

**Government of Odisha**  
**General Administration & Public Grievance Department**

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No. 26611/Gen., Bhubaneswar,  
GAD-SC-GCS-0169-2020

Dated 26<sup>th</sup> November, 2020.

From

Shri Ganesh Ch. Patra, (SS),  
Special Secretary to Government.

To

All Departments/  
All Heads of Department/  
All Collectors.

Sub: Clarification on applicability of the Odisha Group "C" & Group "D" Posts (contractual appointment) Rules, 2013 and the Odisha Group "B" Posts (contractual appointment) Rules, 2013 on category of Contractual employees prescribed under rule 4 of both the rules.

Sir,

With reference to letter No. 74(c)/OSSSC, dated 28.08.2020 of the Secretary, OSSSC on the above cited subject, I am directed to communicate the clarification on the following points as under:

*(a) Whether Category-I and II employees engaged after the commencement of the above Rules shall be eligible to get the benefits of these Rules as provided under Rule-8 of the Contractual Rules, 2013, if they are otherwise ?*

*(b) As per the instructions, such engagements are required to be made with the concurrence of FD which presupposes that the engagements are not continuous and should be made afresh.*

*In such case, whether the period of service rendered by the candidates in different spells even after the commencement of the Rules will be counted so as to make the applicant eligible to get the benefits of the above Rules ?*

As regards point (a), it is clarified that the Odisha Group "C" and Group "D" posts (contractual appointment) Rules, 2013 and the Odisha Group-B posts (contractual appointment) Rules, 2013 have been framed to regulate the recruitment and conditions of service of persons appointed to Group "B" (Level-9 of 7th pay Commission pay

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matrix), Group "C" and Group "D" posts on contractual basis. Intention of these Rules is that all the appointments to Group "B", Group "C" and Group "D" posts shall be made on contractual basis from the date of commencement of these Rules and after completion of 6 years of contractual service, their posts shall get converted to regular posts. Besides, all the vacancies existing on the date of commencement of the contractual rules as well as future vacancies of Group "B", Group "C" and Group "D" posts shall be deemed to have been converted to contractual posts from the date of commencement of these rules.

Likewise, under Rule-8 of both these Rules, for existing contractual employees belonging to Category-I [who are engaged against contractual posts created with concurrence of Finance Department without following due recruitment procedure including the ORV Act and rules regulating recruitment for the regular posts] and Category-II [who are engaged through manpower service provider with concurrence of Finance Department] who have been engaged prior to commencement of these Rules and have completed at least one year of continuous service, provisions of age relaxation upto 45 years of age to apply for regular recruitment process for Group-B posts except for the posts excluded in G.A. Department Notification No.4587 dated 15.02.2014, Group-C and Group-D posts and bonus of one percent of extra marks on the total marks of the examination for each completed year of continuous service subject to a maximum fifteen percent which shall be added to the marks secured by them for deciding the merit position, have been prescribed. .

As such the Category-I and Category-II employees engaged as per provisions of Rule 4 of the Contractual Rules, 2013 after the commencement of the said Rules shall not be eligible to get the benefits of special provisions prescribed under Rule 8 of the Contractual Rules.

As regards point (b), it is clarified that where initial engagement of Category-I and Category-II employees had been made through outsourcing agencies prior to the date of commencement of these Contractual Rules and subsequently renewals were made afresh after the commencement of these rules, their fresh renewal engagement after commencement of the Contractual Rules cannot be considered so as to make the applicants eligible to get the benefits of the special provisions contained under Rule 8 of these Contractual Rules since the Contractual Rules only allows to avail the benefit of

special provision to Category-I and Category-II who have been engaged prior to commencement of the Contractual Rules, 2013.

**Explanations-1:** If persons belonging to Category-I and Category-II were engaged before the date of commencement of these Contractual Rules i.e. 17.01.2014 either in Group-B posts (Level-9 of 7th pay Commission pay matrix) or before 12.11.2013 in Group-C and Group-D posts and have completed one year of continuous service and continuing in the said post, shall avail the benefit of upper age limit of 45 years to participate in the recruitment process. They will also be eligible for the benefit of bonus marks of one per cent extra marks on the total marks of the examination for each completed year of continuous service subject to a maximum of fifteen percent.

**Explanations-2:** When fresh engagement is made after the date of commencement of these Contractual Rules i.e. 17.01.2014 in case of Group-B posts and 12.11.2013 in case of Group-C and Group-D posts or when such persons are re-engaged after these dates, the above benefits shall not be available to such persons.

Yours faithfully,

*G. K. S.*  
26.11.2020

Special Secretary to Government

Memo No. 26612/Gen., Bhubaneswar

date 26<sup>th</sup> November, 2020

Copy forwarded to the Secretary, OPSC/Secretary, OSSC/Secretary, OSSSC/  
Registrar, Odisha High Court for information and necessary action.

*G. K. S.*  
26.11.2020

Special Secretary to Government