

Dated: Shimla-171002, the 7 May, 2010.

From

The Secretary (Personnel) to the
Government of Himachal Pradesh

To

1. All the Principal Secretaries/Secretaries to the Government of Himachal Pradesh, Shimla-171002.
2. All Divisional Commissioners in Himachal Pradesh.
3. All Heads of Departments in Himachal Pradesh.
4. All Deputy Commissioners in Himachal Pradesh.

Subject: - Regularization of Daily Waged Workers/Contingent paid workers..

Sir,

In continuation of this Department letter No. PER (AP)-C-B(2)-1/2006 - Vol. VII (Loose-2), dated 28th August, 2009, I am directed to say that the matter regarding liberalizing the policy of regularization of Daily Waged Workers/Contingent Paid Workers in all the Departments had been engaging the attention of the Government for sometime past. After careful consideration, the Government has now decided that the Daily Waged/Contingent Paid Workers in all the Departments who have completed 8 years of continuous service (with a minimum of 240 days in a calendar year except where specified otherwise for the tribal areas) as on 31.3.2010 may be regularized only against vacant posts in various departments. No new post for this purpose will be created. Completion of required years of service makes such daily wager/ contingent paid workers eligible for consideration to be regularized. Regularization in all cases will be from prospective effect i.e. after the date the order of regularization is issued after completion of codal formalities. The regularization will be subject to the observance of the Following terms and conditions:-

Norms/Principles regarding regularization 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

59

except where specified otherwise for the tribal areas) as on 31.3.2010 may be considered for regularization only against the available vacancies in various Departments and the terms & conditions for regularization shall be governed as per Annexure-'A'.

- (ii) No new post of any category will be created.
- (iii) After regularization, the original post of the concerned daily wager/contingent paid workers shall be abolished.
- (iv) The regularization will depend subject to availability of budget allocated to the Department concerned for that year.
- (v) Since no new post is to be created, therefore, no additional fund/budget will be demanded.
- (vi) 8 years of continuous service is only an eligibility criteria and regularization shall be only from prospective effect i.e. after the date the orders of regularization is issued after completion of codal formalities.
- (vii) The daily waged/contingent paid workers being considered for such regularization shall possess minimum educational qualification as prescribed in the Recruitment & Promotion Rules of such post.
- (viii) In case of a Daily Waged/contingent paid worker, who has worked for less than 8 years on higher wages, on a higher pay scale post, he will be considered for regularization by combining the service both in the lower scale post and higher scale post but he shall be regularized on a lower post because for regularization on a higher post, 8 years complete daily wage/contingent paid service on the higher pay scale post shall be essential.
- (ix) The Daily Waged/Contingent Paid Workers may be regularized against the posts/vacancies of relevant categories purely on seniority basis subject to rejection being unfit and by doing so in case any roster point for reserved/feeder category remains under utilized, these shall be made good in future recruitments by filling up the backlog first.
- (x) Such daily waged/contingent paid workers, who were within the age limit prescribed for direct recruitment at the time of engagement on daily wages/contingent paid basis, may be given relaxation in age limit while regularizing their services, if they have crossed the maximum age limit as prescribed in the Recruitment and Promotion Rules.

- (xi) Such daily waged /contingent paid workers, who have been engaged without being sponsored by the Employment Exchange, may be given relaxation while regularizing their services. ~~58~~
60
- (xii) The Department(s) are not required to make prior consultation with the H.P. Public Service Commission for regularization of services in case of those posts which fall within the purview of the H.P. Public Service Commission.
- (xiii) The Seniority of the "Daily Waged/Contingent Paid Workers" as are regularized under this policy vis-à-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 order of regularization of such daily wagger/ contingent paid worker based on seniority as daily wagger/contingent paid worker.
- (xiv) There shall be no resultant vacancy by way of such regularization because such vacancies shall be abolished.

Yours faithfully,

Neelam

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh.

Endst.No.PER(AP)-C-B(2)-1/ 2006-Vol.-VIII Dated:Shimla-171002, 7 May, 2010.

Copy for favour of information and necessary action is forwarded to:-

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

Neelam

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh.

TERMS AND CONDITIONS FOR REGULARISATION OF DAILY WAGED/CONTINGENT PAID WORKERS WHO HAVE COMPLETED 8 YEARS CONTINUOUS SERVICE ON 31.3.2010.

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 31.3.2010 will be eligible for consideration for regularization against the available vacancies in various Departments. However, eligibility for regularization 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 Sub-Division of Lahaul and Spiti District. = 180 days
 - (b) Bharmour area of Chamba District. = 180 days
 - (c) For Lahaul area of Lahaul and Spiti District and Pangi Sub-Division of Chamba District. = 160 days
2. The regularization will 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 regularization. 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 regularization shall be subject to verification of character and antecedents of the candidate being considered for regularization 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 regularization.
7. The Daily Waged Workers/Contingent Paid Workers who are to be regularized may be put in at the minimum of the time scale of pay payable to the corresponding lowest grade in the Government.
8. The Daily Waged Workers/Contingent Paid Workers so regularized shall be liable to be posted anywhere within the State.