

No.GAD-SC-GCS-0002-2015- 18826 / Gen.

GOVERNMENT OF ODISHA  
GENERAL ADMINISTRATION DEPARTMENT

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Bhubaneswar, dated the 31st August, 2016

From

A. K. K. Meena, IAS.  
Special Secretary to Government

To

All Departments of Government/  
All Heads of Departments/  
All Divisions/  
All District Head Quarters.

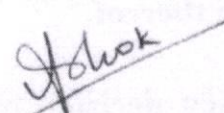
**Sub:- Applicability the Odisha Contractual Appointment Rules, 2013 -  
Clarification thereof.**

As per the policy decision of the Government, the procedures of regular recruitment process to various Group-'B', Group-'C' & Group-'D' Posts under the Government have been substituted by contractual recruitment as per "The Odisha Group-'B' Posts (Contractual Appointment ) Rules,2013" and "Odisha Group-'C' and Group-'D' Posts (Contractual Appointment) Rules,2013" issued vide G.A. Department Notification No.1147 dated.17.1.2014 (Published in Odisha Gazette on 17.1.2014) and No. 32010 dated.12.11.2013 (Published in Odisha Gazette on 18.11.2013) respectively, effective from the date of their publication in the Odisha Gazette.

It has come to the notice of the Government that, some Appointing Authorities have interpreted the provisions differently and allowed regular appointments after publication of these Rules basing upon the onset of the process of recruitment, i.e., issue of the advertisement prior to the coming into force of the above Rules whereas in other cases appointments were made on contractual basis as per the provisions made under Sub-rule-(2) of Rule-5 of the said Rules. This has not only aroused confusion but also put the Government into legal complications.

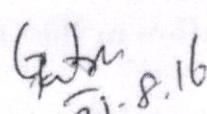
In order to streamline the issue, it has been decided by obtaining the views of the Learned Advocate General, Odisha and in consultation with the Law Department that, all initial appointments which are governed under the provisions of Odisha Group-'B' Posts (Contractual Appointment) Rules, 2013 and Odisha Group-'C' and Group-'D' Posts (Contractual Appointment) Rules, 2013 shall be on contractual basis w.e.f. the dates of commencement of the said Rules even if the onset of the recruitment process had started prior to coming into force of these Rules. However, in respect of the judicial orders / directions received in the meantime contrary to the above decision steps shall immediately be taken to file writ petition before the Hon'ble High Court in consultation with the Law Department.

All earlier instructions/clarifications issued by G.A. Department on the issue are hereby superseded.

  
Special Secretary to Government

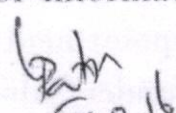
Memo No. 18827 / Gen., Dated. 31.08.2016

Copy forwarded to Registrar, Odisha High Court/ Registrar, Odisha Administrative Tribunal, Bhubaneswar/ Special Secretary, Odisha Public Service Commission, Cuttack/ Secretary, Odisha Staff Selection Commission, Bhubaneswar/Secretary, Odisha Sub-ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

  
31.8.16  
Joint Secretary to Government

Memo No. 18828 / Gen., Dated. 31.08.2016

Copy forwarded to all Branches of G.A. Department / Guard file (10 copies)/ G.A. Department Library (10 copies) for information and necessary action.

  
31.8.16  
Joint Secretary to Government