

MEMORANDUM

Bhubaneswar, the 14th March, 1978.

Sub: - Amendment to "the Orissa Work-charged employees (Appointment and Conditions of Service) Instructions, 1974.

Paragraph 15 of the above Instructions states that the work-charged employees who have rendered not less than 10 years of service shall be allowed gratuity at the rate of 15 days' emoluments for each year of such service. These instructions have come into force from 19.8.74.

2. In pursuance of Finance Department Resolution No. 4419-F dated 22.1.65 posts borne in work-charged establishment are brought over to regular establishment from time to time and as a result work-charged employees are treated as regular Government servants.

3. Instances have come to notice where work-charged employees thus brought over to regular establishment are deprived of getting gratuity in accordance with the Instructions of 1974 and also do not get substantial service gratuity as they rendered comparatively less length of service in regular establishment.

4. To mitigate the above anomalous situation, it is proposed to amplify paragraph 15 of the Instructions by adding the following further provision to rule 15.

"Provided further that an employee, who after having rendered continuous service for a minimum period of 10 years, is absorbed under the regular establishment, shall be entitled to gratuity admissible under these instructions for the period of service under the work-charged establishment if the Appointing Authority gives a certificate that the employee would have continued to serve in the work-charged establishment on or after 19.8.74 but for his absorption in the regular establishment. In such cases, the gratuity admissible will be paid to the employee at the time of retirement, invalidation or death while in the service along with pension and/or gratuity for the period of service under the regular establishment."

5. The Finance Department have concurred in the proposal. The Law Department have also expressed the opinion that there may be no legal objection to the amendment proposed.

6. The matter is placed before the Cabinet for approval.

Additional Secretary to Government

Memo No. 5911

/Gen. Dated 14.3.78

Copy with 25 spare copies forwarded to the Secretary to Cabinet for inclusion of the subject in the agenda for the next meeting of the Cabinet.

Additional Secretary to Government