

No. PER (AP)-C-B (2)-1/2014
Government of Himachal Pradesh
Department of Personnel (AP-III)

From

Adl. Chief Secretary (Personnel) 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 Heads of Departments in Himachal Pradesh
4. All Deputy Commissioners in Himachal Pradesh

Dated: Shimla-171002, the . 11th May, 2018

Subject: - Regularization of daily waged workers/contingent paid
workers.

Sir,

In continuation of this Department's letter of even number dated the 19th June, 2017, 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 consideration, the Government has now decided that the daily waged/contingent paid workers in all the Departments who have completed 5 (five) years of continuous service (with a minimum of 240 days in a calendar year except where specified otherwise for the tribal areas) as on 31.03.2018 may be regularized only against vacant posts in the respective departments. It has further been decided that daily waged/contingent paid workers who are due to complete 5 years of continuous service as on 30.09.2018 will also be regularized after 30.09.2018 accordingly. Completion of required years of service makes such daily wagger/contingent paid workers eligible for consideration to be regularized. Regularization in all cases will be from prospective effect i.e. after the date of the order of regularization is issued after completion of codal formalities, subject to the observance of following norms/principles: -

P.T.O.

- (i) Daily waged/contingent paid workers who have completed 5 years of continuous service (with a minimum of 240 days in a calendar year except where specified otherwise for the tribal areas) as on 31.03.2018 and due to complete 5 years' service as on 30.09.2018 may be considered for regularization against the available vacancies in various Departments and the terms & conditions for such 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 wagger/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) 5 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 are 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 at the time of initial engagement. However, the educational qualification will be relaxed, if required.
- (viii) In case of a daily waged/contingent paid worker, who has worked for less than 5 years on higher wages, on a higher pay scale post, he/she will be considered for regularization by combining the service both in the lower scale post and higher scale post but shall be regularized on a lower post because for regularization on a higher post, 5 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 of unfit and by doing so in case any roster point for reserved/feeder category remains underutilized, 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 in the respective Recruitment and Promotion Rules, at the time of engagement on daily wage/contingent paid basis, may be considered for regularization, if they have crossed the maximum age limit.
- (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.
- (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 employee appointed on regular basis shall be determined consequent upon their regularization. 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.
- (xv) If the vacant post is not available, the regularization may be done against available analogous Class-IV posts having identical pay band.

Yours faithfully,



(Amarjeet Singh)

Special Secretary (Personnel) to the
Government of Himachal Pradesh

Endst.No.PER(AP)-C-B(2)-1/2014 Dated: Shimla-2, 11th May, 2018

Copy for information and necessary action is forwarded to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla.
2. The Secretary, H.P. Vidhan Sabha, Shimla-171004.
3. The Registrar, H.P. High Court, Shimla-171001.
4. The Secretary, H.P. Public Service Commission, Shimla-2.
5. The Under Secretary (GAD) to the Government of Himachal Pradesh w.r.t. item No. 12 of CMM dated 08.05.2018.
6. The Secretary, H.P. Staff Selection Commission, Hamirpur.
7. All the Section Officers in H.P. Secretariat, Shimla-171002.



Special Secretary (Personnel) to the
Government of Himachal Pradesh

TERMS AND CONDITIONS

1. The daily waged/contingent paid workers who have completed 5 years of continuous service (with a minimum of 240 days in a calendar year) on 31.03.2018 and due to complete 5 years' services as on 30.09.2018 will be eligible for consideration for regularization. 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) Kinnaur District, Spiti Sub-Division =180 days
of Lahaul & Spiti District and
Bharmour area of Chamba District.
 - (b) Lahaul area of Lahaul and Spiti = 160 days
District and Pangi Sub- Division
of Chamba District.
2. The regularization will be strictly on the basis of seniority subject to fitness and the fulfillment of minimum eligibility prescribed in the concerned Recruitment and Promotion Rules except as prescribed at Sr. No.(vii) of the norms/principles for regularization.
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 172 of the Himachal Pradesh Financial Rules, 2009 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 regularization shall be done at the level of authorities competent for such appointment.
8. The daily waged/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.
9. The daily waged/contingent paid workers so regularized shall be liable to be posted anywhere in the State.