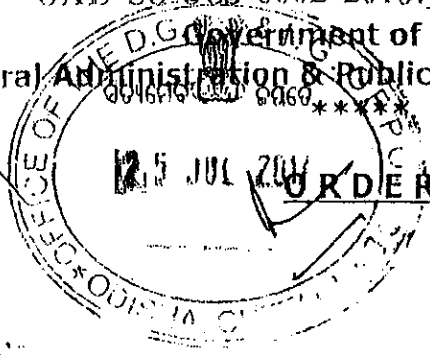


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Government of Odisha  
General Administration & Public Grievance Department



Bhubaneswar, dated 19-07-2017

Post-11  
Press-II  
Ministerial

Subject: - **Applicability of the provisions of the Odisha Group-'C' & Group-'D' (Contractual Appointment) Rules, 2013 and the Odisha Group-'B' (Contractual Appointment) Rules, 2013 to the recruitments for which advertisements were made prior to commencement of these Rules.**

Whereas, as per the policy decision of the Government, the provisions of regular recruitment to various Group-'C' & Group-'D' Posts and Group-'B' Posts under the Government were substituted by 'contractual recruitment' as per the provision made under the Odisha Group-'C' and Group-'D' Posts (Contractual Appointment) Rules, 2013 Published in the Gazette of 18.11.2013 and Odisha Group-'B' ( Contractual Appointment ) Rules, 2013 Published in the Gazette on 17.1.2014.

And whereas, it has come to the notice of the Government that, the provisions of the said Rules were interpreted differently and while in some cases appointments were made on contractual basis as per the provisions made under Sub-rule-(2) of Rule-5 of the said Rules, in other cases regular appointments were allowed 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.

And whereas, with a view to streamline the issue, guidelines were issued in O.A. Department Circular No. 18826 dated. 31.12.2016 on the basis of 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-'C' and Group-'D' Posts (Contractual Appointment) Rules, 2013 and Odisha Group-'B' ( Contractual Appointment ) Rules, 2013 shall be on 'contractual basis' w.e.f. the date of commencement of these Rules even if the onset of the recruitment process had started prior to coming into force of these Rules.

And whereas, a large number of cases have been filed before different Courts of law to challenge the above instructions shouting for relief to allow regular appointments on the

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ground that, applications were invited in the advertisement for regular recruitment and the recruitment was completed without modification of the advertisement for contractual appointment.

And whereas, considering the ground exhibited in the litigations, it is now opined by the Law Department that, "where advertisements have been made for regular posts prior to coming into force of 2013 Rules and the conditions of such advertisements remain unaltered till the recruitment process is complete, appointments to such posts should be made as per the relevant recruitment rules without treating them as contractual under the provisions of 2013 Rules."

Therefore, after careful consideration, Government have been pleased to relax the provisions of sub-rule (2) of rule 5 of both the Contractual Rules, 2013 by invoking the powers conferred under the relaxation provisions prescribed under both these Rules so as to allow those appointments, pursuant to the advertisement made for regular appointment prior to commencement of both these Contractual Rules but subsequently not converted to contractual appointment by way of re-advertisement as on regular basis.

All earlier Instructions/clarifications issued on the issue stand modified to the above extent. This has been concurred in by the Finance Department.

~~ORDER. Ordered that this order shall be published in the extraordinary issue of the Odisha Gazette for general information.~~

By Order of the Governor

*Johok*  
*19/7/17*

Special Secretary to Government

Memo No. 15595 / Gen., Dated. 19<sup>th</sup> July, 2017.

Copy forwarded to the Odisha Gazette Cell in-charge, Odisha Gazette Cell, C/o. Commerce Department for information with request to publish the Order in the extraordinary issue of the Odisha Gazette and supply 200 copies of the same to this Department for official use.

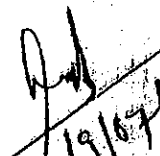
*G. N.*  
*19/07/2017*

Under Secretary to Government

Memo No. 15594 / Gen., Dated 19<sup>th</sup> July, 2017.


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

The clarification issued in G.A. Department Letter No. 18826/Gen. dated 31.08.17 hereby withdrawn.

  
19/07/2017  
Under Secretary to Government

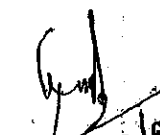
Memo No. 15595 / Gen., Dated 19<sup>th</sup> July, 2017.

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

  
19/07/2017  
Under Secretary to Government

Memo No. 15596 / Gen., Dated 19<sup>th</sup> July, 2017.


Copy forwarded to the Head of Portal Group, I.T Centre, Secretariat with a request to post this Order in the website of G.A. & P.G. Department for general information.

  
19/07/2017  
Under Secretary to Government

ODISHA POLICE  
STATE HEADQUARTERS,  
CUTTACK

Memo No. 31761 /Min. dt. 11.08.2017

Copy forwarded to All Heads of Police Establishments for information and necessary action.

  
AIG of Police (Personnel)  
Odisha, Cuttack

OD

31762  
11.8.17  
Copy to All Sectional Heads of State Police Hdqrs., Cuttack/A.C  
(Hdqrs.)/Control Room/Computer/Cell for information and necessary  
action.