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LAW DEPARTMENT

RESOLUTION

The 22nd June, 2012

The Government of India in the Ministry of Law and Justice have emphasised to have a separate Legislative Department in each State as per the recommendation of the inter-State Council. The inter-State Council recommended for creation of a separate Legislative Department by each State Government with adequate expertise for drafting of legislation. Legislative function requires concentration of mind and sufficient time to get efficient out come. The skill of drafting can only be acquired by experience. The Government of India is also having a separate Legislative Department in their Ministry of Law and Justice so also some of the States are having such separate Legislative Department or Wing of a Department. The question of creation of separate legislative wing is felt necessary in view of the recommendation of the inter-State Council. Thus, the State Government after careful consideration of the matter has come to the conclusion that a separate legislative wing in the Law Department should be made as a research oriented organisation with immediate effect by way of creating a post of Special Secretary and by creating a post of Joint Secretary (by way of up-gradation of one post of Deputy Secretary) in Law Department.

The legislative wing shall be headed by a Special Secretary and the hierarchy will be as follows:—

1. The post of Special Secretary (Legislation) shall be filled up by promotion of the Additional Secretary (Legal) created by Government Order No.LC-I/94-7154, dated the 19th June, 1995 in consultation with the Odisha Public Service Commission. In case of non-availability of the Additional Secretary (Legal) for promotion, the said post shall be filled up by way of deputation of an officer holding the post of Additional Secretary of any State having sufficient knowledge in drafting legislation or an officer of the Government of India having experience in legislative drafting and qualified to be appointed as Joint Secretary in their Ministry or by some other suitable arrangement as the State Government may decide.

2. The post of Additional Secretary (Legal) which has been created vide Government. Order No.7154, Dtd.19.6.95 shall be the post next below the post of Special Secretary (Legislation).

3. There shall be two posts of Joint Secretary (Legal). One post which is existing and the other which is created by way of upgradation of one post of Deputy Secretary (Legal).

4. There shall be one post of Deputy Secretary (Legal) and two posts of Under Secretary (Legal) for smooth functioning of the legislative wing.

5. The function of the Legislative wing shall be as mentioned in the Odisha Government Rules of Business, as amended, from time to time.

6. There shall be Recruitment Rules for the recruitment/promotion and conditions of Service of the officers of the Legislative wing by modification of the existing Rules 1977.

7. The legislative and codification section and other sections of Law Department shall be reorganised and ministerial staffs shall be appointed in the Legislative wing through the appropriate Recruitment Rules, separately made for this purpose.

8. The proposal for creation of separate legislative wing have been concurred in by the Finance Department in their U.O.R. No.121-GS-II dated 17.03.2011.

This Resolution is issued after approval of the Cabinet is obtained on the proposal in their meeting held on 16.06.2012.

ORDER

Ordered that this Resolution be published in the Extraordinary issue of the *Odisha Gazette* and copies thereof be forwarded to all Departments of Government/All Heads of Department/Accountant General (A. & E.), Odisha, Bhubaneswar.

By order of the Governor

D. DASH

Principal Secretary to Government