

No. PER(AP)-C-B(2)-2/97-Vol-IV
Government of Himachal Pradesh
Department of Personnel (App-III).

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Dated Shimla-171002, the 8th July, 1999.

From

The Chief Secretary to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All Divisional Commissioners in Himachal Pradesh.
3. All Deputy Commissioners in Himachal Pradesh.
4. All Heads of Departments in Himachal Pradesh.
5. All the Chairmen/Managing Directors/ Secretaries of various Corporations/Boards in Himachal Pradesh.
6. The Registrars,
H.P. University, Shimla/H.P. Krishi Vishwa Vidyalaya, Palampur and Dr. Y.S. Parmar University of Horticulture and Forestry, Solan, Himachal Pradesh.

Subject: Regularisation of Daily Waged/Contingent Paid Workers in the Departments (other than work charged categories of Public Works and Irrigation & Public Health Departments) /Boards /Corporations/ Universities, etc.-Instructions thereof.

Sir,

Jai Hind.

In continuation of this Department letter No. PER(AP)-C-B(2)-2/97-Vol. II, dated 23.9.1998 on the above subject, I am directed to say that the Govt. has now decided that the Daily Waged/Contingent Paid Workers in all the Departments including Public Works and Irrigation and Public Health Departments (other than Work-Charged categories) /Boards/ Corporations/ Universities, etc. who have completed 8 years of continuous service (with a minimum of 240 days in a calendar year) as on 31.03.1999 may be regularised either against the available vacant posts or, if vacant posts are not available, by creation of the posts subject to the observance of the following terms and conditions :-

NORMS/PRINCIPLES REGARDING REGULARISATION OF DAILY WAGED /CONTINGENT PAID WORKERS.

- (i) Daily Waged/Contingent Paid workers who have completed 8 years of continuous service (with a minimum of 240 days in a calendar year) as on 31-03-1999 shall be considered for

regularisation either against the available vacant posts or, if vacant posts are not available by creation of the posts in the respective Organisation and the terms and conditions for such regularisation shall be governed as per Annexure-"A". However, in Departments/ Corporations/ Boards where the work charged category also exists, the daily wagers with 8 years of service will first be brought on the work charged category.

(ii) In case of a Daily Waged/Contingent Paid worker, who has worked for less than 8 years on a higher pay scale, he will be considered for regularisation by combining the service both in the lower scale and higher scale but he shall be regularised on a lower post because for regularisation on a higher post, 8 years complete service on the higher post is essential.

(iii) There shall be no resultant vacancy by way of such regularisation in lieu thereof.

(iv) The Daily Waged/Contingent Paid workers shall be regularised against the posts/ vacancies of relevant categories. The Daily Waged/Contingent Paid workers of general category may be regularised even if they are in excess of their quota with the clear stipulation that in future recruitments only the candidates from reserved categories will be appointed until the backlog arising out of utilisation of reserved category vacancies by general category Daily waged/Contingent Paid workers is cleared.

(v) The Seniority of the "Daily Waged/Contingent Paid Workers" as are regularised under this policy vis-a-vis employees appointed on regular basis shall be determined on the date of issue of these policy instructions. The inter-se-seniority of such "Daily Waged /Contingent Paid Workers" shall be determined in accordance with the date of joining the post on daily wages/ contingent paid basis. If the date of joining the post(s), on daily wages/contingent paid basis by such Daily Waged/Contingent Paid Worker is the same, then the elder employee shall rank senior to an employee younger in age. If the date of joining of the direct recruit and date of regularisation of Daily Waged/Contingent Paid Worker is the same the direct recruit shall rank senior.

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- (vi) The daily waged/contingent paid workers being considered for such regularisation should possess minimum educational qualification as prescribed in the Recruitment & Promotion Rules.
- (vii) In case of daily waged/contingent paid workers who have been engaged without being sponsored by the Employment Exchange, may be given relaxation while regularising their services.
- (viii) The Department(s) shall not be required to make prior consultation with the H.P. Public Service Commission for regularisation of services in case of those posts which fall within the purview of the H.P. Public Service Commission.
- (ix) Maximum age limit for the engagement of Daily Waged/Contingent Paid Workers, in future, shall be 45 years and the certificate to this effect shall be obtained by the concerned Organisation at the time of giving employment.

2. Eligibility criteria for the Physically Handicapped Workers (whose disability is more than 40%) shall also remain 8 years.

3. These instructions may kindly be brought to the notice of all concerned for strict compliance and the receipt of the same may also be acknowledged.

4. These instructions have been issued after approval of the Finance Department received vide their Dy.No.125-Fin(PR)B(7)15/98 dated 29-04-1999.

Yours faithfully,

N. K. Nayan D'Sa
Under Secretary (Pers.) to the
Government of Himachal Pradesh.

No. PER(AP)-C-R(2)-2/97-Vol-IV Dated Shimla-2, the 8th July 1999.
The Copy for favour of information and necessary action is forwarded to :-

1. The Secretary, H.P. Public Service Commission, Shimla-171002.
2. The Finance (Regulation) Department, H.P. Secretariat, Shimla-171002.
3. All the Section Officers in H.P. Secretariat, Shimla-171002.
4. Guard File (200 spare copies).

N. K. Nayan D'Sa
Under Secretary (Pers.) to the
Government of Himachal Pradesh.

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TERMS AND CONDITIONS FOR REGULARISATION OF DAILY WAGED/CONTINGENT PAID WORKERS WHO HAVE COMPLETED 8 YEARS OF CONTINUOUS SERVICE ON 31-03-1999.

1. The Daily Waged/Contingent Paid workers who have completed 8 years of continuous service (with a minimum of 240 days in a calendar year) on 31-03-1999 shall be considered for regularisation either against the available vacant posts or, if vacant posts are not available by creation of the posts in the respective Organisation. However, the eligibility for regularisation of such workers in respect of tribal areas shall be on the basis of number of minimum requisite days as under:-
 - (a) For Kinnaur District and Spiti = 180
Sub-Division of Lahaul and
Spiti District.
 - (b) For Lahaul area of Lahaul and = 160
Spiti District and Pangri Sub-
Division of Chamba District.
2. The regularisation shall be strictly on the basis of seniority subject to fitness and the fulfilment of minimum eligibility prescribed in the concerned Recruitment and Promotion Rules.
3. The Candidate should be medically fit for the post being considered for regularisation. The Medical fitness certificate of the candidate shall be ensured in accordance with the provisions contained in F.R.10 and S.R.4(1),4(2) and 4(3).
4. The regularisation shall be subject to verification of character and antecedents of the candidate being considered for regularisation as provided in the Himachal Pradesh Financial Rules.
5. For the determination of date of birth of the candidate concerned, criterion as laid down in Rule-7.1 of the Himachal Pradesh Financial rules Vol.I Hand Book No.2 shall be observed.
6. A screening Committee shall be constituted by the Department concerned for the assessment of the suitability of the candidate concerned for regularisation.
7. The Daily Waged/ Contingent Paid Workers who are to be regularised shall be put in at the minimum of the time scale or pay payable to the corresponding lowest grade in the Government.
8. The Daily Waged/ Contingent Paid Workers so regularised shall be liable to be posted anywhere within the State.
