and have possessed valid Registration Certificates as on the date of advertisement.

10. Select List for appointment by way of direct recruitment:— (1) The Commission shall prepare a select list of successful candidates in order of merit on the basis of written test which shall be equal to number of advertised vacancies as a whole indicating therein the names of respective Appointing Authorities under whom the appointment shall be made subject to fulfilment of all formalities.

If two or more candidates secure equal marks then the candidate securing higher percentage (%) of Marks in Diploma in GNM/BSc. Nursing shall find place above the others in the merit list and in case percentage (%) of Marks obtained in Diploma in GNM/BSc. Nursing is also the same, the candidate older in age shall be placed above the younger; and in case the age is also the same, the candidate who secures more marks in +2 in any stream or equivalent Examination shall find the place above the others.

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DY - Secretary

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(2) The list of successful candidates drawn in order of merit shall be published in the Notice Board of the Commission as well as in website and in two leading local newspapers.

(3) The Commission shall forward the list of successful candidates to the Government according to the exact number of requirement received earlier for the purpose.

(4) The Appointing Authority shall issue appointment orders in respect of the selected candidates posting them in the respective medical Units subordinate to him where vacancies are available.

(5) Appointment to the post in service shall be made in the order in which their names appear in the select list.

(6) The List recommended by the Commission shall remain valid for one year from the date of issue by the Commission or until another list is prepared afresh whichever is earlier.

PART- IV PROMOTION

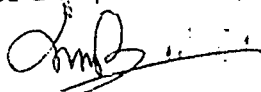
11. Eligibility Criteria for Promotion:—The Eligibility Criteria for Promotion in the Nursing Service shall be as specified in the Schedule subject to merit-cum-suitability with due regard to seniority.

12. Combined gradation list for the purpose of Promotion:— (1) For the purpose of consideration of promotion to the posts of Asst. Matron a combined gradation list of Staff Nurses of all Medical Institutions shall be prepared in the following manner:

- (a) The names shall be arranged on the basis of the year of recruitment chronologically.
- (b) In each year of recruitment the names shall be arranged as per their respective select lists.
- (c) The Staff Nurses inducted into the cadre under rule 4 shall en block be junior and placed below the persons appointed prior to their induction.
- (d) Names of the Staff Nurses inducted under rule 4 shall be arranged in order of their date of joining in contractual service under the society/scheme. If the date of joining of two or more Staff Nurses is same then the name of the older one shall be above the younger one.

(2) For the purpose of consideration of promotion to the posts of Matron and Chief Matron the gradation list of Asst. Matron and Matron shall be prepared separately by the Administrative Department on the basis of gradation list of Staff Nurses prepared and finalized by the Administrative Department.

13. Constitution of Departmental Promotion Committee:— (1) There shall be constituted a Departmental promotion committee with the following members to consider


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H & FW Dept

the case of promotion to the post of Assistant Matron, Matron and Chief Matron shall be constituted with the following members, namely:—

- (a) Secretary to Govt., Health & Family Welfare : Chairman
Department
- (b) Special Secretary (T) to Govt., Health & Family : Member
Welfare Department
- (c) Director, Nursing, Odisha : Member
- (d) Additional Secretary/Joint Secretary to Govt., : Member
Health & Family Welfare Department in charge
of respective Establishment
- (e) Representative of ST&SC Development : Member
Department not below the rank of Jt. Secretary
to Govt.
- (f) Deputy Secretary/Under-Secretary to Govt. in : Member Convener
charge of respective Establishment

(2) The recommendation of committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the members so absents must have been duly invited to attend the meeting of the committee and the majority of members of the Committee attended the meeting.

14. Procedure for Selection by the Committee:— (1) The Committee shall meet at least once in a year preferably in the month of January to prepare a list of employees found suitable for promotion to the next higher post taking into account the existing vacancies and the anticipated vacancies of the year in which the Departmental Promotion Committee meets.

(2) The Committee while considering the promotion cases of suitable officers/employees and preparation of the list shall follow the provisions of:

- (a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder.
- (b) the Rights of Persons with Disabilities Act, 2016 and the rules made, instructions issued thereunder.
- (c) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
- (d) the Odisha Civil Services Criteria for Promotion) Rules, 1992, and
- (e) the Odisha Civil Services (Criteria for Selection for Appointment including Promotion) Rules, 2003.

[Signature]
DY-Secretary
H&FW Dept

15. **Select List for appointment by way of Promotion:**— (1) The Committee shall forward the list of the employees so prepared under rule 12 to the Appointing Authority for approval and after receiving the approval the same shall form the select list.

(2) The select list shall ordinarily be in force for a period of one year from the date of its approval by the Appointing Authority or until another select list is prepared and approved whichever is earlier within the same year.

(3) Appointment to any post in the service shall be in the order in which their names appear in the select list.

PART-V

OTHER CONDITIONS OF SERVICE.

16. **Probation and Confirmation:**— (1) Every person appointed to post in the service by direct recruitment shall be on probation for a period of two years and when appointed on promotion shall be on probation for a period of one year from the date of joining in the post:

Provided that the Appointing Authority may, if thinks fit, in any case or class of cases may extend the period of probation, but in no case it shall be more than a year.

Provided further, that such period of probation shall not include the period of

- (a) extraordinary leave;
- (b) unauthorized absence; and
- (c) any other period held to be not being on actual duty.

(2) The appointment of a probationer coming through direct recruitment may for good and sufficient reasons to be recorded in writing, be terminated by Appointing Authority at any time without previous notice during the period of probation and in case of the employee who has been appointed by way of promotion shall deem to be reverted to her/his former cadre.


(3) A probationer after completion of the period of probation to the satisfaction of Government shall be eligible for confirmation subject to availability of substantive vacancy in the service.

17. **Inter se-seniority:**— (1) The *inter-se-seniority* of the persons appointed through direct recruitment under rule-5(a) in the service in a particular year shall be in the order in which their names appear in the select list.

(2) Staff Nurses inducted under rule 4 shall en bloc be junior to the Staff Nurses existing under the respective Medical Institutions on the date of commencement of these rules.

(3) Seniority of Staff Nurses inducted under rule 4 shall be determined taking into account their date of joining in the contractual service under the Society/Scheme.

18. **Other conditions of service:**— The Conditions of service in regard to matters not covered by these rules shall be the same as are or as may from time to time be prescribed by the State Government.


Dy - Secretary
H&FW

PART- VI
MISCELLANEOUS

19. Relaxation:— Where it is considered by the Government that it is necessary or expedient so to do in public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of employees.


20. Interpretation:— If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Government, whose decision thereon shall be final.

SCHEDULE
[See rules-3, 9 & 11]

Sl. No.	Nomenclature of the Post	Method of Recruitment	Minimum qualification	Eligibility Criteria for Promotion
(1)	(2)	(3)	(4)	(5)
1	Chief Matron	Promotion from Matron		3(Three) years of continuous service as Matron
2	Matron	Promotion from Asst. Matron		7(Seven) years of continuous service as Asst. Matron
3	Assistant Matron	Promotion from Staff Nurse		10(Ten) years of continuous Service as Staff Nurse
4	Staff Nurse	Direct Recruitment	+2 in the 10+2 System or its equivalent with Diploma in GNM/ BSc. Nursing from any Medical College and Hospitals of the State /any other institutions duly recognized and approved by Indian Nursing Council.	

By Order of the Governor

MADE COM. 12/12/2020


DY-Secretary
Hd Fw Dept

Dr. PRAMOD KUMAR MEHERDA
Commissioner-cum-Secretary to Government

- 134 -

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1476, CUTTACK, SATURDAY, NOVEMBER 28, 2020/MARGASIRA 7, 1942

HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

The 4th November, 2020

No. 25029—PT1-HFW-MSIII-MSNG3M-0035/2016/H&F.W.— In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Odisha is pleased to make the following rules to amend the Odisha Nursing Service (Methods of Recruitment and Conditions of Service) Rules, 2019, namely:—

1. Short Title and Commencement :- (1) These rules may be called the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Amendment Rules, 2020.

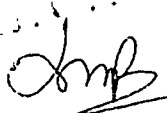
(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. In the Odisha Nursing Service (Method of Recruitment and Conditions of Service) Rules, 2019 (hereinafter referred to as the said rules); -

- (i) for the words "Staff Nurse" wherever it occurs, the words "Nursing Officer" shall be substituted.
- (ii) for the words "Assistant Matron" wherever it occurs, the words "Assistant Nursing Superintendent" shall be substituted.
- (iii) for the words " Matron" wherever it occurs, the words " Deputy Nursing Superintendent" shall be substituted.
- (iv) for the words "Chief Matron" wherever it occurs, the words "Nursing Superintendent" shall be substituted.

3. In the said rules, in rule 4, for sub-rule (1) excluding the proviso following sub-rule shall be substituted, namely:-

(1) On the date of commencement of these rules, all the contractual Nursing Officers who have been duly recruited by the concerned Societies/Schemes for working in different fixed Healthcare Facilities only against


Dy-Secretary
H & FW Dept

125

the posts approved or sanctioned by the Government in the Programme Implementation Plan (PIP)/ Action plan of concerned Society or Scheme and have completed 6 (six) years of satisfactory contractual service shall be deemed to be regular Government Employees as one time measure subject to fulfillment of eligibility criteria as prescribed under rule 5."

4. In the said rules, in rule 8, after sub-rule (4), the following sub-rule shall be inserted, namely:-

"(5)- The competitive examination shall be based on written test in the following manner, namely :-

- (a) Written test shall carry 100 marks comprising of objective type (multiple choice) questions only and the examination shall be of 2 hours duration.
- (b) There shall be negative marking for each wrong answer and for each wrong answer 0.25 marks shall be deducted from the marks awarded for correct answers.
- (c) 60% of the questions shall be based on the subjects taught in the syllabus, 25% of the questions shall be based on practical skills, 10% of the questions shall be on Arithmetic and 5% of the questions on English of High School Certificate standard.

5. In the said rules, in rule 9, in the second proviso, to clause (ii), for the figure "50", the figure "45" shall be substituted.

6. In the said rules, in rule 12, for sub-rule (2) the following sub-rules shall be substituted, namely :-

"(2) The gradation list of Nursing Officers shall be prepared by the Director, Nursing for consideration of their promotion to the level of Assistant Nursing Superintendent after consolidating the district wise lists.

(3) The gradation list of Assistant Nursing Superintendents shall be prepared by the Director, Nursing after obtaining the list from the districts.

(4) The gradation list of the Deputy Nursing Superintendents and Nursing Superintendents shall be prepared by the Director, Nursing on the basis of gradation list prepared and finalised for Asst. Nursing Superintendent and Deputy Nursing Superintendent respectively by the Director, Nursing.

(5) The gradation list of Assistant Director, Nursing (Clinical), Deputy Director, Nursing (Clinical) and Joint Director, Nursing (Clinical) shall be prepared by the Administrative Department in consultation with the Director, Nursing by 1st January of every year".

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DY - Secretary
H & FW Dept

7. In the said rule, in the rule 13 for sub-rule (1), the following sub-rule shall be substituted, namely :-

13(1) (A)- There shall be constituted a Departmental promotion Committee with the following members to consider the case of promotion to the post of Assistant Director, Nursing (Clinical), Deputy Director, Nursing (Clinical) and Joint Director, Nursing (Clinical) :


- | | |
|--|-------------------|
| (a) Secretary to Government,
Health & Family Welfare Department | : Chairman |
| (b) Special Secretary (T) to Government
Health & Family Welfare Department | : Member |
| (c) Director, Nursing, Odisha | : Member |
| (d) Additional Secretary/ Joint Secretary to Government
Health & Family Welfare Department
in charge of respective Establishment | : Member |
| (e) Representative of ST & SC Development
Department not below the rank of
Joint Secretary to Government | : Member |
| (f) Deputy Secretary/ Under Secretary
to Government in charge of respective
Establishment | : Member Convener |

(B)- There shall be constituted a Departmental promotion Committee with the following members to consider the case of promotion to the post of Assistant Nursing Superintendent, Deputy Nursing Superintendent and Nursing Superintendent, namely :-

- | | |
|---|-------------------|
| (a) Director, Nursing | : Chairman |
| (b) Representative of ST & SC Development Department
Not below the rank of Joint Secretary to Government | : Member |
| (c) Deputy Secretary/ Under Secretary to Government
in charge of respective Establishment | : Member |
| (d) Additional Director/Joint Director, Nursing | : Member Convener |

8. In the said rules, in rule 17, for the figure, bracket and letter "5(a)", the figure, bracket and letter "6(a)" shall be substituted.

9. In the said rules, for the Schedule appended thereto, the following Schedule shall be substituted, namely :-


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 H & FW

Schedule

[See rule 3, 9 & 11]

Sl. No	Nomenclature of the Post	Method of Recruitment	Minimum Qualification	Eligibility Criteria for Promotion
(1)	(2)	(3)	(4)	(5)
1	Nursing Officer	Direct Recruitment	+2 in the 10+2 System or its equivalent with Diploma in GNM/BSC Nursing from any Medical College and Hospitals of the State/any Other institutions duly recognised and approved by Indian Nursing Council.	
2	Assistant Nursing Superintendent	Promotion from Nursing Officer		Must have completed 10 (Ten) years of continuous regular service as Nursing Officer as on the 1st day of January of the year in which the Committee meets.
3	Deputy Nursing Superintendent	Promotion from Assistant Nursing Superintendent		Must have completed 2 (Two) years of continuous service as Assistant Nursing Superintendent as on the 1st day of January of the year in which the Committee meets.

DMB
 Dy - Secretary
 +15 PW Dept

(1)	(2)	(3)	(4)	(5)
4	Nursing Superintendent	Promotion from Deputy Nursing Superintendent		On the basis of merit and suitability with regard to seniority with good professional record.
5	Assistant Director, Nursing (Clinical)	Promotion from Nursing Superintendent		On the basis of merit and suitability with regard to seniority with good professional record.
6	Deputy Director, Nursing (Clinical)	Promotion from Assistant Director, Nursing.		On the basis of merit and suitability with regard to seniority with good professional record.
7	Joint Director Nursing (Clinical)	Promotion from Deputy Director, Nursing(Clinical)		On the basis of merit and suitability with regard to seniority with good professional record.

By Order of the Governor

P. K. MAHAPATRA

Additional Chief Secretary to Government

[Handwritten Signature]

Dy-Secretary
H & FW Dept

- 139 -

ANNEXURE-15

ODISHA SUB-ORDINATE STAFF SELECTION COMMISSION

ଓଡିଶା ଅଧିକାରୀ କର୍ମଚାରୀ ଚୟନ ଆୟୋଗ

ବ୍ଲକ୍ ନଂ - 3 ଏବଂ 5, ପ୍ଲଟ୍ ନଂ - 1, ଭୁବନେଶ୍ୱର - 751009

ଦୂରଭାରତ - 0674-2597149, 2597152 (ଅଭିଭାବକ) : www.osscc.gov.in

NOTICE

No. IIE- 52/2023 - 658 (C)/OSSSC

Date - 09.08.2023

Conduct of verification of original documents for the post of Nursing Officer-2023

In pursuance of this Commission's Advertisement No. IIE-01/2023-459(C)/OSSSC dt.21.01.2023, the verification of original documents and validation of Biodata of the Candidates as at Annexure-1 for the post of Nursing Officer-2023 shall be conducted w.e.f. 21.08.2023 in the office of the Chief District Medical and Public Health Officer (CDM & PHO) of each district as per schedule.

All the aforesaid candidates are mandatorily required to attend the document verification process before the District Level Board as per the schedule & venue given in their Intimation Letters. If any candidate fails to attend document verification process, his/her candidature shall be rejected and he/she shall not be allowed to participate in the recruitment process any further.

It is also made clear that candidature of the candidates for this recruitment is purely provisional. The candidature is liable for rejection in the event of inadequacy/deficiency found at any stage. Mere participation in the document verification process does not confer any right upon the candidate for appointment.

The candidates are advised to download the Intimation Letters by logging in the web portal of the Commission www.osscc.gov.in with their User ID and Password for document verification.

No hardcopy of Intimation Letter will be sent to any candidate by post.

The candidates are advised to visit the website of the Commission at regular intervals for updates.

By order of the Commission

Annexure-1: Roll Number of the candidates

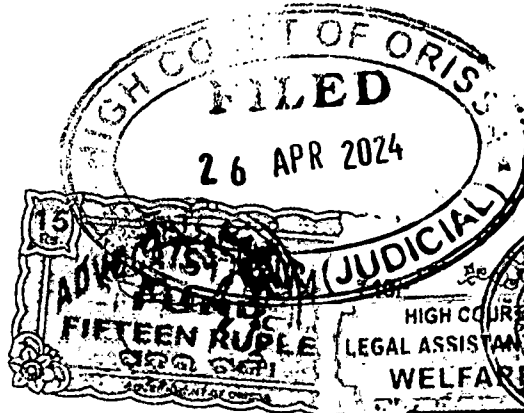
Secretary
9/8/23

Memo No. 659 (C)/OSSSC Dt. 9.8.2023

Copy to OSSSC Notice Board for affixing and wide publicity.

Copy forwarded to Sri Anurag Prasad Senior Scientist-F, NIC, Bhubaneswar & Technical Consultant, OSSSC for information with a request to host the same and upload Intimation Letters in the Commission's website for information of the candidates.

Secretary
9/8/23



IN THE HIGH COURT OF ORISSA, CUTTACK

W. A. NO. 1013 OF 2024

State of Odisha Petitioner (s) / Appellant (s)

-VERSUS-

Narmada & Les & Opp. Party (ies) / Respondent (s)
Oth

APPEARANCE MEMO

I do hereby enter my appearance in the above noted case on behalf
of the State of Odisha.

CUTTACK

DATE: 26/4/24



ADDL. GOVT. ADVOCATE

ADDL. STANDING COUNSEL

KARUNAKAR DAS

ADDL. STANDING COUNSEL

ENRL. NO. O-362/1999

MOB-8917233161

E-MAIL- karunakardasadv@gmail.com

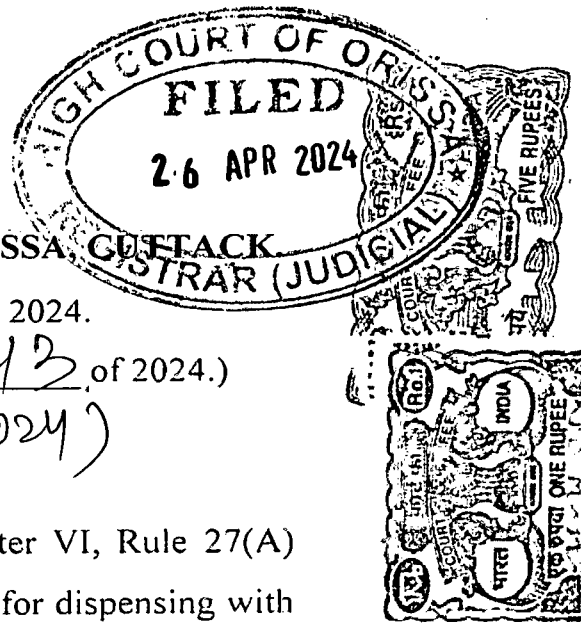
KARUNAKAR DAS

ADDL. STANDING COUNSEL

ENRL. NO-O-3626/1999

MOB-8917233161

E-MAIL- karunakardasadv@gmail.com



IN THE HIGH COURT OF ORISSA, CUTTACK.

I.A. NO. 2399 OF 2024.

(Arising out of W.A. No. 1013 of 2024.)

(D-WA-18900/2024)

In the matter of :

An application under Chapter VI, Rule 27(A)
of Orissa High Court Rules for dispensing with
filing of certified copy of Order dtd.06.04.2024
passed in CONTC No. 9525 of 2023;

AND

In the matter of:

State of Odisha and others

... PETITIONERS

-VERSUS-

Narmada Das and others OPP. PARTIES.

To

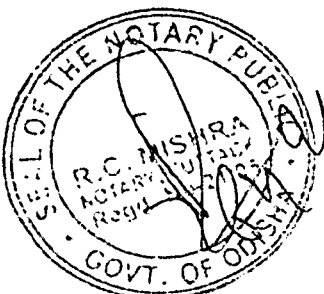
The Hon'ble the Chief Justice of High Court of
Orissa and His Lordship's Companion Justices of the
said Hon'ble Court.

The humble petition of the
Petitioners named above;

MOST RESPECTFULLY SHEWETH: -

1. That above writ appeal is filed against the Order
dtd.06.04.2024 passed in CONTC No. 9525 of 2023 in
which the Hon'ble Single Judge was pleased to reject
the compliance Affidavit filed by present petitioner and
further directed to file fresh compliance Affidavit.

2. That the facts and grounds stated in the writ
appeal may kindly be read and treated as part of this
Interim application for better appreciation of facts and
grounds.



Ray
Saty Narayan

3. That in support of the claim the petitioner has relied upon various documents including the order of this Hon'ble Court dated dtd.06.04.2024 passed in CONTC No. 9525 of 2023 under Annexure -13.

4. That due to non-availability of the certified copy of the order, the petitioner has filed the downloaded copy of the aforesaid order being duly attested and the same has been filed herewith for reference. Filing of the certified copies of the said Annexure-1 may kindly be dispensed with for the time being.

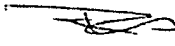
5. That in the interest of justice filing of the certified copy of Annexure - 13 may kindly be dispensed with for the time being in the facts and circumstances narrated above.

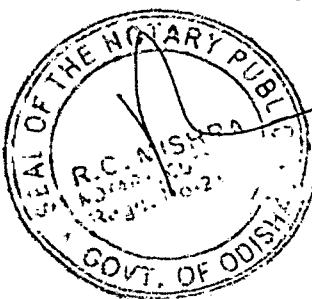
P R A Y E R.

The petitioners, therefore, prayed that this Hon'ble Court may kindly be graciously pleased to allow this petition, dispense with filing of certified copy as under Annexure - 13 for the time being in the facts and circumstances narrated above in the best interest of justice.

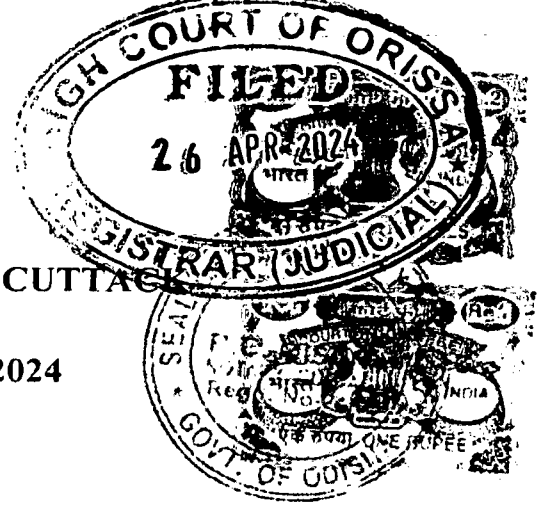
And for this act of kindness the petitioners as in duty bound shall ever pray.

Cuttack.
Date 06.04.2024.

By the Petitioner through,

Addl. Standing Counsel



Copy sent to



IN THE HIGH COURT OF ORISSA, CUTTACK

W.A. No. 1013 of 2024

In the matter of :

State of Odisha & Ors

...Appellants/Petitioners

-Versus-

Narmada Das & others

...Respondents/Opposite Parties

AFFIDAVIT

1. Satyanarayan Ray, aged about 56 Years presently working as Dy. Secretary to Government, H&FW Department, Odisha duly authorized to swear this affidavit on behalf of appellants.

2. Father's Name : Late Sarat Chandra Ray

3. Number of proceedings pending in the High Court or would be instituted (Caveat) : NO

4. Statement of Facts : As per averments in the I.A. as well as Writ Appeal.

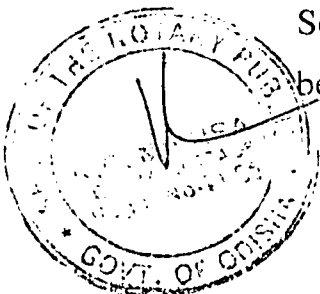
5. The facts stated are true to the best of knowledge and belief of the deponent.

DECLARATION

I Shri Satyanarayan Ray, aged about 56 Years, son of Late Sarat Chandra Ray, presently working as Dy. Secretary to Government, H&FW Department, Odisha being the Deponent/Appellant above named do hereby

Ray
Saty-narayan

[Signature]



solemnly affirm that facts stated in Paragraph 1 to 5 are to my own knowledge and are true to the best of my information which I obtain from the personal sources.

I believe the information to be true for the following reasons: Basing upon official records and information.

Solemnly declare at the above said this 26th day of April, 2024.

Identified by

Mohar Behera
A/C AG Office

Satyen Narayan Ray

DEPONENT

Deputy Secretary,
Health & F. W. Deptt.

Solemnly affirm before me by Satyen Narayan Ray
who is identified before me by Mohar Behera
whom I personally know.

This the 26th day of April, 2024.

Cuttack

Date 26/4/24

OATH COMMISSIONER/
NOTARY PUBLIC, CUTTACK

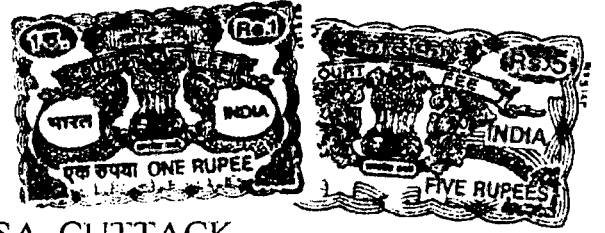
CERTIFICATE

Certified that cartridge papers are not available.
Cuttack

Date: 26.04.2024.

ADDL. STANDING COUNSEL

KARUNAKAR DAS
ADDL. STANDING COUNSEL
ENRL NO-O-3626/1999
MOB-8917233161
E-MAIL- karunakardasadv@gmail.com



IN THE HIGH COURT OF ORISSA, CUTTACK

I.A. No. 2400 of 2024

(Arising out of W.A. No. 1013 of 2024)

(D-WA-18900/2024)

In the matter of :

An application for stay under Rule 27(a)
of Chapter- VI of the Orissa High Court
Rules;

And

In the matter of :

State of Odisha & Ors.

...Appellants/Petitioners

-Versus-

Narmada Das & Others

...Respondents/Opposite Parties

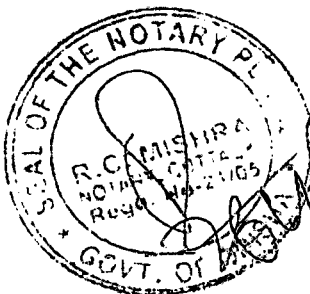
To

The Hon'ble Acting Chief Justice and His
Lordships companion justices of the
Hon'ble High Court of Orissa.

The humble petition of the above
named Appellants/petitioners;

MOST RESPECTFULLY SHEWETH:

1. That the Appellants/petitioners have filed the
accompanying writ Appeal challenging the order dated
06.04.2024 passed in CONTC No. 9525 of 2023
under Annexure-13.



Gity narayan Ray

2. That the averments made in the Writ Appeal may form a part of this application.
3. That the Appellants/petitioners have a prima-facie case to succeed and the balance of convenience lies in favour of the Appellants/Petitioners.
4. That unless operation of the order under Annexure-13 dated 06.04.2024 is stayed, the appellants/ petitioners will sustain irreparable loss and injury.

PRAYER

Under these circumstances, the appellants/ petitioners most humbly pray that this Hon'ble Court be graciously pleased to stay operation of the order under Annexure-13 dated 06.04.2024 passed in CONTC No. 9525 of 2023 pending disposal of the accompanying writ appeal;

And for this act of kindness, the appellants/ petitioners shall as in duty bound ever pray.

By the appellants/petitioners through

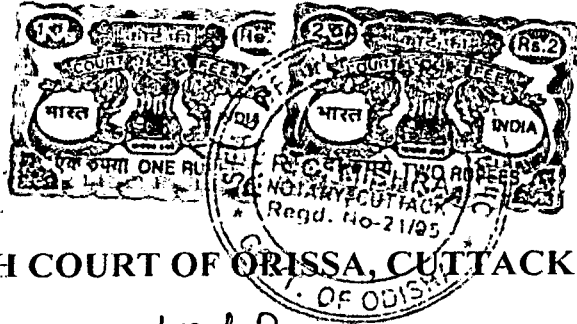
Cuttack

Date : 26.04.2024


Addl. Standing Counsel



Saty Navaya Ray



IN THE HIGH COURT OF ORISSA, CUTTACK

W.A. No. 1013 of 2024

In the matter of :

State of Odisha & Ors

...Appellants/Petitioners

-Versus-

Narmada Das & others

...Respondents/Opposite Parties

AFFIDAVIT

1. Satyanarayan Ray, aged about 56 Years presently working as Dy. Secretary to Government, H&FW Department, Odisha.

2. Father's Name : Late Sarat Chandra Ray

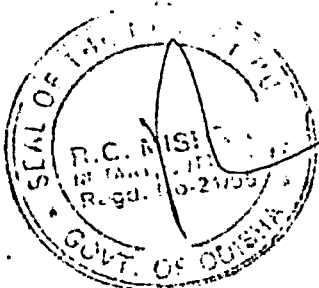
3. Number of proceedings pending in the High Court or would be instituted (Caveat) : NO

4. Statement of Facts : As per averments in the I.A. as well as Writ Appeal.

5. The facts stated are true to the best of knowledge and belief of the deponent.

DECLARATION

I Shri Satyanarayan Ray, aged about 56 Years, son of Late Sarat Chandra Ray, presently working as Dy. Secretary to Government, H&FW Department, Odisha



Saty Narayan Ray

being the Deponent/Appellant above named do hereby solemnly affirm that facts stated in Paragraph 1 to 5 are to my own knowledge and are true to the best of my information which I obtain from the personal sources.

I believe the information to be true for the following reasons: Basing upon official records and information.

Solemnly declare at the above said this ^{26th} day of April, 2024.

Identified by

Mohar Behar
A.C AG's office

Saty Narayan Ray
DEPONENT

Deputy Secretary,
Health & F. W. Deptt.

Solemnly affirm before me by Satyam Narayan Ray
who is identified before me by M. Behar A.C AG's office
whom I personally know.

This the 26th day of April, 2024.

Cuttack

Date : 26/4/24

OATH COMMISSIONER/
NOTARY PUBLIC, CUTTACK

CERTIFICATE

Certified that cartridge papers are not available.
Cuttack

Date: 26.04.2024.

ADDL. GOVT. ADVOCATE
KARUNAKAR DAS
ADDL. STANDING COUNSEL
ENRL NO-O-3626/1999
MOB-8917233161
E-MAIL- karunakardasadv@gmail.com

SCA



**COMPUTERISED FILING COUNTER
ORISSA HIGH COURT,CUTTACK
ACKNOWLEDGEMENT SLIP**

Seat No :

Branch No :

Receipt No : 57619/2024

Date Of Receiving : 01/05/2024

Time : 11:49:49 AM

Filing No : D- **WA 18900/2024**

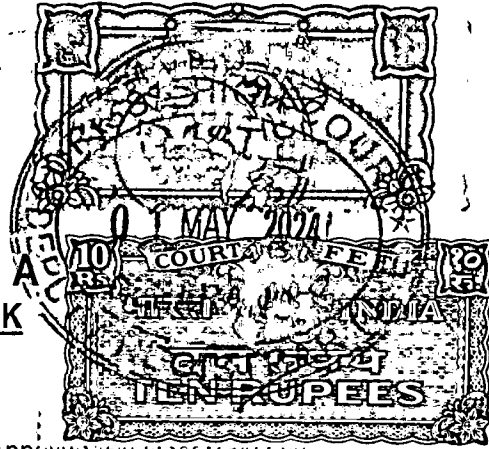
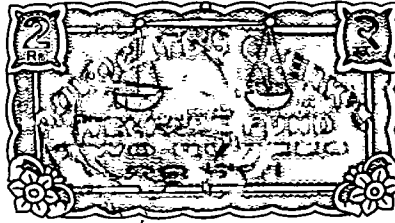
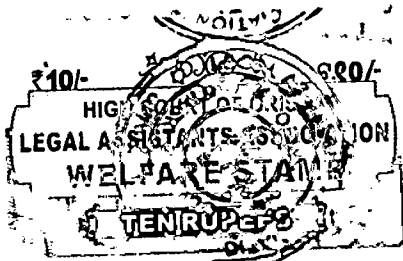
Case No : **WA /0**

Received From : Respondent (1)

Filed By: M/S SAIBRATA RATH

Document(s) Filed :

1- Vakalatnama --- Court Fee -Rs.12 (14341/2024)



FORM OF VAKALATNAMA
IN THE HIGH COURT OF ORISSA, CUTTACK

D-WA No. 18900 of 2024

State of Odisha & others
VERSUS
Narmada Das & others

Respondent/Opp. Party/Defendant

Know all men by these presents that by this Vakalatnama

I/We ~~Narmada Das~~ Narmada Das, aged about 30
years, D/o. Adhikanda Das, AT oda
P.O. Mahanga, Dist Cuttack.

Appellant/Respondent/Petitioner/Opposite Party the aforesaid Revision/Appeal case do hereby appoint and retain
SAIBRATA RATH, A.BEHERA, S.K.BEHERA, S.DAS, P.K.BASANTIA, A.ROUT, A.MOHANTY, T.N.ROUT, V.MISHRA, S.CHANDAN Advocate(s) to appear for me/us in the above case and conduct and prosecute (or defend) the same and all proceedings that may taken in respect of any application connected with the same, or any decree or order, passed therein including all applications for return of documents or receipt of any money that may be payable to me/us in the said case and also in applications for to review, appeals under Orissa High Court Order and in application for leave to appeal to Supreme Court. I/We authorize my/our Advocate(s) to admit any compromise lawfully in the said case.

Dated 28/4/2024
Received from the executants (s) satisfied
and accepted as I hold No brief for the other side

Advocate
SAIBRATA RATH
Enrollment No.- (O) 971/2019
Mob. 9938899318
saibratarathadv@gmail.com

Advocate
SURAJIT KUMAR BEHERA
Enrollment No. (O) 466/2013
Mob. 9938354770

Advocate
PRADIPTA KUMAR BASANTIA
Enrollment No. (O) 115/2022
Mob. 8895013871

Advocate
ANKIT MOHANTY
Enrollment No. (O) 1374/2023
Mob. 7978109614

Advocate
VARSHA MISHRA
Enrollment No. (O) 442/2022
Mob. 9437233184

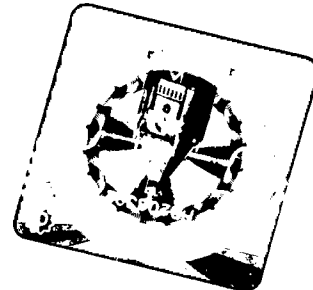
Advocate
ADHIRAJ BEHERA
Enrollment No.- (O) 616/2008
Mob. 9438032731

Advocate
SHRADHA DAS
Enrollment No. (O) 959/2018
Mob. 7978134166

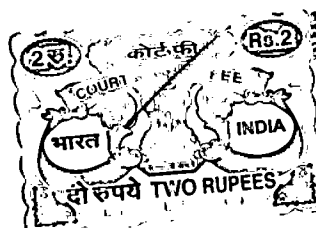
Advocate
AROMA ROUT
Enrollment No. (O) 1048/2021
Mob. 7008638428

Advocate
T.NRUSINGHA ROUT
Enrollment No. (O) 359/2014
Mob. 9438061728

Advocate
SIDHANT CHANDAN
Enrollment No.- (O) 556/2019
Mob. 9853100763



Narmada Das.
SIGNATURE OF EXECUTANT(S)



SCANNED

**COMPUTERISED FILING COUNTER
ORISSA HIGH COURT,CUTTACK
ACKNOWLEDGEMENT SLIP**

Seat No : 6

Branch No : WRIT APPEAL

Receipt No : 60134/2024

Filing No : D- **WA 18900/2024**

Case No : **WA 1013/2024**

Received From : Respondent (2 TO 8)

Filed By: M/S BUDHADEV ROUTRAY (SENIOR ADVOCATE)

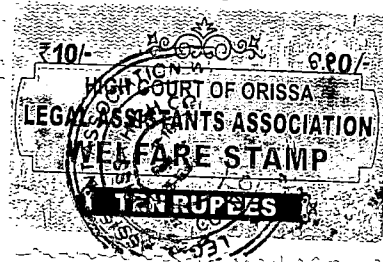
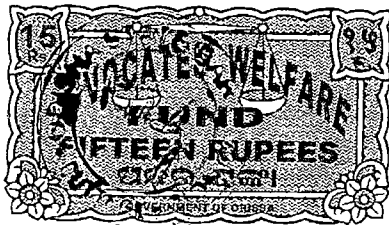
Document(s) Filed :

2- Appearance Memo

3- Vakalatnama --- Court Fee -Rs.12 (15007/2024)

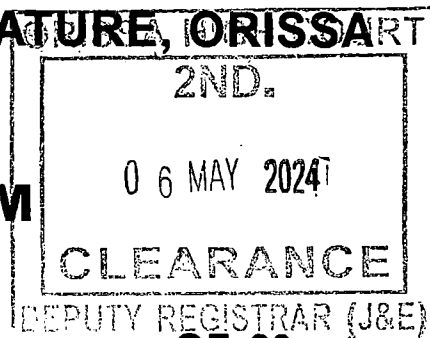
Date Of Receiving : 06/05/2024

Time : 03:07:15 PM



IN THE HIGH COURT OF JUDICATURE, ORISSA
CUTTACK

MEMORANDUM



W A No. 1013

OF 2024

State of Orissa & ors

Appellant (s)

Petitioner (s)

VERSUS

Narmada Das & ors

Respondent (s)

Opposite Party (s)

To

The Deputy Registrar,
High Court of Orissa, Cuttack

Sir,

I have the honour to authorise **Sri BUDHADEV ROUTRAY** Senior Advocate to plead on behalf of the Respondent Nos. 1 to 8 in the above mentioned case and request that the fact may kindly be noted.

Date 06/05/24

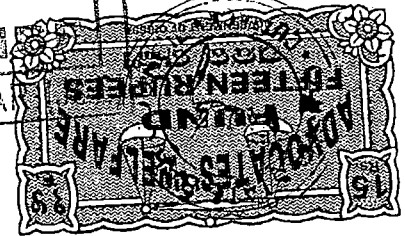
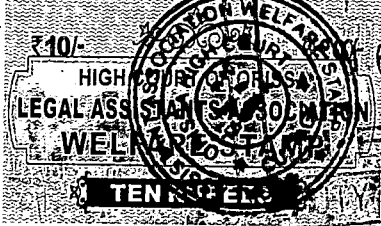
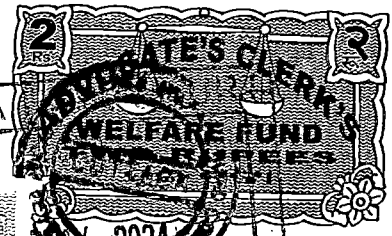
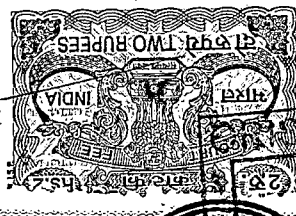
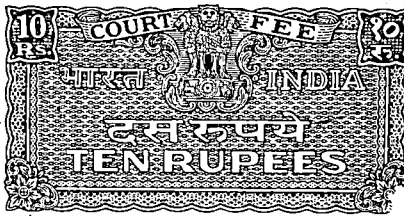
Yours faithfully

ADVOCATE

I agree

(BUDHADEV ROUTRAY)
SENIOR ADVOCATE





15007

FORM OF VAKALATNAM
IN THE HIGH COURT OF ORISSA, CUTTACK

BETWEEN State of Orissa & Orissa Jot **Appellant/Petitioner**

- Versus -

Narmada Das

Respondent/Opp. Party

Know all men by these Presents, that by this VAKALATNAMA,

I/We (2) Lile Swain (3) Mamata Swain (4) Sumitra Swain (5) Rajashree Pradhan (6) Rajalini Nayak (7) Jalanchhar Pradhan (8) Vishal Dash (9) S.K. Samal (10) A.K. Das (11) Munmun Panda (12) Jagdish Biswal (13) Shakti Sekhar (14) Binodini Singh (15) Subhadutta Routray (16) S.P. Nath (17) A.K. Das (18) Munmun Panda (19) Jagdish Biswal (20) Shakti Sekhar (21) Binodini Singh (22) Subhadutta Routray (23) S.P. Nath (24) A.K. Das (25) Munmun Panda (26) Jagdish Biswal (27) Shakti Sekhar (28) Binodini Singh (29) Subhadutta Routray (30) S.P. Nath (31) A.K. Das (32) Munmun Panda (33) Jagdish Biswal (34) Shakti Sekhar (35) Binodini Singh (36) Subhadutta Routray (37) S.P. Nath (38) A.K. Das (39) Munmun Panda (40) Jagdish Biswal (41) Shakti Sekhar (42) Binodini Singh (43) Subhadutta Routray (44) S.P. Nath (45) A.K. Das (46) Munmun Panda (47) Jagdish Biswal (48) Shakti Sekhar (49) Binodini Singh (50) Subhadutta Routray (51) S.P. Nath (52) A.K. 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List this matter
in tomorrow (16/05/24)
B.O.
15/05/24
H.G. Gov

IN THE HIGH COURT OF ORISSA: CUTTACK.

MENTION MEMO

1. Number of the Case : W.A No
W.P.(C) No. 1013 OF 2024
2. Name of the Parties: :

State

PETITIONER.

-Versus-

r/s mada Das

OPP.PARTIES.

3. Party seeking posting : ☒ Petitioner/ Opp.Party.
4. Name of the Counsel of the Party seeking posting : Manas Kumar Swain. AGA
5. Name of the counsel for the Opp. Parties : Govt. Counsel. Put Counsel
6. Mention for : ☒ Fresh Admission / Orders
Admission/Hearing.
7. Reason for the mention

The W.A is preferred against the order passed in a Contempt proceeding. The Contempt case is posted to 17.05.24

8. Date on which posting is sought : Tomorrow

9. Whether any Caveat has been filed or not: Y

10. Indicate whether the matter is in

the list before any other Bench

CUTTACK.

DATE:

SIGNATURE OF THE ADVOCATE

AGA

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.177 of 2024

Registrar, Biju Patanaik University of Technology, Rourkela *Appellant*

Mr. Subir Palit, Senior Advocate
assisted by Miss A. Pradhan, Advocate

-versus-

Dr. Prasana Kumar Mishra & others *Respondents*

Mr. Budhadev Routray, Senior Advocate
assisted by Mr. J. Biswal, Advocate

CORAM:

THE CHIEF JUSTICE

MR. JUSTICE MURAHARI SRI RAMAN

ORDER

05.03.2024

Order No.

02.

This matter is taken up through Hybrid mode.

2. The appellant, Biju Patnaik University of Technology, Rourkela, in the present intra-court appeal has put to challenge an order dated 07.02.2024 passed by a learned Single Judge of this Court in CONTC No.1383 of 2017 arising out of CONTC No.1368 of 2016 disposed on 09.12.2016 and W.P.(C) No.11148 of 2005 disposed on 01.12.2015.

3. It transpires from the averments made in the present intra-court appeal and other materials on record that respondent No.1 had filed the writ petition i.e. W.P.(C) No. 11148 of 2005 seeking his regularization in service, which came to be disposed of on 01.12.2015 with the following observations and directions:

"22. In that view of the matter, this Court is of the considered view that the opposite parties should absorb the petitioner on regular basis against sanctioned vacant post taking into account the length of service rendered by him as a Lecturer in Mathematics in which he is continuing without insisting him to undergo the rigors of the selection procedure laid down under the BPUT Act and Rules framed thereunder reason being in the meantime the petitioner has become over aged and he has also been exploited for 20 years for no reasons though he has qualified in all the interviews conducted by the authority for his engagement on contractual basis. The petitioner being not a backdoor entrant to the service, the opposite party-University should extend all consequential benefits as due and admissible in accordance with law as expeditiously as possible preferably within a period of four months.

The writ petition is allowed. No order to cost."

4. It further transpires that the matter has gone up to the Supreme Court. The Single Bench decision of this Court dated 01.12.2015 has, however, not been interfered with. Later, a contempt application was filed by the respondent No.1 which came to be disposed of by an order dated 09.12.2016 passed in CONTC No. 1368 of 2016. Respondent No.1 filed another contempt case i.e. CONTC No.1383 of 2017 wherein the order under challenge dated 07.02.2024 has been passed by the learned Single Judge, relevant portion of which reads as under:

"3. Hence, this Court as well as the Apex Court have held in catena of decisions that regularization of services should be done from the date of joining not from the date of judgment.

4. The Opposite Parties/contemnors are directed to file and affidavit in the light of the above observation on/or before 20th February, 2024."

5. The aforesaid observations came to be made by the learned Single Judge in the contempt proceeding in view of the stand of the appellant that his regularization of service ought to have been done w.e.f. the date of his initial joining against the post since he was appointed against a sanctioned post by the way of valid selection process.

6. The contempt proceeding is still pending. The University has, however, chosen to prefer the present intra-court appeal on the ground that the said interim order is in the nature of granting such relief to respondent No.1 which was not granted to him by this writ petition.

7. Mr. Subir Palit, learned Senior Counsel appearing on behalf of the appellant has placed heavy reliance on the Supreme Court's decision in the case of *Midnapore Peoples' Co-operative Bank Ltd. and others Vs. Chunilal Nanda and others*, reported in (2006) 5 SCC 399 and contended that this intra-court appeal against an interim order passed in a contempt proceeding is maintainable. To bolster his contention, he has drawn our attention to paragraph 11 of the said decision, which reads as under:

"11. The position emerging from these decisions, in regard to appeals against orders in contempt proceedings may be summarized thus:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for contempt.

II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19 of the CC Act. In special circumstances, they may be open to challenge under Article 136 of the Constitution.

III. In a proceeding for contempt, the High Court can decide whether any contempt of court has been committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of "jurisdiction to punish for contempt" and, therefore, not appealable under Section 19 of the CC Act. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 of the Act, can also encompass the incidental or inextricably connected directions.

V. If the High Court, for whatsoever reason, decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal

under Article 136 of the Constitution of India (in other cases).

The first point is answered accordingly."

8. Our attention has also been drawn to the observations made by the Supreme Court in Paragraphs 12 and 13, which read as under:

"12. We will next consider as to whether an intra-court appeal under clause 15 of the Letters Patent was available against the interlocutory order dated 20.11.1998 containing the directions on merits of the dispute. Clause 15 of the Letters Patent provides for an appeal from a 'judgment' of a single Judge in exercise of original jurisdiction, to a Division Bench. In *Shah Babulal Khimji v. Jayaben D. Kana* the scope of clause 15 of the Letters Patent was considered. This Court held:

"The concept of a judgment as defined by the Code of Civil Procedure seems to be rather narrow and the limitations engrafted by sub-section (2) of section 2 cannot be physically imported into the definition of the word 'judgment' as used in Cl. 15 of the Letters Patent because the Letters Patent has advisedly not used the terms 'order' or 'decree' anywhere. The intention, therefore, of the givers of the Letters Patent was that the word 'judgment' should receive a much wider and more liberal interpretation than the word 'judgment' used in the Code of Civil Procedure. At the same time, it cannot be said that any order passed by a trial Judge would amount to a judgment; otherwise there will be no end to the number of orders which would be appealable under the Letters Patent. It seems to us that the word 'judgment' has undoubtedly a concept of finality in a broader and not a narrower sense. In other words, a judgment can be of three kinds:

(1) A final Judgment. —

(2) *A preliminary Judgment.*—

(3) *Intermediary or interlocutory judgment.*— Most of the interlocutory orders which contain the quality of finality are clearly specified in clauses (a) to (w) of Order 43, Rule 1 and have already been held by us to be judgments within the meaning of the Letters Patent and, therefore, appealable. There may also be interlocutory orders which are not covered by Order 43, Rule 1 but which also possess the characteristics and trappings of finality in that, the orders may adversely affect a valuable right of the party or decide an important aspect of the trial in an ancillary proceedings. Before such an order can be a judgment the adverse effect on the party concerned must be direct and immediate rather than indirect or remote.

...in other words every interlocutory order cannot be regarded as a judgment but only those orders would be judgments which decide matters of moment or affect vital and valuable rights of the parties and which work serious injustice to the party concerned.

...any discretion exercised or routine orders passed by the trial Judge in the course of the suit which may cause some inconvenience or, to some extent, prejudice to one party or the other cannot be treated as a judgment, otherwise the appellate court (Division Bench) will be flooded with appeals from all kinds of orders passed by the trial Judge....

... the interlocutory order in order to be a judgment must contain the traits and trappings of finality either when the order decides the questions

in controversy in an ancillary proceeding or in the suit itself or in a part of the proceedings."

13. Clause 10 of the Letters Patent of Patna High Court (corresponding to clause 15 of the Letters Patent of Calcutta High Court) was considered by this Court in *Central Mine Planning and Design Institute Ltd. v. Union of India*. In that case, the award of an Industrial Tribunal directing reinstatement and payment of partial backwages was challenged in a writ petition before the High Court of Patna. The workman claimed interim relief under section 17-B of the Industrial Disputes Act, 1947. The learned Single Judge directed the employer to pay full wages to the workman during the pendency of the writ petition. That was challenged in a Letters Patent Appeal. The Division Bench held that the Letters Patent Appeal was not maintainable as the order directing payment under section 17-B of the I.D. Act was not a 'judgment'. Reversing the said decision, this Court held that an interlocutory order passed in a writ proceeding directing payment under section 17-B of Industrial Disputes Act, 1947 was a final determination affecting the vital and valuable rights and obligations of parties and, therefore, would fall under the category of 'intermediary or interlocutory judgment' against which a Letters Patent Appeal would lie. The following observations are relevant :

"It is now well settled that the definition of 'judgment' in section 2(9) of the Code of Civil Procedure has no application to Letters Patent...

...it follows that to determine the question whether an interlocutory order passed by one Judge of a High Court falls within the meaning of 'judgment' for purposes of Letters Patent the test is : whether the order is a final determination affecting vital and valuable rights and obligations of the parties

concerned. This has to be ascertained on the facts of each case."

9. Learned Single Judge in a contempt proceeding could not have gone beyond the scope of the direction issued in the writ proceedings, Mr. Palit contends.

10. There is no quarrel over the principle that even an interim order passed in a contempt proceeding in appropriate cases can be subject matter of challenge in an intra-court appeal under Clause- 10 of the Letters Patent of Patna High Court. However, we are of the considered opinion that it will be open for the University to take such plea as may be available to it to satisfy the Court hearing the contempt proceeding that there has not been any disobedience of any term of the orders passed by the learned Single Judge. In the present facts and circumstances of the case, we are not inclined to interfere at this stage in the present intra-court appeal.

11. This appeal is accordingly dismissed with the aforesaid observations.

(Chakradhari Sharan Singh)
Chief Justice

(M.S. Raman)
Judge

SK Jena/Secy.

Signature Not Verified

Digitally Signed
Signed by: SANJAY KUMAR JENA
Designation: SECRETARY
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 06-Mar-2024 18:33:59

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA 399

a 9. The High Court is justified in its view that there is no provision for modification of the judgment. But considering the peculiar circumstances we direct the High Court to consider the application under the Probation Act or Section 360 of the Code, as the case may be, so far as the appellant is concerned and pass the appropriate order within three months from the receipt of this order. We make it clear that we have not expressed any opinion as regards the merits.

b 10. The appeal is allowed.

(2006) 5 Supreme Court Cases 399

(BEFORE B.P. SINGH AND R.V. RAVEENDRAN, JJ.)

MIDNAPORE PEOPLES' COOP. BANK LTD.
AND OTHERS

Appellants;

c Versus

CHUNILAL NANDA AND OTHERS Respondents.

Civil Appeal No. 1727 of 2002[†] with SLPs (C) Nos. 13045-46 of 2003,
decided on May 25, 2006

d A. Contempt of Courts Act, 1971 — Ss. 19, 10 & 11 — Appeal under S. 19 against orders passed in contempt proceedings — When maintainable and when not — Remedy, if any, in case of non-appealable order/decision — Case-law discussed — Any direction issued or decision made by High Court, in contempt proceedings, on the merits of a dispute between the parties unless incidental to or inextricably connected with the order punishing for contempt, held, is not in the exercise of “jurisdiction to punish for contempt” and, therefore, not appealable under S. 19 — However, such an order can be challenged in an intra-court appeal (if the order was of a Single Judge and there was a provision for intra-court appeal) or by special leave under Art. 136 of the Constitution — High Courts — Letters Patent of Calcutta High Court, cl. 15 — Appeal under, against such orders passed in contempt proceedings as are not appealable under S. 19, Contempt of Courts Act, 1971 — Maintainability — Constitution of India, Arts. 136 and 215 — Words and phrases — “jurisdiction to punish for contempt”

f B. Contempt of Courts Act, 1971 — Ss. 10 and 11 — Contempt proceedings — Matters that can be decided in — Held, High Court can, in contempt proceedings, decide whether any contempt of court was committed, if yes, the quantum of punishment and matters incidental thereto — However, in such proceedings it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties

g — In the present case, suspended bank employee filing contempt petition for non-completion of departmental enquiry within the time-limit fixed by High Court — He impleading several parties therein as respondents — However, High Court finding a *prima facie* case to have been made out only against the enquiry officer S — High Court therefore issuing show-cause notice to S — In such circumstances, held, High Court ought to have decided whether

h

[†] From the Judgment and Order dated 26-2-2001 of the High Court of Calcutta in FMAT No. 4075 of 1998

400

SUPREME COURT CASES

(2006) 5 SCC

there was any wilful disobedience of its order by *S* and, if so, punished him for contempt — It could not in the contempt proceeding make an order that *S* had by his conduct disqualified himself to be the enquiry officer and that another enquiry officer should be appointed — Further directions that the complainant should be reinstated in service with full back wages with deemed continuity of service, that he should not be prevented from discharging his duties and that the suspension order should be deemed to have been revoked, held, not justified as they were outside the scope of contempt proceedings — Hence, set aside — Constitution of India — Art. 215 — Contempt proceedings — Scope of

The respondent was an employee of the appellant Bank and Appellants 2 and 3 herein were its Chairman and Secretary-in-Charge. The respondent was placed under suspension pending departmental enquiry. At his instance, the High Court directed the Bank to issue charge-sheet and also directed the enquiry officer to conclude the enquiry within the time specified. Consequent to such an enquiry, the respondent was found guilty. The respondent then filed another writ petition for quashing the enquiry proceedings alleging bias against the enquiry officer. On 9-4-1997, a Single Judge of the High Court allowed the writ petition and directed the Chairman of the Bank to appoint someone who was not a member of the Bank's Board of Directors as the enquiry officer. He further directed that such enquiry officer should conduct the enquiry *de novo*, and submit the report within four months (from the date of first sitting). Consequently, *S* was appointed as the enquiry officer. He started a fresh enquiry. As the enquiry was not completed within four months from the date of first sitting, the respondent moved a contempt application. The Chairman of the Bank, the enquiry officer(*S*), the previous enquiry officer and the Secretary in charge of the Bank were impleaded *eo nomine* as respondents in the said contempt petition.

On perusing the records, the Single Judge formed the view that the enquiry officer had not proceeded with due diligence. He therefore made an order dated 20-11-1998 directing that: (1) a rule be issued against *S* requiring him to show cause as to why he should not be punished for committing contempt, (2) *S* having by his conduct, disqualified himself to be the enquiry officer should cease to be the enquiry officer and that the respondents would be free to appoint a new enquiry officer, and (3) the respondent herein (petitioner before the High Court) should be reinstated in service with continuity of service and back wages and that he should not be prevented in any manner from discharging his duties. He further directed that the suspension order should be deemed to have been revoked.

The Chairman and the Secretary in charge of the Bank filed an appeal against the said order. A Division Bench dismissed the said appeal as not maintainable under Section 19 of the Contempt of Courts Act, 1971. The Division Bench further held that the appeal did not satisfy the requirements of clause 15 of the Letters Patent, and, therefore, could not be entertained as a letters patent appeal. That, moreover the appeal by the Chairman and Secretary-in-Charge *eo nomine* was not maintainable. The Bank then filed the present appeal (CA No. 1727 of 2002) by special leave.

Thereafter, the Bank filed an appeal challenging the order dated 20-11-1998 passed by the Single Judge. However, a Division Bench dismissed that appeal as time-barred. The Bank then filed the other SLPs (C) Nos. 13045-46 of 2003.

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

401

On the said facts, the following questions arose for consideration:

a (i) Where the High Court, in a contempt proceeding, renders a decision on the merits of a dispute between the parties, either by an interlocutory order or final judgment, whether the same is appealable under Section 19 of the Contempt of Courts Act, 1971? If not, what is the remedy of the person aggrieved?

(ii) Where such a decision on merits is rendered by an interlocutory order of a learned Single Judge, whether an intra-court appeal is available under clause 15 of the Letters Patent?

b (iii) Whether in the present contempt proceedings the Court could direct (a) that the employer should reinstate the employee forthwith; (b) that the employee should not be prevented from discharging his duties in any manner; (c) that the employee should be paid all arrears of salary; (d) that the enquiry officer should cease to be the enquiry officer and the employer should appoint a fresh enquiry officer; and (e) that the suspension should be deemed to have been revoked?

c Allowing CA No. 1727 of 2002 and dismissing SLPs (C) Nos. 13045-46 as infructuous, the Supreme Court

Held :

Re: Points (i) and (iii)

Re: Point (i)

d The answer to Point (i) is that the following position emerges from case-law in regard to appeals against orders in contempt proceedings:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for contempt.

e II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19. In special circumstances, they may be open to challenge under Article 136 of the Constitution.

f III. In a proceeding for contempt, the High Court can decide whether any contempt of court was committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

g IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of "jurisdiction to punish for contempt" and, therefore, not appealable under Section 19. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 can also encompass the incidental or inextricably connected directions.

h V. If the High Court decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a Single Judge and there was a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution (in other cases). (Para 11)

402

SUPREME COURT CASES

(2006) 5 SCC

D.N. Taneja v. Bhajan Lal, (1988) 3 SCC 26 : 1988 SCC (Cri) 546; *State of Maharashtra v. Mahboob S. Alibhoy*, (1996) 4 SCC 411 : 1996 SCC (Cri) 675; *J.S. Parihar v. Ganpat Duggar*, (1996) 6 SCC 291 : 1996 SCC (L&S) 1422, *relied on*

Baradakanta Mishra v. Justice Gatikrushna Misra, (1975) 3 SCC 535 : 1975 SCC (Cri) 99; *Purshotam Dass Goel v. Justice B.S. Dhillon*, (1978) 2 SCC 370 : 1978 SCC (Cri) 195, *considered*

Union of India v. Mario Cabral e Sa, (1982) 3 SCC 262 : 1983 SCC (Cri) 10, *referred to*
Re: Point (iii)

The Court by order dated 20-11-1998 came to the conclusion that a *prima facie* case was made out for issuing a show-cause notice only against S (enquiry officer). That meant that no case was made out for issue of show-cause notice to the Chairman and Secretary in charge of the Bank. In such circumstances, the Court ought to have proceeded to consider whether there was any wilful disobedience of the order dated 9-4-1997 on the part of S and if so, punish him for contempt. The Single Judge could not have made an order in the contempt proceedings that S had, by his conduct, disqualified himself to be the enquiry officer and that he should cease to be the enquiry officer and that another enquiry officer should be appointed. (Paras 19 and 20)

There was also no justification for the further direction by the Single Judge in the contempt proceedings, that too by an interlocutory order, that the complainant should be reinstated into the service of the Bank, and should be deemed to be in the service of the Bank all through, that the employee should not be prevented in any manner from discharging his duties and that he should be paid all arrears of salary within four weeks, and that the suspension order should be deemed to have been revoked. Such directions were totally outside the scope of the proceedings for contempt and amounted to adjudication of rights and liabilities not in issue in the contempt proceedings. Hence, Directions 2 and 3 and the direction relating to revocation of suspension are liable to be set aside.

[Paras 21 and 24(i)]

C. High Courts — Letters Patent of Calcutta High Court — Cl. 15 — Term “judgment” occurring in — Scope — Held, it covers not only the judgments and orders stated respectively in S. 2(9) and Or. 43 R. 1 CPC but also interlocutory orders which might have finality in regard to some collateral matter affecting the vital and valuable rights and obligations of the parties — Categories of interlocutory orders falling within and falling without the scope of the term “judgments” for the purpose of filing letters patent appeals specified — Interlocutory order passed by Single Judge, High Court in contempt proceeding, directing the complainant to be reinstated with full back wages, held, was an “interlocutory judgment” which finally decided several rights and obligations of the employee vis-à-vis the employer — Hence, appealable under cl. 15 — Words and phrases — “judgment” — Civil Procedure Code, 1908, S. 2(9) and Or. 43 R. 1

D. High Courts — Letters Patent of Calcutta High Court — Cl. 15 — Appeal under — Maintainability — Standing — Suspended bank employee filing contempt application impleading the Chairman and the Secretary in charge of the Bank *eo nomine* as respondents but not impleading the Bank — Proceeding on the basis that the said two officers of the Bank represented the Bank, Single Judge of High Court directing them to reinstate the complainant and to pay all salary arrears to him — In such circumstances

although the Bank did not file any appeal, the appeal filed by the Chairman and Secretary in charge of the Bank *eo nomine*, held nonetheless maintainable as directions were issued to them and they were persons aggrieved

Re: Point (ii)

The term "judgment" occurring in clause 15 of the Letters Patent will take into its fold not only the judgments as defined in Section 2(9) CPC and orders enumerated in Order 43 Rule 1 CPC, but also other orders which, though may not finally and conclusively determine the rights of parties with regard to all or any matters in controversy, may have finality in regard to some collateral matter, which will affect the vital and valuable rights and obligations of the parties. Interlocutory orders which finally decide: (i) a question or issue in controversy in the main case, or (ii) an issue which materially and directly affects the final decision in the main case, or (iii) a collateral issue or question which is not the subject-matter of the main case, are, therefore, "judgments" for the purpose of filing appeals under the Letters Patent. On the other hand, (i) routine orders which are passed to facilitate the progress of the case till its culmination in the final judgment, and (ii) orders which may cause some inconvenience or some prejudice to a party, but which do not finally determine the rights and obligations of the parties, are not "judgments" for the purpose of filing letters patent appeals. (Paras 15 and 16)

Shah Babulal Khimji v. Jayaben D. Kania, (1981) 4 SCC 8; *Central Mine Planning and Design Institute Ltd. v. Union of India*, (2001) 2 SCC 588 : 2001 SCC (L&S) 471; *Mithailal Dalsangar Singh v. Annabai Devram Kini*, (2003) 10 SCC 691; *Subal Paul v. Malina Paul*, (2003) 10 SCC 361, *relied on*

The order dated 20-11-1998 against which the appeal was filed, was passed by the Single Judge in the course of contempt proceedings. The Chairman and the Secretary-in-Charge were parties to such proceedings having been impleaded *eo nomine* as respondents. "The Bank" as such was not a party to the contempt proceedings. The Single Judge proceeded on the basis that the Chairman and the Secretary-in-Charge represented "the Bank" by referring to them as "the respondent Bank" and directing them to reinstate the complainant (the respondent herein) and to pay all salary arrears to him. Therefore, certainly they could file an appeal against such directions. The directions were issued to them and they were the persons aggrieved. (Para 17)

The Division Bench erred in holding that the appeal against the said order of the Single Judge having been filed by the Chairman and the Secretary in charge of the Bank *eo nomine*, and not by the "Bank" itself, was not maintainable under clause 15 of the Letters Patent. Though the order of the Single Judge dated 20-11-1998, by which several directions to the Bank with reference to the first respondent were issued, was not a final "judgment", the same was an "interlocutory judgment" which finally decided several rights and obligations of the employee vis-à-vis the employer and, was therefore, appealable under clause 15 of the Letters Patent. (Para 18)

H-M/ATZ/34339/C

Advocates who appeared in this case :

Kailash Vasdev, Senior Advocate (Parijat Sinha, Snehasish Mukherjee, S.C. Ghosh and Satish Vig, Advocates, with him) for the Appellants;
Alok Kumar, Vikas Mahajan and R.C. Kohli, Advocates, for the Respondents.

404

SUPREME COURT CASES

(2006) 5 SCC

Chronological list of cases cited

on page(s)

1. (2003) 10 SCC 691, *Mithailal Dalsangar Singh v. Annabai Devram Kini* 413d-e
2. (2003) 10 SCC 361, *Subal Paul v. Malina Paul* 413d-e **a**
3. (2001) 2 SCC 588 : 2001 SCC (L&S) 471, *Central Mine Planning and Design Institute Ltd. v. Union of India* 412g-h
4. (1996) 6 SCC 291 : 1996 SCC (L&S) 1422, *J.S. Parihar v. Ganpat Duggar* 407g, 410a-b
5. (1996) 4 SCC 411 : 1996 SCC (Cri) 675, *State of Maharashtra v. Mahboob S. Allibhoy* 407g, 409e-f
6. (1988) 3 SCC 26 : 1988 SCC (Cri) 546, *D.N. Taneja v. Bhajan Lal* 407g, 408h **b**
7. (1982) 3 SCC 262 : 1983 SCC (Cri) 10, *Union of India v. Mario Cabral e Sa* 407g
8. (1981) 4 SCC 8, *Shah Babulal Khimji v. Jayaben D. Kania* 411f-g
9. (1978) 2 SCC 370 : 1978 SCC (Cri) 195, *Purshotam Dass Goel v. Justice B.S. Dhillon* 407g, 408c, 408g-h
10. (1975) 3 SCC 535 : 1975 SCC (Cri) 99, *Baradakanta Mishra v. Justice Gatikrushna Misra* 407f-g, 408a-b, 408g-h **c**

The Judgment of the Court was delivered by

R.V. RAVEENDRAN, J.— This civil appeal by special leave is against the judgment dated 26-2-2001 in MAT No. 4075 of 1998 passed by the High Court of Calcutta.

2. The first respondent was working as Secretary of Midnapore Peoples' Coop. Bank Ltd. (Appellant 1 herein, for short "the Bank"). Appellants 2 and 3 are respectively the Chairman and Secretary in charge of the first appellant Bank. The first respondent was kept under suspension pending initiation of disciplinary proceedings, in pursuance of a resolution of the Board of Directors of the Bank dated 16-4-1994. The respondent filed a writ petition [CO No. 8789(W) of 1995] challenging the suspension, inter alia, on the ground that charge-sheet had not been issued. On 27-6-1995, the said writ petition was disposed of recording the submission that the Bank was issuing a charge-sheet. The Bank was directed to deliver a copy of the charge-sheet and pay the arrears of subsistence allowance within one week. The first respondent was directed to file his written statement within 10 days. The enquiry officer was directed to conclude the enquiry within a period of three months from the date of communication of the order subject to the first respondent rendering full cooperation for the conduct of the disciplinary proceedings. **d**

3. A charge-sheet dated 1-7-1995 was issued to the first respondent containing nine charges. The first respondent filed his written statement on 17-7-1995. The enquiry officer completed the enquiry and submitted his report dated 14-9-1995 finding the first respondent guilty of all charges. A copy of the said report was furnished to the first respondent under cover of the Bank's letter dated 25-9-1995 giving him an opportunity to submit his representation. **e**

4. At that stage, the first respondent filed another writ petition [CO No. 20008(W) of 1995] before the High Court for quashing the enquiry proceedings alleging bias against the enquiry officer (Asit Mahapatra). A **f**

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

405

(Raveendran, J.)

learned Single Judge of the Calcutta High Court allowed the said writ
a petition by order dated 9-4-1997 in the following manner:

(i) The enquiry proceedings and the consequential action taken by the Bank were set aside.

(ii) The Chairman of the Bank was directed to appoint someone who is not a member of the Bank's Board of Directors as the enquiry officer by requesting the Registrar, Cooperative Societies to nominate a suitable officer preferably of the rank of Assistant Registrar of Cooperative Societies, to be the enquiry officer. A time-bound schedule was indicated for appointment of the enquiry officer.
b

(iii) The enquiry officer to be so appointed was required to conduct enquiry de novo by observing all the principles of natural justice and the applicable rules and regulations and submit his report within four months from the date of first sitting subject to the first respondent fully cooperating in the enquiry. The disciplinary authority was directed to take suitable action on the basis of such report.
c

(iv) The Bank was directed to pay proper subsistence allowance to the first respondent during the period of suspension.

5. On the Bank's request, the Assistant Registrar of Cooperative Societies, Midnapore I appointed Shri H.K. Maiti, Cooperative Development Officer, as enquiry officer on 9-5-1997. Subsequently, the Assistant Registrar by communication dated 3-10-1997 revoked the appointment of Shri H.K. Maiti as enquiry officer being of the view that the tenor of the order of the High Court did not permit the appointment of Shri H.K. Maiti who was only a development officer, as the enquiry officer. Thereafter, the Bank wrote to the Registrar of Cooperative Societies on 24-10-1997 to nominate an officer of the rank of an Assistant Registrar for being appointed as enquiry officer. In view of the delay, the Bank also approached the High Court for suitable extension of time. On 19-12-1997, the Court extended the time for appointment of enquiry officer by two weeks. By order dated 5-1-1998, the Registrar nominated Shri S.K. Das, Assistant Registrar of Cooperative Societies, Midnapore I, for being appointed as the enquiry officer. He was accordingly appointed as the enquiry officer. He started a fresh enquiry.
d
e
f

6. As the enquiry was not completed within four months from the date of first sitting, the first respondent moved a contempt application (CPA No. 2233 of 1997). The Chairman of the Bank, the Enquiry Officer (S.K. Das), the previous Enquiry Officer (Shri H.K. Maiti) and the Secretary in charge of the Bank were impleaded *eo nomine* as Respondents 1 to 4 in the said contempt petition. The learned Single Judge summoned the enquiry records from the enquiry officer. On perusing the records, he was of the view that the enquiry officer had not proceeded with due diligence. Therefore, the learned Single Judge made an order dated 20-11-1998, the operative portion of which is extracted below:
g

"1. Let a rule be issued against Respondent 2 Shri S.K. Das, Assistant Registrar, Cooperative Societies, Midnapore I, (charging him?)
h

406

SUPREME COURT CASES

(2006) 5 SCC

with committing contempt of this Court (and?) for directing him to show cause as to why he should not be punished for committing contempt. Respondent 2 shall remain present personally on all the dates of hearing in this Court. He shall file his affidavit in opposition within two weeks from today. a

2. Since Respondent 2 has by his conduct, disqualified himself to be the enquiry officer, I direct that he shall cease to be the enquiry officer. It shall be open to the respondents, however, in the light of the aforesaid two orders of the Court, to appoint any other person as the enquiry officer and to proceed with the matter once again in the light of the aforesaid directions. b

3. The petitioner shall immediately and forthwith be reinstated in the service of the respondent Bank and shall be deemed to be in their service all through. He shall not be prevented in any manner from discharging his duties and shall be paid all arrears of salary within four weeks from today. c

Let the contempt application appear two weeks hence. The suspension order shall be immediately deemed to have been revoked."

7. Feeling aggrieved, Respondents 1 and 4 in the contempt petition (Chairman and Secretary in charge of the Bank) filed MAT No. 4075 of 1998. A Division Bench of the High Court dismissed the said appeal as not maintainable by the impugned judgment dated 26-2-2001, on the following two grounds: d

(i) The order of the learned Single Judge did not punish any contemnor. Therefore, the appeal could not be entertained under Section 19 of the Contempt of Courts Act, 1971 which provided for appeals only against orders punishing a contemnor. e

(ii) The appeal did not satisfy the requirements of clause 15 of the Letters Patent, and, therefore, could not be entertained as a letters patent appeal.

While so dismissing the appeal, the Division Bench directed the appellants therein to forthwith implement the order of the learned Single Judge. The said judgment is challenged in this civil appeal by special leave. This Court, while granting leave on 25-2-2002, stayed the operation of the order dated 26-2-2001 in MAT No. 4075 of 1998, as also the further proceedings in the contempt petition (CPA No. 2233 of 1997) with a condition that the enquiry officer appointed in pursuance of the order dated 9-4-1997 shall complete the enquiry within six months. f

8. In view of the observations of the Division Bench that the appeal by the Chairman and Secretary-in-Charge *eo nomine* was not maintainable, and to avoid any technical objections, the Bank and its Board of Directors filed MAT No. 1102 of 2001 on 4-4-2001 challenging the order dated 20-11-1998 along with an application for condonation of delay. A Division Bench of the High Court dismissed the application for condonation of delay by merely stating that the delay of 728 days had not been properly explained, and g

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MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

407

(Raveendran, J.)

a consequently dismissed the appeal. The said order dismissing the application under Section 5 of the Limitation Act, 1963 and consequently, dismissing the appeal, is challenged in SLPs (C) Nos. 13045-46 of 2003.

9. On the aforesaid facts and the contentions urged, the following questions arise for consideration:

b (i) Where the High Court, in a contempt proceeding, renders a decision on the merits of a dispute between the parties, either by an interlocutory order or final judgment, whether it is appealable under Section 19 of the Contempt of Courts Act, 1971? If not, what is the remedy of the person aggrieved?

c (ii) Where such a decision on merits is rendered by an interlocutory order of a learned Single Judge, whether an intra-court appeal is available under clause 15 of the Letters Patent?

d (iii) In a contempt proceeding initiated by a delinquent employee (against the enquiry officer as also the Chairman and Secretary in charge of the employer Bank), complaining of disobedience of an order directing completion of the enquiry in a time-bound schedule, whether the court can direct (a) that the employer shall reinstate the employee forthwith; (b) that the employee shall not be prevented from discharging his duties in any manner; (c) that the employee shall be paid all arrears of salary; (d) that the enquiry officer shall cease to be the enquiry officer and the employer shall appoint a fresh enquiry officer; and (e) that the suspension shall be deemed to have been revoked?

Re: Point (i)

e 10. Section 19 of the Contempt of Courts Act, 1971 ("the CC Act" for short) provides for appeals. Relevant portion of sub-section (1) thereof is extracted below:

"19. (1) An appeal shall lie as of right from any order or decision of the High Court in the exercise of its jurisdiction to punish for contempt—

f (a) where the order or decision is that of a Single Judge, to a Bench of not less than two Judges of the Court;

(b) where the order or decision is that of a Bench, to the Supreme Court."

g The scope of Section 19 has been considered by this Court in *Baradakanta Mishra v. Justice Gatikrushna Misra*¹, *Purshotam Dass Goel v. Justice B.S. Dhillon*², *Union of India v. Mario Cabral e Sa*³, *D.N. Taneja v. Bhajan Lal*⁴, *State of Maharashtra v. Mahboob S. Allibhoy*⁵ and *J.S. Parihar v. Ganpat Duggar*⁶. These cases dealt with orders refusing to initiate contempt

1 (1975) 3 SCC 535 : 1975 SCC (Cri) 99 : AIR 1974 SC 2255

2 (1978) 2 SCC 370 : 1978 SCC (Cri) 195 : AIR 1978 SC 1014

3 (1982) 3 SCC 262 : 1983 SCC (Cri) 10 : AIR 1982 SC 691

h 4 (1988) 3 SCC 26 : 1988 SCC (Cri) 546

5 (1996) 4 SCC 411 : 1996 SCC (Cri) 675

6 (1996) 6 SCC 291 : 1996 SCC (L&S) 1422

proceedings or initiating contempt proceedings or acquitting/exonerating the contemnor or dropping the proceedings for contempt. In all these cases, it was held that an appeal was not maintainable under Section 19 of the CC Act as the said section only provided for an appeal in respect of orders punishing for contempt. a

10.1. In *Baradakanta Mishra*¹ a three-Judge Bench of this Court held that an order declining to initiate a proceeding for contempt amounts to refusal to assume or exercise jurisdiction to punish for contempt and, therefore, such a decision cannot be regarded as a decision in the exercise of its jurisdiction to punish for contempt. The question as to whether an appeal would be maintainable under Section 19 where the court initiates a proceeding for contempt but after due consideration and hearing finds the alleged contemnor not guilty of contempt, or having found him guilty declines to punish him, was left open. b

10.2. In *Purshotam Dass Goel*² certain aspects of Section 19 were left open. This relevant portion is extracted below: (SCC pp. 371-72, para 3) c

“The [contempt] proceeding is initiated under Section 17 by issuance of a notice. Thereafter, there may be many interlocutory orders passed in the said proceeding by the High Court. It could not be the intention of the legislature to provide for an appeal to this Court as a matter of right from each and every such order made by the High Court. The order or the decision must be such that it decides some bone of contention raised before the High Court affecting the right of the party aggrieved. Mere initiation of a proceeding for contempt by the issuance of the notice on the prima facie view that the case is a fit one for drawing up the proceeding, does not decide any question. ... It is neither possible, nor advisable, to make an exhaustive list of the type of orders which may be appealable to this Court under Section 19. A final order, surely, will be appealable. d

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If the alleged contemnor in response to the notice appears before the High Court and asks it to drop the proceeding on the ground of its being barred under Section 20 of the Act but the High Court holds that the proceeding is not barred, it may well be that an appeal would lie to this Court under Section 19 from such an order although the proceeding has remained pending in the High Court. We are not called upon to express our final opinion in regard to such an order, but we merely mention this type of order by way of an example to show that even orders made at some intermediate stage in the proceeding may be appealable under Section 19.” e

10.3. While *Baradakanta Mishra*¹ and *Purshotam Dass*² left open the question whether an appeal under Section 19 would be maintainable in certain areas, in *D.N. Taneja*⁴ a three-Judge Bench of this Court categorically held that appeals under Section 19 would lie only against the orders punishing the contemnor for contempt and not any other order passed in f

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

409

(Raveendran, J.)

a contempt proceedings. We extract below the relevant portions from the said decision: (SCC pp. 29-32, paras 8, 10 & 12)

b “The right of appeal will be available under sub-section (1) of Section 19 only against any decision or order of a High Court passed in the exercise of its jurisdiction to punish for contempt. ... When the High Court does not impose any punishment on the alleged contemnor, the High Court does not exercise its jurisdiction or power to punish for contempt. *The jurisdiction of the High Court is to punish. When no punishment is imposed by the High Court, it is difficult to say that the High Court has exercised its jurisdiction or power as conferred on it by Article 215 of the Constitution.*

* * *

c It is true that in considering a question whether the alleged contemnor is guilty of contempt or not, the court hears the parties and considers the materials produced before it and, if necessary, examines witnesses and, thereafter, passes an order either acquitting or punishing him for contempt. When the High Court acquits the contemnor, the High Court does not exercise its jurisdiction for contempt, for such exercise will mean that the High Court should act in a particular manner, that is to say, by imposing punishment for contempt. So long as no punishment is imposed by the High Court, the High Court cannot be said to be exercising its jurisdiction or power to punish for contempt under Article 215 of the Constitution.

* * *

e The aggrieved party under Section 19(1) can only be the contemnor who has been punished for contempt of court.” (emphasis supplied)

10.4. In *Mahboob S. Allibhoy*⁵ this Court reiterated the above position thus: (SCC p. 414, para 3)

f “On a plain reading Section 19 provides that an appeal shall lie as of right from any order or decision of the High Court in exercise of its jurisdiction to punish for contempt. In other words, if the High Court passes an order in exercise of its jurisdiction to punish any person for contempt of court, then only an appeal shall be maintainable under sub-section (1) of Section 19 of the Act. As sub-section (1) of Section 19 provides that an appeal shall lie as of right from any order, an impression is created that an appeal has been provided under the said sub-section against any order passed by the High Court while exercising the jurisdiction of contempt proceedings. The words ‘any order’ have to be read with the expression ‘decision’ used in the said sub-section which the High Court passes in exercise of its jurisdiction to punish for contempt. ‘Any order’ is not independent of the expression ‘decision’. They have been put in an alternative form saying ‘order’ or ‘decision’. In either case, it must be in the nature of punishment for contempt. If the expression ‘any order’ is read independently of the ‘decision’ then an

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410

SUPREME COURT CASES

(2006) 5 SCC

appeal shall lie under sub-section (1) of Section 19 even against any interlocutory order passed in a proceeding for contempt by the High Court which shall lead to a ridiculous result.”

10.5. *J.S. Parihar v. Ganpat Duggar*⁶ is nearest to this case, on facts. A contempt petition was filed alleging that the seniority list drawn pursuant to the order of the High Court was not in conformity with the said order. The High Court found it to be so, but held that the disobedience was not wilful and, therefore, did not punish for contempt. But the High Court gave a direction to redraw the seniority list. The State Government challenged the said direction in an intra-court appeal. The Division Bench held that the appeal was not maintainable under Section 19 of the CC Act, but was maintainable as an intra-court appeal as the direction issued by the Single Judge would be a “judgment” within the meaning of that expression in Section 18 of the Rajasthan High Court Ordinance. Accordingly, the Division Bench set aside the direction of the learned Single Judge to redo the list. The said order was challenged before this Court. This Court confirmed the decision of the Division Bench and held as follows: (SCC pp. 293-94, paras 5 & 6)

“Therefore, an appeal would lie under Section 19 when an order in exercise of the jurisdiction of the High Court punishing the contemnor has been passed. In this case, the finding was that the respondents had not wilfully disobeyed the order. So, there is no order punishing the respondent for violation of the orders of the High Court. Accordingly, an appeal under Section 19 would not lie.

* * *

The question is whether seniority list is open to review in the contempt proceedings to find out whether it is in conformity with the directions issued by the earlier Benches. It is seen that once there is an order passed by the Government on the basis of the directions issued by the court, there arises a fresh cause of action to seek redressal in an appropriate forum. The preparation of the seniority list may be wrong or may be right or may or may not be in conformity with the directions. But that would be a fresh cause of action for the aggrieved party to avail of the opportunity of judicial review. But that cannot be considered to be the wilful violation of the order. After re-exercising the judicial review in contempt proceedings, a fresh direction by the learned Single Judge cannot be given to redraw the seniority list. In other words, the learned Judge was exercising the jurisdiction to consider the matter on merits in the contempt proceedings. It would not be permissible....”

11. The position emerging from these decisions, in regard to appeals against orders in contempt proceedings may be summarised thus:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for contempt.

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

411

(Raveendran, J.)

a II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19 of the CC Act. In special circumstances, they may be open to challenge under Article 136 of the Constitution.

b III. In a proceeding for contempt, the High Court can decide whether any contempt of court has been committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

c IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of "jurisdiction to punish for contempt" and, therefore, not appealable under Section 19 of the CC Act. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 of the Act, can also encompass the incidental or inextricably connected directions.

d V. If the High Court, for whatsoever reason, decides an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution of India (in other cases).

e The first point is answered accordingly.

Re: Point (ii)

f 12. We will next consider as to whether an intra-court appeal under clause 15 of the Letters Patent was available against the interlocutory order dated 20-11-1998 containing the directions on merits of the dispute. Clause 15 of the Letters Patent provides for an appeal from a "judgment" of a Single Judge in exercise of original jurisdiction to a Division Bench. In *Shah Babulal Khimji v. Jayaben D. Kania*⁷ the scope of clause 15 of the Letters Patent was considered. This Court held:

g "The concept of a judgment as defined by the Code of Civil Procedure seems to be rather narrow and the limitations engrafted by sub-section (2) of Section 2 cannot be physically imported into the definition of the word 'judgment' as used in clause 15 of the Letters Patent because the Letters Patent has advisedly not used the terms 'order' or 'decree' anywhere. The intention, therefore, of the givers of the Letters Patent was that the word 'judgment' should receive a much wider and more liberal interpretation than the word 'judgment' used in the Code of

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412

SUPREME COURT CASES

(2006) 5 SCC

Civil Procedure. At the same time, it cannot be said that any order passed by a trial Judge would amount to a judgment; otherwise there will be no end to the number of orders which would be appealable under the Letters Patent. It seems to us that the word 'judgment' has undoubtedly a concept of finality in a broader and not a narrower sense. In other words, a judgment can be of three kinds: a

(1) *A final judgment.*— * * *

(2) *A preliminary judgment.*— * * *

(3) *Intermediary or interlocutory judgment.*—Most of the interlocutory orders which contain the quality of finality are clearly specified in clauses (a) to (w) of Order 43 Rule 1 and have already been held by us to be judgments within the meaning of the Letters Patent and, therefore, appealable. There may also be interlocutory orders which are not covered by Order 43 Rule 1 but which also possess the characteristics and trappings of finality in that, the orders may adversely affect a valuable right of the party or decide an important aspect of the trial in an ancillary proceeding. Before such an order can be a judgment the adverse effect on the party concerned must be direct and immediate rather than indirect or remote. (SCC pp. 55-56, para 113) b

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... in other words every interlocutory order cannot be regarded as a judgment but only those orders would be judgments which decide matters of moment or affect vital and valuable rights of the parties and which work serious injustice to the party concerned. (SCC p. 57, para 115) d

* * * e

... any discretion exercised or routine orders passed by the trial Judge in the course of the suit which may cause some inconvenience or, to some extent, prejudice to one party or the other cannot be treated as a judgment otherwise the appellate court (Division Bench) will be flooded with appeals from all kinds of orders passed by the trial Judge. ... f

... the interlocutory order in order to be a judgment must contain the traits and trappings of finality either when the order decides the questions in controversy in an ancillary proceeding or in the suit itself or in a part of the proceedings. (SCC p. 58, para 119)"

13. Clause 10 of the Letters Patent of the Patna High Court (corresponding to clause 15 of the Letters Patent of the Calcutta High Court) was considered by this Court in *Central Mine Planning and Design Institute Ltd. v. Union of India*⁸. In that case, the award of an Industrial Tribunal directing reinstatement and payment of partial back wages was challenged in a writ petition before the High Court of Patna. The workman claimed interim relief under Section 17-B of the Industrial Disputes Act, 1947. The learned g

MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

413

(Raveendran, J.)

- a Single Judge directed the employer to pay full wages to the workman during the pendency of the writ petition. That was challenged in a letters patent appeal. The Division Bench held that the letters patent appeal was not maintainable as the order directing payment under Section 17-B of the ID Act was not a "judgment". Reversing the said decision, this Court held that an interlocutory order passed in a writ proceeding directing payment under Section 17-B of the Industrial Disputes Act, 1947 was a final determination affecting the vital and valuable rights and obligations of parties and, therefore, would fall under the category of "intermediary or interlocutory judgment" against which a letters patent appeal would lie. The following observations are relevant: (SCC pp. 592 & 594, paras 12 & 14)

- c "It is now well settled that the definition of 'judgment' in Section 2(9) of the Code of Civil Procedure has no application to Letters Patent. ...

* * *

- d "..., it follows that to determine the question whether an interlocutory order passed by one Judge of a High Court falls within the meaning of 'judgment' for purposes of Letters Patent the test is: whether the order is a final determination affecting vital and valuable rights and obligations of the parties concerned. This has to be ascertained on the facts of each case."

14. The above principle was reiterated in *Mithailal Dalsangar Singh v. Annabai Devram Kini*⁹ and *Subal Paul v. Malina Paul*¹⁰. In the latter case, this Court held: (SCC pp. 370-71, paras 32 & 35)

- e "32. While determining the question as regards clause 15 of the Letters Patent, the court is required to see as to whether the order sought to be appealed against is a judgment within the meaning thereof or not. Once it is held that irrespective of the nature of the order, meaning thereby whether interlocutory or final, a judgment has been rendered, clause 15 of the Letters Patent would be attracted.

* * *

- f 35. ... Clause 15 of the Letters Patent confers a right of appeal on a litigant against any judgment passed under any Act unless the same is expressly excluded. Clause 15 may be subject to an Act but when it is not so subject to the special provision the power and jurisdiction of the High Court under clause 15 to entertain any appeal from a judgment would be effective."

- g 15. Interim orders/interlocutory orders passed during the pendency of a case, fall under one or the other of the following categories:

(i) Orders which finally decide a question or issue in controversy in the main case.

- h 9 (2003) 10 SCC 691
10 (2003) 10 SCC 361

(ii) Orders which finally decide an issue which materially and directly affects the final decision in the main case.

(iii) Orders which finally decide a collateral issue or question which is not the subject-matter of the main case. a

(iv) Routine orders which are passed to facilitate the progress of the case till its culmination in the final judgment.

(v) Orders which may cause some inconvenience or some prejudice to a party, but which do not finally determine the rights and obligations of the parties. b

16. The term "judgment" occurring in clause 15 of the Letters Patent will take into its fold not only the judgments as defined in Section 2(9) CPC and orders enumerated in Order 43 Rule 1 CPC, but also other orders which, though may not finally and conclusively determine the rights of parties with regard to all or any matters in controversy, may have finality in regard to some collateral matter, which will affect the vital and valuable rights and obligations of the parties. Interlocutory orders which fall under categories (i) to (iii) above, are, therefore, "judgments" for the purpose of filing appeals under the Letters Patent. On the other hand, orders falling under categories (iv) and (v) are not "judgments" for the purpose of filing appeals provided under the Letters Patent. c

17. The next question is whether the appeal was not maintainable because, it was filed by the Chairman and the Secretary in charge of the Bank *eo nomine*, and not by the "Bank" itself. The order dated 20-11-1998 against which the appeal was filed, was passed by the learned Single Judge in the course of contempt proceedings. The Chairman and the Secretary-in-Charge were parties to such proceedings having been impleaded *eo nomine* as Respondents 1 and 4 respectively. "The Bank" as such was not a party to the contempt proceedings. The learned Single Judge proceeded on the basis that the Chairman and the Secretary-in-Charge represented "the Bank" by referring to them as "the respondent Bank" and directing them to reinstate the complainant (the first respondent herein) and to pay all salary arrears to him. If the Chairman and Secretary-in-Charge were considered as representing the Bank for issuing such directions, certainly they could file an appeal against such directions. The directions were issued to them and they were the persons aggrieved. d

18. The Division Bench, therefore, committed a serious and obvious error in holding that the appeal (MAT No. 4075 of 1998) was not maintainable under clause 15 of the Letters Patent. Though the order of the learned Single Judge dated 20-11-1998, by which several directions to the Bank with reference to the first respondent were issued, is not a final "judgment", it is an "interlocutory judgment" which finally decides several rights and obligations of the employee vis-à-vis the employer and, therefore, appealable under clause 15 of the Letters Patent. e

Re: Point (iii)

19. As noticed above, by order dated 9-4-1997 in CO No. 20008(W) of 1995, the first inquiry proceedings were set aside and the Chairman of the f

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MIDNAPORE PEOPLES' COOP. BANK LTD. v. CHUNILAL NANDA

415

(Raveendran, J.)

- a Bank was directed to appoint an outsider, preferably an officer from the Cooperative Department, as the enquiry officer, with a further direction that such enquiry officer should conduct the enquiry *de novo*, and submit the report within four months (from the date of first sitting), and a direction to the first respondent to fully cooperate in the enquiry. The time stipulated for appointment of the enquiry officer was extended by two weeks on 19-12-1997. The new enquiry officer was appointed by the Registrar of
- b Cooperative Societies, on 5-1-1998. The inquiry was not completed within four months and that led to the initiation of the contempt proceedings by the employee (the first respondent). The Chairman of the Bank, the enquiry officer, the previous Enquiry Officer (H.K. Maiti, whose appointment was revoked on 3-10-1997) and the Secretary in charge of the Bank were shown as contemnors/Respondents 1 to 4. As H.K. Maiti was not a party to the writ
- c petition, and as he did not conduct the enquiry, there was no question of his disobeying any order. After perusing the records, the High Court by order dated 20-11-1998 came to the conclusion that a *prima facie* case was made out for issuing a show-cause notice only against Shri S.K. Das (Enquiry Officer). This meant that no case was made out for issue of show-cause notice to the Chairman and Secretary in charge of the Bank. In fact, it was
- d not the case of the first respondent that after the appointment of S.K. Das as enquiry officer, there was any disobedience by the Bank.

- e 20. In the circumstances, the High Court ought to have proceeded to consider whether there was any wilful disobedience of the order dated 9-4-1997 on the part of S.K. Das and, if so, punish him for contempt. As S.K. Das was nowhere in the picture when the order dated 9-4-1997 was passed in the writ petition, and as he was appointed as an independent enquiry officer only by an order dated 5-1-1998 and as there was a complaint about the non-cooperation by the first respondent (delinquent employee), it is doubtful whether there was any case for even issuing a show-cause notice to him. Be that as it may. We are not concerned with the issue of show-cause notice to S.K. Das in this appeal. What is relevant to be noticed is that the learned
- f Single Judge could not have made an order in the contempt proceedings, that Shri S.K. Das had, by his conduct, disqualified himself to be the enquiry officer and that he shall cease to be the enquiry officer and that another enquiry officer shall be appointed.

- g 21. There was also no justification for the further direction by the learned Single Judge in the contempt proceedings, that too by an interlocutory order, that the complainant should immediately and forthwith be reinstated into the service of the Bank, and shall be deemed to be in the service of the Bank all through, that the employee shall not be prevented in any manner from discharging his duties and that he shall be paid all arrears of salary within four weeks, and that the suspension order shall be deemed to have been revoked. These were totally outside the scope of the proceedings for
- h contempt and amounted to adjudication of rights and liabilities not in issue in the contempt proceedings. At all events, on the facts and circumstances, there was no disobedience, breach or neglect on the part of the Bank and its

416

SUPREME COURT CASES

(2006) 5 SCC

President and Secretary, to provoke the Court to issue such directions, even assuming that such directions could be issued in the course of the contempt proceedings. Hence, Directions 2 and 3 and the direction relating to revocation of suspension are liable to be set aside. a

Re: SLPs (C) Nos. 13045-46 of 2003

22. These SLPs arise out of the order dated 3-9-2001 in MAT No. 1102 of 2001 filed by the Bank against the order dated 20-11-1998 in CPA No. 2233 of 1997. As we have held that the appeal filed by the Chairman and Secretary on behalf of the Bank (MAT No. 4075 of 1998) against the said order was maintainable, these SLPs have become infructuous. b

Conclusion

23. During the pendency of this appeal, the enquiry officer has completed the enquiry and submitted his report dated 18-7-2002. No action has been taken thereon in view of the pendency of this civil appeal and the interim order dated 25-2-2002 which permitted only the completion of the enquiry. In view of this decision, there will now be no impediment for the Bank to take further action based on such inquiry report. c

24. In view of the above, we dispose of these matters as follows:

(i) CA No. 1727 of 2002 is allowed. The order dated 26-2-2001 of the Calcutta High Court in MAT No. 4075 of 1998 is set aside. Directions 2 and 3 as also the direction that "the suspension shall be immediately deemed to have been revoked" contained in the order dated 20-11-1998 of the learned Single Judge passed in CPA No. 2233 of 1997 [arising from CO No. 20008(W) of 1995] are deleted. d

(ii) SLPs (C) Nos. 13045-46 of 2003 are dismissed as infructuous.

(iii) The appellant Bank is at liberty to take further action in pursuance of the inquiry report dated 18-7-2002, in accordance with law. e

(iv) Parties to bear their respective costs.

(2006) 5 Supreme Court Cases 416

(BEFORE B.P. SINGH AND ALTAMAS KABIR, JJ.)

UBS AG

Appellant; f

Versus

STATE BANK OF PATIALA

Respondent. g

Civil Appeals No. 2578 of 2006[†] with Nos. 2579 of 2006[‡] and 2580 of 2006^{††}, decided on May 10, 2006.

A. Civil Procedure Code, 1908 — Or. 37 R. 3 — Unconditional leave to defend suit — Grant of — Propriety — Absence of triable issue — Irrevocable letter of credit issued by respondent Bank SBP to appellant

[†] Arising out of SLP (C) No. 5639 of 2006. From the Final Order dated 28-10-2005 of the Bombay High Court in Summons for Judgment No. 783 of 2003 in Summary Suit No. 897 of 2000 : AIR 2006 Bom 73

[‡] Arising out of SLP (C) No. 6134 of 2006

^{††} Arising out of SLP (C) No. 6141 of 2006 h

DRG
List this matter on 10/12/2024
D.O. dt. 04/12/24
Htg. was

IN THE HIGH COURT OF ORISSA, CUTTACK.

MENTION MEMO

1. NUMBER OF THE CASE : W.A. NO. - 1013 of 2024
2. NAME OF THE PARTIES :
State of Odisha & others ... PETITIONER(S)/APPELLANT(S) ✓
VRS ... OPP.PARTY(S)/RESPONDENT(S) ✓
Narmada Das & others
3. PARTY SEEKING POSITION : PETITIONER/OPP.PARTY/
RESPONDENT/ INTERVENOR/
APPELLANT
4. NAME OF THE ADVOCATE OF THE PARTY SEEKING POSITION : *State*
5. NAME OF THE ADVOCATES APPEARING FOR THE OPP.PARTIES : *S.D. Routray & associates*
6. MENTION FOR : ADMISSION, ORDER, STAY, HEARING
7. REASONS FOR THE MENTION :
An appeal challenging the order dated 06/04/2024 passed in CONTC No. - 9525 of 2023 by the Hon'ble Single Judge.
disc
8. DATE ON WHICH POSITION IS SOUGHT : *04/12/2024*
9. WHETHER ANY CAVEAT HAS BEEN FILED OR NOT :
10. INDICATE WHETHER THE MATTER IS IN THE LIST BEFORE ANY OTHER BENCH. :

CUTTACK

DATE: *03.12.2024*

[Signature]
SIGNATURE OF THE ADVOCATE.

WA sent to list on dt. 17/12/24

[Signature]
01/12/24