SCHOOL & MASS EDUCATION DEPARTMENT

NOTIFICATION

The 23rd December, 2016

S.R.O. No. 653/2016— Whereas, the following draft of certain rules regulating the EPF and *ex-gratia* benefit of the employees of the Odisha Non-Government Aided High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas, which the State Government propose to make in exercise of the powers conferred by sub-section (1) of Section 27 read with Section 10 (1) of the Odisha Education Act, 1969 (Odisha Act, 15 of 1969) is hereby published as required by sub-section (1) of the Section 27 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the State Government on or after the expiry of a period of 15 days from the date of publication of this Notification in the *Odisha Gazette*.

Any objection or suggestion which may be received from any person in respect of the said draft on or before the expiry of the period so specified will be considered by the State Government.

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1. Short Title and Commencement:— *(1)* These rules may be called the Odisha Education (Employees Provident Fund and *ex-gratia* benefit) Rules, 2016.

(2) They shall come into force from the date of their publication in the *Odisha Gazette*.

2. Definition:— *(1)* In these rules, unless the context, otherwise requires –

(a) The 'Act' means the Odisha Education Act, 1969 (Odisha Act, 15 of 1969) ;

(b) "Employees" means the employees of private Aided Educational Institutions who are covered under the Odisha Education (Payment of Grant-in-Aid to High Schools , Upper Primary (M.E) Schools , Sanskrit Tols and Madrasas) Order, 2013 ;

(c) "Government" means the Government of Odisha in School & Mass Education Department.

(2) All other words and expressions used but not defined in these Rules shall have the same meaning as respectively assigned to them in the Act and the Odisha Education (Payment of Grant-in-Aid to High Schools , Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas) Order, 2013 .

3. Application:— They shall apply to the employees of private Aided Educational Institutions who are covered under the Odisha Education (Payment of Grant-in-Aid to High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas) Order, 2013.

4. Admissibility of Provident Fund Scheme:— *(1)* Employees who have been employed in an aided educational institution and covered under rule 3 shall be covered under the provisions of the Employees Provident Fund Scheme, 1952 made under the provisions of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

(2) The State Government shall provide funds as a social security measures to the Managing Committee of the educational institutions covered under rule 3 for employer's share towards contribution to Employees Provident Fund @ of 13.36 % of the Grant-in-Aid subject to condition that all the employees of the institution are covered under Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Scheme framed there under.

5. *Ex-gratia*:— *(1)* An *ex-gratia* of Rs.2 lakhs (Rupees Two lakhs) shall be paid to the next of kin of any employees who dies while in service and in case of permanent incapacitation, an *ex-gratia* of Rs.1.5 lakhs (Rupees One Lakh fifty thousand) shall be paid to such employees .

(2) If an employee receives any *ex-gratia* towards death or permanent incapacitation under the provision of EPF Act and the Scheme framed there under, shall not be eligible for *ex-gratia* under rule 5(1) .

6. The State Government may frame Scheme not inconsistent with the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Schemes made there under, prescribing detail modalities in order to carry out the provisions of these rules in consultation with the Finance Department.

[No. 25433–IX-SME-Sch-61/2016/SME.]

By Order of the Governor

RANJANA CHOPRA

Commissioner-*cum*-Secretary to Government