

OPTCL NON-EXECUTIVE (CONTRACTUAL APPOINTMENT) RULES, 2021

PART-I

GENERAL

1. Short title and Commencement:

- 1) These rules may be called the **OPTCL Non-Executive (contractual appointment) Rules, 2021.**
- 2) They shall come into force on the date of their Notification.
- 3) From the date of commencement of these rules, there shall not be any Regular appointment in Non-Executive posts under OPTCL unless specifically excluded by the Management from these Rules.

2. Definitions:

1) In these rules unless the context otherwise requires-

- a) "Government" means the Government of Odisha;
- b) "OPTCL" means Odisha Power Transmission Corporation Limited
- c) "Management" means Chairman of Odisha Power Transmission Corporation Limited
- d) "Recruitment Rules" means the rules framed in OPTCL regulating recruitment to different Non-Executive posts
- e) "State" means the State of Odisha;
- f) "Scheduled Castes and Scheduled Tribes" shall reference to the Scheduled Castes specified in the Constitution(Scheduled Castes) Order 1950 and Scheduled Tribes specified in the Constitutions (Scheduled Tribes)Order.1950 made under Articles 341 and 342, respective of the Constitution of India and as amended from time to time:
- g) "SEBC" means Socially and Educationally Backward as referred to in clause(e) of Section 2 of the odisha Reservation of Posts and Services (for Socially and Educationally Backward Classes) Act-2008 (Odisha Act 8 of 2009);

h) "Persons with Disability" means person who has been granted disability certificate by the competent authority as per the provisions under rule 4 of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Odisha Rules, 2003.

i) "Year" means the Calendar Year.

2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Non-Executive Service Regulation of OPTCL.

3. Applicability:

1) These rules shall apply to the Non-Executive posts in OPTCL, which are filled up by way of direct recruitment:

Provided that the OPTCL Management may by notification exclude any such post from the purview of these rules.

2) These rules shall not apply to the Non-Executive posts for services and functions like Watch & Ward, Sweeping and Cleaning, Gardening etc. Manpower required for such services/ functions shall be managed by outsourcing basis.

3) These rules shall also not apply to contractual appointments (Fixed Term) made under-

(a) Temporary Plan Projects/ Schemes;

(b) Temporary Establishment: and

(c) Tenure Based Posts:

Provided that persons appointed on contractual basis under these schemes, who are below 45 years shall be allowed to participate in the recruitment process under rule 4 for any Non-Executive posts, if they satisfy all other eligibility criteria for the post as laid down in the relevant recruitment rules and shall be allowed relaxation of upper age limit for entry into OPTCL service.

PARA II

NEW CONTRACTUAL RECRUITMENT POLICY

4. Recruitment Procedure

- 1) Recruitment to the posts shall be made on the basis of the provisions of the relevant **recruitment rules or executive instructions, as the case may be in force.**
- 2) Notwithstanding anything contained in the relevant recruitment rules or executive instructions as the case may be in force all appointment made pursuant to sub-rule(1) shall ,form the date of commencement of these rules, be on contract basis.

5. Status of Vacant posts: For the purpose of contractual appointments made under sub-rule (2) of rule 4, all vacancies of Non-Executives 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 from the date of commencement of these rules:

Provided that, consequent upon regular appointment under sub-rule(i) of rule 10 the contractual post shall get re converted to regular sanctioned posts.

6. Reservations: Notwithstanding anything contained in these rules, reservation of vacancies for,

- 1) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services, (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; and
- 2) SEBC Women, Sports persons and Persons with Disabilities shall be made in accordance with the provisions made under such Act, Rules, or Orders and Instructions issued in this regard the behalf by the Government from time to time,.

7. Special Provision for different Categories of existing Contractual Employees engaged by the Outsourcing Agency(s):

- a. The persons provided by the manpower service provider agencies who shall be less than 45 years of age and shall have completed at least on year of continuous service, in case they apply for Recruitment under sub-rule(1) of rule 4 for any Non-Executive posts shall be

allowed relaxation of upper age limit for entry into OPTCL service: provided they satisfy all other eligibility criteria for the posts as laid down in the relevant recruitment rules.

- b. They shall be allowed 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, which shall be added to the marks secured by them for deciding the merit position.
- c. Rule 7(a) and 7(b) is applicable only to the existing persons engaged by the outsourcing agencies and continuing on the date of notification of these rules. The persons engaged thereafter will not be covered under these rules.

PARRA III

CONDITIONS OF SERVICE

8. Conditions of Service of Contractual Employees appointed under sub-rule(2) of rule 4;

- 1) **Tenure of Contractual appointment:** Persons appointed under sub-rule (2) of rule 4 against the contractual posts shall continue on contractual basis for a period of **Six years**. The period of six year shall be counted from the date of their contractual appointment under rule 4.
- 2) **Remuneration:** During the period of contractual appointment, they shall draw consolidated monthly remuneration as fixed by the management of OPTCL.
- 3) **Annual Increase of Remuneration:**
 - a. Subject to satisfactory performance, the consolidated remuneration shall be enhanced by ten percent on completion of each year of service.
 - b. The performance will be assessed from the Performance Report (the rating should be at least 'Good'), Interview and/ or Skill Test (qualifying mark is 50%).
 - c. **If any contractual employee comes unsuccessful in the performance assessment, he/she will not get the benefit of annual increase in the remuneration.**
- 4) **Allowances:** They shall not be entitled to D.A. , HRA and other allowances during the period of contractual appointment.

- 5) **Leave:** They shall be entitled to leave under the provisions of the Leave Rules at par with regular employees of OPTCL.
- 6) **Conduct and discipline-** They shall abide by the Conduct and Discipline Rules as applicable to Non-Executive regular employees of OPTCL.
- 7) **Pension:** They shall be enrolled under the new pension scheme from the date of contractual appointment under sub-rule (1) or rule 8.
- 8) **Training:** On initial appointment they will be placed under Training and Development Branch for one year to undergo Induction and On-the-Job Training.

9) Termination of Contractual Appointment:

- 1) During the Contractual Period, the services of the employee can be terminated by giving notice of one month or remuneration in lieu thereof. However, in the event, he/she prefers to leave the Corporation during his/ her contractual period, he/she shall have to give a notice of one month or deposit one month remuneration in lieu thereof.
- 2) The Corporation reserves the right to terminate by an order of the Appointing Authority, the service of any contractual employee without notice if he/she gives misleading and false information in the application or at the time of interview or at any stage of the selection process, which would adversely influence the decision by the Corporation in offering his/her employment.
- 3) The Corporation reserves the right to terminate/discharge the contractual employee, if any adverse report regarding the conduct of the employee is received from the Controlling Authority.
- 4) If any contractual employee comes unsuccessful for two consecutive years, during the Annual assessment, his/her service will be terminated by giving notice of one month or remuneration in lieu thereof.
- 5) Where a contractual employee remains absent unauthorisedly without any sufficient reason consecutively for a period of Fifteen (15) days and does not report to duty on service of notice, or fails to submit sufficient cause for such absence, it may be deemed that he/ she has voluntarily abandoned the contractual employment and the authority may terminate his/her service without further notice.

10. Regular appointment:

- 1) A gradation list of such contractual employees shall be prepared by the Appointing Authority on the basis of their date of Appointment. In Inter-se seniority of candidates joining the post on same batch will be on the basis of their position in the merit list (panel) of successful candidates for that particular position.
- 2) On the date of satisfactory completion of six years of contractual service under sub-rule(1) or rule 8 they shall be evaluated following the Evaluation Methodology as per sub clause-a,b,c.
 - a) **Evaluation Methodology:** The evaluation will be done at the end of six year of contractual service period. There will be a written Test of 60 marks, Skill Test / Trade Test of 20 marks and Personal Interview of 20 marks. A Committee constituted by the Appointing Authority shall make this evaluation.
 - b) In order to get absorbed in the regular post, a contractual employee would be required to score at least 50% marks each in Written Test, Personal Interview and/or Skill Test in the Evaluation. In addition the Trainee shall have no adverse remarks in the Performance Appraisal Report for last Three Years and his overall grading must be at least " Good". A formal order of regular appointment shall be issued by the appointing authority.
 - c) In case of unsuccessful candidates, the Contractual period may be extended for a further period of six months after which they will be again evaluated as per the above procedure. If found again unsuccessful, his/her services are liable to be terminated with approval of competent authority. On extension of Contractual Period, his/her seniority will be re-fixed.

11. Conditions of Service on Regular appointment:

- 1) **Pay and other benefits:** On regular appointment they shall be entitled to draw the time scale of pay with DA and other allowances as admissible in the corresponding Pay Band.
- 2) **Other conditions of service**
 - a) The other condition of service shall be such as has been provided in the relevant recruitment rules;

- b)** The conditions of service in regard to matters not covered by sub-rule(2) and clause(a) of this sub-rule shall be the same as are or as may from time to time be prescribed by OPTCL.

PARA IV

MISCELLANEOUS

12. Relaxation: When it is considered by the OPTCL that it is necessary or expedient so to do in the public interest, it may, by order for reasons to be recorded in writing, relax any provision of these rules in respect of any class or category of the employees.

13. Interpretation: If any question arises relating to the interpretation of these rules ; it shall be referred to the State Government whose decisions thereon shall be final.