

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAWAN : NEW DELHI

F.No.14(1)/2008-Estt.I

Dated, the 3rd August, 2011

To

The Directors of all the ICAR Institutes / Bureaux / PDs / NRCs / ZPDs

Sub.: Regularisation of casual labourers who were granted temporary status under the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993.

Sir,

The Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993 was implemented in ICAR vide ICAR letter No. 24(15)/93-Cdn. dated 23.11.1994 w.e.f. 1.9.93. As per para 8 of the scheme, two out of every three vacancies in group 'D' cadres in respect of offices where the casual labourers have been working are to be filled up as per extant recruitment rules from amongst casual workers with temporary status. With the implementation of VIth CPC the group 'D' posts have been granted group 'C' grade pay of Rs. 1800 in PB-1 and given the designation of Skilled Support Staff. This has necessitated framing of RRs for the posts which were in group 'D' scales prior to VIth CPC and which have been placed in group C - PB-1 with grade pay of Rs. 1800. Accordingly, RR for Skilled Support Staff in the grade pay of Rs. 1800 in PB-1 has been framed keeping in view the model recruitment rules issued vide DoPT O.M. No. AB-14017/6/2009-Estt(RR) dated 30.4.2010 and is given as Annexure II.

2. It is requested that existing casual labourers who were granted temporary status under the Casual Labourers (Grant of Temporary Status and Regularisation) Scheme endorsed vide ICAR letter No.24(15)/93-Cdn. dated 23.11.1994 may be regularised as per these RRs in accordance with para 8 of the DoPT scheme in the following manner :

- i. Two out of every three vacancies in Skilled Support Staff,

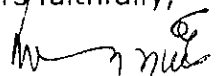
except for the vacancies for the year 2008-09 which are yet to be cleared by ADRP, are to be filled up as per RR at Annexure I from amongst casual labourers (temporary status) at the respective institute.

- ii The candidates have to be considered in order of notional seniority as on 1.9.93 subject to requirements of RR.
- iii. As the minimum qualification required for the recruitment of Skilled Support Staff is matriculation pass or equivalent or ITI pass, only those casual labourers (temporary status) are to be considered for regularisation who fulfil the qualification requirement.
- iv. The individual casual labourer (temporary status) is to be allowed age relaxation equivalent to the period for which he or she has worked continuously as casual labourer in terms of para 8(i) of the DoPT scheme. A copy of the scheme is given as Annexure I.

3. IT MAY PLEASE BE NOTED THAT THESE RRs ARE NOT APPLICABLE FOR RECRUITMENT FROM OPEN MARKET. THE EMBARGO ON RECRUITMENT OF SKILLED SUPPORT STAFF FROM OPEN MARKET COMMUNICATED VIDE COUNCIL LETTER NO. 33(15)/2009-ESTT. I DATED 6.1.2010 CONTINUES.

4. The Directors are expected to assume personal responsibility to ensure that eligible temporary status casual workers at their respective institutes are regularised in the aforesaid manner. The process of regularisation of eligible temporary status casual labourers may be completed within three months and the posts remaining vacant (year wise) may be intimated to the Council for further orders.

Yours/faithfully,



(RAJIV MEHRISHI)

Addl. Secretary, DARE & Secretary, ICAR

Copy to:-

- 1 All DDGs at ICAR Hqrs
- 2 All Directors / Deputy Secretaries at ICAR Hqrs.
- 3 PSO to DG, ICAR/ PPS to Secretary, ICAR/ PS to FA, DARE/ICAR
- 4 Secretary (Staff Side), CJSC, ICAR.
- 5 Secretary (Staff Side), HJSC, ICAR.
- 6 Media Unit, **ICAR**, for placing this letter on Council's website.
- 7 Guard file / Spare Copies (10).



(K.N. Choudhary)

Under Secretary (Admn.)

APPENDIX

Ministry of Personnel, Public Grievances and Pensions (Deptt. of Personnel and Training, Casual Labourers (Grant of Temporary Status and Regularisation) Scheme

1. This scheme shall be called "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993."

2. This Scheme will come into force w. e. f. 1.9.1993.

3. This scheme is applicable to casual labourers in employment of the Ministries/Departments of Government of India and their attached and subordinate offices, on the date of issue of these orders. But it shall not be applicable to casual workers in Railways, Department of Telecommunication and Department of Posts who already have their own schemes.

4. Temporary Status

(i) Temporary status would be conferred on all casual labourers who are in employment on the date of issue of this OM and who have rendered a continuous service of at least one year, which means that they must have been engaged for a period of at least 240 days (206 days in the case of offices observing 5 days week).

(ii) Such conferment of temporary status would be without reference to the creation/availability of regular Group 'D' posts.

(iii) Conferment of temporary status on a casual labourer would not involve any change in his duties and responsibilities. The engagement will be on daily rates of pay on need basis. He may be deployed anywhere within the recruitment unit/territorial circle on the basis of availability of work.

(iv) Such casual labourers who acquire temporary status will not, however, be brought on to the permanent establishment unless they are selected through regular selection process for Group 'D' posts.

5. Temporary status would entitle the casual labourers to the following benefits:-

(i) Wages at daily rates with reference to the minimum of the pay scale for a corresponding regular Group 'D' official including DA, HRA and CCA

(ii) Benefits of increments at the same rate as applicable to a Group 'D' employee would be taken into account for calculating pro-rata wages for every one year of service subject to performance of duty for at least 240 days, 206 days in administrative offices observing 5 days week) in the year from the date of conferment of temporary status.

(iii) Leave entitlement will be on a pro-rata basis at the rate of one day for every 10 days of work, casual or any other kind of leave, except maternity leave, will not be admissible. They will also be allowed to carry forward the leave at their credit on their regularisation. They will not be entitled to the benefits of encashment of leave on termination of service for any reason or on their quitting service.

(iv) Maternity leave to lady casual labourers as admissible to regular Group 'D' employees will be allowed.

(v) 50% of the service rendered under temporary status would be counted for the purpose of retirement benefits after their regularisation.

(vi) After rendering three years' continuous service after conferment of temporary status, the casual labourers would be treated on par with temporary Group 'D' employees for the purpose of contribution to the General Provident Fund, and would also further be eligible for the grant of Festival Advance/Flood Advance on the same conditions as are applicable to temporary Group 'D' employees, provided they furnish two sureties from permanent Government servants of their Department.

(vii) Until they are regularized, they would be entitled to Productivity Linked Bonus/ Ad-hoc bonus only at the rates as applicable to casual labourers.

6. No benefits other than those specified above will be admissible to casual labourers with temporary status. However, if any additional benefits are admissible to casual workers working in Industrial establishments in view of provisions of Industrial Disputes Act, they shall continue to be admissible to such casual labourers.

7. Despite conferment of temporary status, the services of a casual labourer may be dispensed with by giving a notice of one month in writing. A casual labourer with temporary status can also quit service by giving a written notice of one month. The wages for the notice period will be payable only for the days on which such casual worker is engaged on work.

8. Procedure for filling up of Group 'D' posts

(i) Two out of every three vacancies in Group 'D' cadres in respective offices where the casual labourers have been working would be filled up as per extant recruitment rules and in accordance with the instructions issued by Department of Personnel and Training from amongst casual workers with temporary status. However, regular Group 'D' staff rendered surplus for any reason will have prior claim for absorption against existing/future vacancies. In case of illiterate casual labourers or those who fail to fulfill the minimum qualification prescribed for post, regularisation will be considered only against those posts in respect of which literacy or lack of minimum qualification will not be a requisite qualification. They would be allowed age relaxation equivalent to the period for which they have worked continuously as casual labourer.

9. On regularisation of casual worker with temporary status, no substitute in his place will be appointed as he was not holding any post. Violation of this should be viewed very seriously and attention of the appropriate authorities should be drawn to such cases for suitable disciplinary action against the officers violating these instructions.

10. In future, the guidelines as contained in this Department's OM dated 7.6.88 should be followed strictly in the matter of engagement of casual employees in Central Government offices.

11. Department of Personnel and Training will have the power to make amendments or relax any of the provisions in the scheme that may be considered necessary from time to time.

RECRUITMENT RULES FOR THE POST OF SKILLED SUPPORT STAFF

(For the regularization of Temporary Status (Casual Labour) vide ICAR's letter
No.14(1)/2008-Estt.I dated 3.8.2011)

1.	Name of the post	<i>Skilled Support Staff</i>
2.	Classification	<i>Administrative Group 'C'</i>
3.	Pay Band and Grade Pay/ Pay Scale	<i>Pay Band-I, Rs. 5200-20200 +Grade Pay of Rs. 1800/-.</i>
4.	Whether Selection Post or Non-selection Post	<i>Not applicable</i>
5.	Age limit for direct recruitment	<p><i>18-25 years</i></p> <p><i>Note:</i></p> <p><i>1.The crucial date for determining the age limit shall be closing date for receipt of application from candidates in India.</i></p> <p><i>2. For regularization of Casual labourer (Temporary Status), age-limit shall be as per DOPT's O.M.No. 5106/2/90-Estt.(c) dated 10.9.93.</i></p> <p><i>3. In case of recruitment made through the Employment Exchange, the crucial date for determining the age limit shall be the last date upto which the Employment Exchange is asked to submit the names.</i></p>
6.	Educational & other qualifications required for direct recruitment	<i>Matriculation pass or equivalent</i> OR <i>ITI pass</i>
7.	Whether age and educational qualification required for direct recruits will apply in case of promotees.	<i>Not applicable</i>
8.	Period of Probation, if any.	<i>Two years.</i>
9.	Method of recruitment whether by Direct Recruitment or by promotion or by deputation / absorption & percentage of vacancies to be filled by various modes.	<i>By direct recruitment from amongst casual labourers with temporary status granted under the DOPT scheme vide OM No. 51016/2/90-Estt.(C) dated 10.9.93 in terms of para 8 of the Scheme.</i>

10.	In case of recruitment by promotion / deputation / absorption; grades from which promotion / deputation / absorption is to be made.	<i>Not applicable</i>
11.	If a Departmental Promotion Committee exists what is its composition.	<i>Not applicable</i>
12.	Remarks	<i>i. Relaxation in upper age shall be allowed to Scheduled Caste / Scheduled Tribe / OBC and any other category as per the instructions issued by the Government of India time to time. ii. Reservation for SC, ST & OBC candidates shall be made according to the percentage fixed from time to time by the Govt. of India for similar posts.</i>