

**Finance Department
Audit Branch**

No. 9008-F (P)

Kolkata, the 16th September, 2011

MEMORANDUM

In the order to provide security of tenure, appropriate emoluments and certain terminal benefits subject to fulfilment of certain conditions to the casual/daily rated/contractual workers who have remained engaged in various Government Establishments for a considerable period of more than 10 years in connection with implementation of various schemes / projects of various Departments of the government two Memorandums vide No. 2966-F(P) dt. 23-04-2010 and No. 11794-F(P) dt. 22-12-2010 was issued by the Government in Finance Department.

The question of making the provisions of the two aforesaid orders more effective and suitable to the convenience of the Government Establishments / Organization has been under active consideration of the Government for some time past.

After careful consideration of the matter and in supersession of the aforesaid orders and all other orders issued by other Departments in the matter, the undersigned is directed by order of the Governor to say that the Governor, has now been pleased to order that the casual/daily rated/contractual workers, who are remaining attached to the various Establishments of the Government Departments/Directorates/Regional Offices/other Organizations for not less than 10 years continuously as on 01-08-2011 and have rendered service for at least 240 days each year will be allowed the following benefits:

- (i) The casual/daily rated/contractual workers who have rendered 10 years of service continuously with at least 240 days attendance each year may remain engaged in the same status and capacity till their attaining the age of 60 years.

The continuity of service shall have to be certified by a competent officer not below the rank of Assistant Secretary in the case of a Secretariat Department, Director in the case of Directorate and Assistant Engineers/S.D.O./B.D.O. in the case of Regional offices. The concerned officer, who certifies may be advised to exercise extreme precautions and take assistance of an office of WBA & AS, if necessary.

- (ii) An entry point basic pay in PBI-I i.e. Rs. 6600/- (Rs. 4900 + 1700) p.m. will be admissible to casual/daily rated/contractual Group 'D' workers as consolidated remuneration, similar entry point pay (entry point pay in the Pay Band plus Grade Pay) will be admissible to casual/daily rated/contractual Group 'C' workers and employee of any other category, if he/she fulfils the required condition will be entitled to a monthly remuneration which will be minimum entry level Pay Band and Grade Pay corresponding to his/her category and the remuneration may be determined in consultation with the Finance Department in the same manner as mentioned above.
- (iii) When such casual/daily rated/contractual workers are allowed the entry point basis pay, they will not get any other allowances like dearness allowance, house rent allowance etc. However their basic pay will be enhanced by 5% after every three years and the three years will be counted by treating the period from 1st, August 2011 to 1st, July 2012 as completed year for giving effect to 5 percent increase in basic pay.

- (iv) The remuneration of casual/daily rated/contractual workers who have not yet completed 10-year service will be equivalent to 75% of the remunerations admissible under sub – para (ii) above subject to a minimum of Rs. 5000/-p.m.
- (v) Those casual/daily rated/contractual workers who will complete 10 year service on 1st July every year will come under the purview of this Order provide no such worker if engaged after 01-04-2010 will come under the purview of this Order
- (vi) A casual/daily rated/contractual workers who will fulfil the conditions as laid down in sub – para (i) above will continue to be engaged in such a manner till he/she attains the age of 60 years when he/ she will be paid an amount of Rs. 1 lakh as one time cessation of engagement benefit.
- (vii) A casual/daily rated/contractual worker may be allowed 30 (thirty) off days a year and female such worker may be allowed Maternity leave of 180 (one hundred eighty) days in addition to 30 days in addition off as mentioned herein before.
- (viii) A casual/daily rated/contractual worker who is engaged in two different Government Department but has rendered services for 10 years without a break will come under the purview of this Order.
- (ix) It is reiterated that Officer/Officers responsible for any further engagement of such casual/daily rated /contractual worker will be personally liable for violation of this Order. However, having regard to the exigencies of situation and in order to facilitate smooth running of any project/administration or for serving academic interest where it is absolutely necessary contractual engagement may be made for a very limited period not exceeding 1 (one) year. This engagement shall be made on strict observance of recruitment rules and against sanctioned vacancies. Advertisement shall be published in newspaper and applications shall be invited from eligible candidates to fill up those temporary vacancies. Simultaneously steps should be taken to fill up the vacancies on regular basis following recruitment rules. Such contractual engagement may be renewed from time to time, but not exceeding a total period of 6 (six) years. No claim to regularization of this contractual service in terms of G.O. No.8305-F dt. 26-09-2005 read with G.O. No.642-F dt. 24-01-06 shall lie.
- (x) The provisions of this Order will not be applicable where contractual engagement has been made without any sanctioned post and specific project for a very temporary period upto a maximum 6 (six) years or winding up of the project whichever is earlier. Thus in such cases steps will not be required to be initiated for filling up the post through regular appointment as per the recruitment Rules, since the post are temporary by nature.
- (xi) During the period of engagement, the service of a casual/daily rated/contractual worker may be terminated because of involvement in criminal case/misconduct/delinquency/incapacitation etc. or if the concerned worker intends to opt out of the engagement on his/her own.
- (xii) The benefit of this Memo will be applicable mutatis mutandis to the Panchayat Bodies/ULBs/Statutory Bodies.
- (xiii) The casual /daily rated/contractual workers who have already got the benefit with reference to 1st April, 2010 as cut off date will continue to get the benefit in terms of F.D.

Memo No. 2966-F(P) dt. 23-04-2010 and No.11974-F(P) dt. 22-12-2010, while the others will be covered in terms of provisions of this Memo.

The undersigned is further directed to reiterate that henceforth no further engagement of Group 'D' employees, who are engaged in the manner as laid down in F.D. Memo. No. 3727-F dt. 20-05-2009 and paid out of contingency, will be done, on or after 01-04-2010. Officer/Officers responsible for such engagement will be personally liable for violation of this Order.

(xiv) The final approval will be given by the ACS/Principal Secretary/Secretary as the case may be, of the concerned Department, after exercising necessary checks & balance & ensuring that any ineligible person does not get the benefits of this order.

(xv) A proforma statement is hereby annexed for supplying information by the respective appointing authority to the Administrative Department.

Sd/-S.K. Chattopadhyay
OSD & E.O. Special Secretary
to the Government of West Bengal