

GAD-SC-RAS-0075-2014.34925/Gen
Government of Odisha
General Administration Department

Bhubaneswar Dated the 31st December 2014

To

All Departments of Government/
All Heads of Departments/
All Collectors.

SUB: Applicability of the Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013 in case of appointment under the Odisha Civil Services(Rehabilitation Assistance) Rules, 1990.

The Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013 came into force on 18th November 2013. These rules apply to all Group-C and Group-D posts which are to be filled up by way of direct recruitment.

These rules provide for the following:-

- (i) Notwithstanding anything contained in the relevant recruitment rules or executive instructions, as the case may be in force, from the date of commencement of these rules all appointments made pursuant to these rules shall be on contract basis. (rule-5)
- (ii) All vacancies existing on the date of commencement of these rules as well as the future vacancies shall be deemed to have been converted to contractual posts. Consequent upon regular appointment the contractual posts shall get re-converted to regular sanctioned posts.(rule-6)
- (iii) On the date of satisfactory completion of six years of contractual service they shall be deemed to have been regularly appointed.(rule-10)

Doubts have now arisen at different quarters, if the provisions of the aforesaid rules shall apply in the case of appointment under the Odisha Civil Services (Rehabilitation Assistance) Rules, 1990.

In this connection it is hereby clarified that Odisha Civil Services(Rehabilitation Assistance)Rules, 1990 is also a rule regulating recruitment and appointment under these rules can be made against Group-C & Group D posts only in the scale of pay attached to the post.

Both the Odisha Civil Services(Rehabilitation Assistance) Rules, 1990 and the Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013 are made under the proviso to Article 309 of the Constitution of India. All vacancies existing on the date of commencement of the Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013 as well as the future vacancies shall be deemed to have been converted to contractual posts. It is therefore clarified that –

- (i) so long the Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013 shall be in force, all appointments made pursuant to the Odisha Civil Services(Rehabilitation Assistance) Rules, 1990 shall be on contract basis as per the provisions of Odisha Group-C and Group-D posts (contractual appointment) Rules, 2013
- (ii) on the date of satisfactory completion of six years of contractual service they shall be deemed to have been regularly appointed.

This may be brought to the notice of all subordinate offices under your control.

N. Chandra
Special Secretary to Government