

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC WORKS DEPARTMENT
CIVIL SECRETARIAT: ITANAGAR.**

OFFICE MEMORANDUM

Dated Itanagar, the 13th August/2007.

Subject: The Scheme for Regulating the Appointment, Promotion and Services of work Charged staff and casual workers under the Public Works Department Arunachal Pradesh.

No.SPWD-100/2005:.....The Government of Arunachal Pradesh in its Cabinet decision dated 7/6/2007 has approved the Scheme, recommended by the High Powered Committee with a certain modifications for **Regulating the Appointment, Promotion and Services of Work Charged staff and casual workers under the Public Works Department Arunachal Pradesh with decision to implement by all Works Department.** Keeping the core policy of the Scheme same, the other Works Departments shall evaluate their own Scheme and issue similar Notifications in due course.

Therefore, the **Governor of Arunachal Pradesh is pleased to order the implementation of said Scheme in PWD Arunachal Pradesh with immediate effect.**

The Scheme so recommended by High Powered Committee with certain modifications are indicated hereunder:-

PRELIMINARY

1. Preliminary

1.1 WHEREAS Hon'ble Gauhati High Court, Itanagar Permanent Bench, in its common judgment of 5.8.2003, while disposing the cases in the matter of 19 Writ Petitions and one Miscellaneous case, relating to a batch of petitioners from among the casual workers under the Public Works Department, Arunachal Pradesh, had decreed under the paras as given below:

1.2 Para 4 When the matter stood situated thus, the Department took up steps for preparing a scheme for regularizing the services of as many number of employees as financially feasible. The department concerned has, accordingly, prepared the Scheme, which admittedly, stand approved by the Government. A copy of this Scheme has been made available to this Court by the State-respondents for perusal.

Para 5 I have perused the materials on record including the Scheme aforementioned and I have also heard the learned counsel for the parties appearing before me.

Para 6 In view of the fact that the Department concerned has, now, a Scheme for regularizing the services of the employees concerned, the services of such employees need to be regularized in terms of the Scheme so prepared.

Para 7 Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the respondents shall consider the cases of the writ petitioners, who are parties in the present batch of writ petition, in the light of the Scheme aforementioned and upon considering the case of each of the writ petitioners separately, the respondents shall pass necessary order or orders in terms of the Scheme and in the light of the merit of the individual case. The Government, however, remains at liberty to consider, for appropriate further relief, the cases of all those writ petitioners, whose services cannot be regularized under the said Scheme. This apart, the writ petitioners, whose services are not regularized under the scheme, are hereby given liberty to approach the Court of law for necessary relief, if so advised.

Para 8 In all those cases, in which interim directions have been passed by this Court protecting the services of the writ petitioners, as indicated hereinbefore, the Department concerned shall make payment of their dues commencing from the time, when they had approached this Court, till the time of passing of this order. The Department of Finance, Government of Arunachal Pradesh, shall if necessary, allocate separate / special fund for this purposes. The whole exercise relating to payment of salaries / wages shall be completed within a period of three months from today.

Para 9 It is further directed that the Chief Secretary to the Government of Arunachal Pradesh shall supervise / ensure that the directions given hereinabove are complied with by the respondents concerned within the time limit fixed by this order.

- 1.3 AND WHEREAS the Scheme referred to by the Hon'ble Court, in the said common judgment of 5.8.2003 actually relates to the Scheme prepared and implemented by the Rural Works Department, Govt. of AP, for creation of regular Work Charged establishment under the department, and that no separate Scheme had been prepared or submitted before the Hon'ble Court by the PWD, although, however, that the Department had initially sought to implement the RWD Scheme and that its intent had been conveyed to the Hon'ble Court through the good offices of Learned Senior Advocate, Arunachal Pradesh;
- 1.4 AND WHEREAS the afore mentioned RWD Scheme, in its present form cannot be implemented fully under PWD for reasons that include : (i) Limitation in scope for large scale regularization of casual workers to WC category due to limitation in sanctioned strength and vacant posts; (ii) Application of the reservation policy of the State Government, on which the RWD Scheme is silent; and (iii) Recurring high financial burden beyond the sustaining capacity of the PWD owing to heavy wage bills of the large labour force consisting of WC and Casual workers under the Department;
- 1.5 AND WHEREAS the present strength of labourers under PWD, Arunachal Pradesh, consisting of 3871 Nos. of WC staff and 12826 Nos. of casual workers (as on 1.4.2005) with annual wage bills of about Rs.52.93 crores are not sustainable against the average annual plan budget of about Rs.115.79 crores (average of last five years) under the Department. And thus there is a need for a scheme to reduce to excess labour strength under the Department.
- 1.6 AND WHEREAS in a meeting on 02.12.2004, where the Chief Secretary, the Ld. Advocate General, the Commissioner (PWD), the Secretary (Law) and other Secretaries and heads of works department, Government of Arunachal Pradesh, were present, it was directed that PWD, AP, and other Works departments not in position to implement the RWD Scheme should prepare separate Schemes for dealing with the problem of regularizing the services of casual workers under the departments;
- 1.7 AND WHEREAS the Government of Arunachal Pradesh, through the proceedings of the State Planning Board notified under No.PD(P)7/2005 dated 07.09.2005, has directed to remove unproductive labour force in phased manner by adopting Voluntary Retirement Scheme (VRS)/Compulsory Retirement Scheme (CRS) ;
- 1.8 AND WHEREAS a Scheme for regulating appointment and services of WC staff under the Department has been examined by the High Powered Committee to deal with regularization of Casual workers in PWD constituted by the Government of Arunachal Pradesh, vide No.SPWD-100/2005 dated 17.09.2005 and even No. dated 04.10.2005. The proposal has been modified as per the direction and guidance of the Committee with a view to address the problems and issues relating to services of WC staff and casual labourers in the PWD. The Committee has finally recommended to the Government of Arunachal Pradesh to accept the present recasted Scheme for implementation after examination and vetting by the competent departments of the Government;
- 1.9 AND WHEREAS the Scheme has been vetted by the Finance Department and the Law Department of the Government of Arunachal Pradesh;

2. Title of the scheme

2.1 This scheme shall be called: **The Scheme for Regulating Appointment, Promotion, and Services of Work Charged staff under PWD Arunachal Pradesh, 2007** and is referred henceforth as the Scheme.

3. Scope and applicability

3.1 This Scheme covers the services of the WC staff under Arunachal Pradesh PWD in all parts of the State, and other stations and project sites outside the State where the Department may have any activity.

3.2 The Scheme also provides limited coverage to the Casual workers in the roll of the Department in as much as they form a pool of workers from which the appointment to the WC category could be made provided that such candidates fulfill the qualifying conditions laid down.

WC ESTABLISHMENT

4. Definition of Work Charged establishment

4.1 **Establishment chargeable to work.** Work Charged or WC establishment means the staff whose pay and allowances are directly chargeable to “works” or in other words the sanctioned schemes under the Department.

The WC staff is employed on execution of a specific work, or a subwork of specific work. The cost of WC establishment is required to be provided for in the estimate of the work, original or maintenance, as a separate sub-head.

4.2 **Control and regulation.** The control and regulation of services of WC staff under PWD, Arunachal Pradesh shall continue to be governed by the provisions of the CPWD Manual Volume III (1984 Edition) followed by the PWD, and other works departments of the State.

4.3 **Categories of posts.** There will be two categories of WC posts in PWD, AP viz. Temporary WC posts and Permanent or regular WC posts as described below:

(a) **Temporary WC posts.** These are Temporary posts in different categories or trades created for the time being against provisions in sanctioned works. They are to be retrenched on completion of the work against which they were employed.

(b) **Permanent or regular WC posts.** These are Permanent or regular WC posts created by the competent authority through conversion of the temporary posts into permanent posts in accordance with O.M. No.F 8(I)-Estt. (Spl)/60 dated 02.08.1960 and O.M. No.1109/6/75-EGI dated 24.03.1976, Government of India. They are also known as Transfer category WC staff. The Permanent category WC staffs are comparable to the staff borne on regular establishment.

5. Sanctioned strength of WC staff under PWD

5.1 **Original strength.** The sanctioned strength of WC staff under PWD, Arunachal Pradesh, stand as 4657 Nos. as originally inherited from CPWD. of this 1796 Nos. are under Permanent category and 2861 Nos. under Temporary category. The summary details of the sanctioned strength and current WC staff in position under PWD AP is shown in **Table A** below:

Table A: Summary details of labour position in PWD, AP.

Strength Skill category	Sanctioned strength			In position			+ Excess - Shortfall		Overall position
	Perma- nent	Temp- orary	Total	Perma- nent	Temp- orary	Total	Permanent	Temporary	
1	2	3	4	5	6	7	8	9	10
Unskilled (6 trades)	1044	2214	3258	471	1791	2262	0 (0) - 573 (6)	+ 158 (4) - 581 (2)	+ 158 - 1154
Sub- total:	1044	2214	3258	471	1791	2262	- 573	- 423	-996
Skilled (30 trades)	752	647	1399	304	1305	1609	+ 31 (3) - 479 (25)	+ 806 (23) - 148 (4)	+ 837 - 627
Sub- total:	752	647	1399	304	1305	1609	- 448	+ 658	+ 210
Overall position	1796	2861	4657	775	3096	3871	+ 31 - 1052	+ 964 - 729	+ 995 - 1781
Total:	1796	2861	4657	775	3096	3871	-1021	+ 235	-786

Note: The suffixed figures in bracket under columns (8) and (9) show the number of trades involved.

5.2 **Cabinet decisions on labour strength.** There are two Cabinet decisions that seek reduction of WC and casual workers in PWD.

- (a) The first decision taken in 1998, conveyed through No. JS(PWD)-Misc.2/98 Dated 25.8.1998 *interalia* directs that the WC and casual labour be reduced drastically by 50% and to a minimum extent of 25%.
- (b) The subsequent Cabinet decision of 6.11.2000, conveyed vide No.SPWD-952/95-96/(B) Dated 7.6.2001, *interalia* directs the Department to reduce the unskilled category of the casual and WC staff by 10% every year for the next five year as per the principle of last in first out.

Both the decisions, however, could not be implemented by the Department. Hence the present sanctioned strength of WC staff under PWD is maintained as 4657 Nos.

5.3 **Current strength of WC staff**

5.3.1 **Staff in position.** Against 4657 sanctioned WC posts in the Department (Para 5.1) the staff in position reckoned as on 01.04.2005, stand as 3871 Nos. (Permanent category – 755 Nos. and Temporary category – 3096 Nos.).

5.3.2 **Excess and shortfall.** Overall there is a net shortfall of 786 WC staff in PWD as per existing strength vis-à-vis sanctioned post. This corresponds to the gross vacant posts. There are however, cases of excess recruitment over the sanctioned posts in certain trades while in others the staff in position fall short of the sanction strengths. The positions of excess and shortfall in recruitment are shown in Table: A

5.3.3 **Shedding of excess staff and Inter-trade adjustment**

The excess staff appointed beyond the recommended sanctioned strength especially under Temporary category shall be adjusted under Transfer/Permanent category or reduced over time through natural occurrence of vacancies or through suitable VRS package that may be designed. Inter trade adjustment of WC staff shall be allowed where feasible. The staff carried in excess over the sanctioned strength under certain trades may be adjusted against the shortfall in others alongwith transfer of sanctioned strength from the original trade to the destination trade. The proposals for inter-trade adjustments shall be restricted among the staff of same pay scale and will be limited within the overall sanctioned strength of the Circle.

The proposal initiated by the Superintending Engineer on merit of the each case and as per the need of works will be submitted to the Chief Engineer for approval.

6. **Recommended sanctioned strength of WC as on 01.04.2005**

6.1 In line of the spirit of Cabinet decision of 6.11.2000 (Para 5.2), the sanctioned strength of WC is being reduced under the Scheme by eliminating low productive unskilled and supervisory trades. Against the sanctioned strength of 4657 WC (Permanent + Temporary), 3871 WC posts stood filled up as on 01.04.2005 giving gross vacancies of 786. Fifty percent of these gross vacancies of 786 are to be abolished. The new strength of WC is therefore fixed at 4264, that is, 4657 minus 50% of 786. The strength of WC in the Department is thus fixed at 4264 for the year 2005-06, 2006-07 as also for the future years until revised through a fresh Government Order. Circle-wise distribution of these 4264 WC posts (Permanent + Temporary) is at Table 'B'. So also the distribution of 393 vacancies as on 01.04.2005 is shown Circle-wise at Table : C.

6.2 The scheme envisages further reduction of the overall strength of WC in the Department every year. Of the new vacancies arising between 01.04.2005 to 31.03.2006, only 50% vacancies shall be filled up and the remaining 50% abolished. The strength of WC posts in the Department as on 01.04.2006 will thus be calculated accordingly and so notified to all the circles by the Chief Engineer concern. Same principle will apply to the vacancies arising between 01.04.2006 and 31.03.2007 until the year 2010.

6.3 **List of trades of WC staff.** Based the nature of works required to be performed by the labourers in different jobs in original or maintenance related activities in PWD, the list of trades of the WC staff under the Department will consist of 36. Trade-wise distribution of posts with scale of pay vis-à-vis the sanctioned strength, revised strength and staff in position are given in **Table B**.

TABLE : B

Trade-wise distribution of WC posts both under the previously sanctioned strength and under the revised strength of WC staff recommended by the Committee as on 1.4.2005

SL. No	Category of post held	Pay scale	Sanctioned Strength			In position as on 01.04.2005			Revised sanction strength.
			Permanent Category	Temporary Category	Total	Permanent Category	Temporary Category	Total	
1	2	3	4	5	6	7	8	9	10
UNSKILLED									
1	Chowkidar	Rs. 2,550-55-2, 660-60-3,200	94	64	158	58	173	231	158
2	Cook	Rs. 2,550-55-2, 660-60-3,200	32	64	96	11	42	53	75
3	Sweeper	Rs. 2,550-55-2, 660-60-3,200	94	32	126	12	42	54	76
4	Dhobi	Rs. 2,550-55-2, 660-60-3,200	6	-	6	-	9	9	6
5	Mali	Rs. 2,550-55-2, 660-60-3,200	32	32	64	12	62	74	64
6	Mazdoor / Helper	Rs. 2,550-55-2, 660-60-3,200	786	2022	2808	378	1463	1841	2084
		Total	1044	2214	3258	471	1791	2262	2463
SKILLED									
1	Mate	Rs. 2,610-60-3, 150-65-3,540	95	167	262	45	276	321	321
2	Computer Operator	Rs. 3,050-75-3, 950-80-4,590	32	-	32	2	-	2	32
3	Work Inspector-II	Rs. 4,000-100-6,000	45	60	105	47	66	113	113
4	Work Inspector-I	Rs. 4,000-100-6,000	29	-	29	10	3	13	21
5	Surveyor	Rs. 4,000-100-6,000	32	64	96	1	63	64	86
6	Receptionist	Rs. 4,000-100-6,000	2	-	2	-	5	5	5
7	Assistant Receptionist	Rs. 3,200-85-4,900	1	-	1	-	5	5	5
8	Assistant Carpenter	Rs. 2,610-60-3, 150-65-3,540	40	87	127	3	15	18	51
9	Assistant Mason	Rs. 2,610-60-3, 150-65-3,540	40	77	117	-	10	10	42
10	Assistant Plumber	Rs. 2,610-60-3, 150-65-3,540		32	32	-	32	32	32
11	Assistant Painter	Rs. 2,610-60-3, 150-65-3,540	32	32	64	4	24	28	38
12	Assistant Mechanic	Rs. 2,610-60-3, 150-65-3,540	32	-	32	9	45	54	54
13	Assistant Welder	Rs. 2,610-60-3, 150-65-3,540	5	-	5	-	6	6	6
14	Handyman	Rs. 2,610-60-3, 150-65-3,540	32	-	32	25	167	192	192
15	Assistant Electrician	Rs. 2,610-60-3, 150-65-3,540	3	-	3	-	3	3	3
16	Carpenter	Rs. 3,050-75-3, 950-80-4,590	32	32	64	41	118	159	159
17	Mason	Rs. 3,050-75-3, 950-80-4,590	35	32	67	17	106	123	123
18	Plumber	Rs. 3,050-75-3, 950-80-4,590	32	-	32	-	21	21	32
19	Painter	Rs. 3,050-75-3, 950-80-4,590	32	32	64	5	40	45	58
20	Mechanic	Rs. 3,050-75-3, 950-80-4,590	32	-	32	4	12	16	32
21	Welder	Rs. 3,050-75-3, 950-80-4,590	4	-	4	-	8	8	7
22	Driver	Rs. 3,050-75-3, 950-80-4,590	42	32	74	62	189	251	251
23	Operator(E & M)	Rs. 3,050-75-3, 950-80-4,590	32	-	32	1	17	18	32
24	Blacksmith	Rs. 3,050-75-3, 950-80-4,590	13	-	13	8	11	19	13
25	Lab Assistant	Rs. 3,050-75-3, 950-80-4,590	2	-	2	2	1	3	3
26	Electrician	Rs. 3,050-75-3, 950-80-4,590	5	-	5	-	5	5	5
27	Bulldozer Operator	Rs. 3,200-85-4,900	23	-	23	6	28	34	34
28	Road Roller Driver	Rs. 3,200-85-4,900	32	-	32	12	28	40	40
29	Blaster	Rs. 3,200-85-4,900	10	-	10	-	-	-	10
30	Divisional Mechanic	Rs. 4,000-100-6,000	6	-	6	-	1	1	1
		Total	752	647	1399	304	1305	1609	1801
Grand Total			1796	2861	4657	775	3096	3871	4264

6.4 **Circle-wise distribution of posts.** The revised strength of 4264 Nos. of WC posts are recommended to be distributed Circle-wise as given Table:C below.

TABLE : C

**DISTRIBUTION OF THE REVISED STRENGTH 4264 WC POSTS OF TEMPORARY
AND PERMANENT CATEGORY UNDER PWD**
(Applicable as on 01.04.2005)

(WC staff in Nos.)

<i>Sl. No.</i>	<i>Name of Circles</i>	<i>Revised strength</i>	<i>Staff in position</i>	<i>Vacancies</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
A.	<i>EASTERN ZONE</i>			
1	ALONG CIRCLE	278	260	18
2	BASAR CIRCLE	402	363	39
3	BOLENG CIRCLE	394	337	57
4	JAIRAMPUR CIRCLE	547	505	42
5	TEZU CIRCLE	408	363	45
TOTAL OF EASTERN ZONE		2029	1828	201

<i>Sl. No.</i>	<i>Name of Circles</i>	<i>Revised strength</i>	<i>Staff in position</i>	<i>Vacancies</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
B.	<i>WESTERN ZONE</i>			
1	CAPITAL CIRCLE	688	661	27
2	NAHARLAGUN CIRCLE	792	722	70
3	RUPA CIRCLE	755	660	95
TOTAL OF WESTERN ZONE		2235	2043	192
GRAND TOTAL P.W.D.		4264	3871	393

7. Recruitment and promotion

7.1 The provisions of CPWD Manual Volume III (1984 edition), the relevant Recruitment Rules and orders issued by the Government from time to time will govern the recruitment and promotion of WC staff under PWD. All the formality requirements like DPC, trade test etc. as per laid down provisions of the Manual shall be adhered to strictly.

Recruitment shall be made from among the casual labourers working under the Department.

Promotion from one post to another within the same grade, or from grade D to grade C will be done from among the existing WC feeder posts as provided under the Manual and the relevant RR.

7.2 Other measures.

By the 31st of December every year, the Superintending Engineers will furnish to the Chief Engineer the details of existing vacant posts and the projected vacancies of posts likely to accrue due to normal or voluntary retirements of WC staff during the next financial year reckoned from the 1st of April.

The Chief Engineer shall notify effective vacant posts to be filled up with approval of the Secretary (PWD). The Circle-wise effective vacant posts to be filled up shall be conveyed to the Superintending Engineers by end of January. The formalities required for recruitment/promotion against effective vacant posts, actually available or projected, shall be completed by the end of February month. The appointment/promotion order shall be issued as per the actual vacancy occurring.

CASUAL ESTABLISHMENT

8. Casual establishment

8.1 **Definition of Casual labourers.** Casual labourers are workers engaged by the Department from time to time on daily wages against work of casual, seasonal or intermittent nature. Persons on daily wages are not to be recruited for work of regular nature.

8.2 **Payment of wages.** The casual workers under PWD are entitled to daily/ monthly wages as per rates of minimum wages fixed by the State Government from time to time.

8.3 **Termination.** A casual worker is to be terminated as and when the need for his/her service ceases. As per Industrial Dispute Act 1948, at the time of terminating the services any person who has put in continuous service of 240 days or above is to be compensated, with 15 days' wages for every completed year or part thereof exceeding six months. A termination notice of at least one month's period is to be served to the person concerned prior to the date of his/her termination.

9. **Strength of casual workers**

9.1 **No yardstick.** There has been no yardstick prescribed for engagement of casual labourers in PWD.

9.2 **Present strength.** The total strength of casual workers presently under PWD stands as 12826 Nos. (as 01.04.2005). Based on the lengths of services rendered with cut off date as 01.04.2005, the casual staff under the Department could be grouped as under:

- i) Served for 15 years or above - 4010 Nos.
- ii) Served for 10 years or more but less than 15 years - 1840 "
- iii) Served for 5 years or more but less than 10 years - 2092 "
- iv) Served upto 5 years or less - 4884 "

9.3 **Reserve strength.** To meet the minimum needs of the day to day works, emergency situations and sporadic high demands of works, it has decided to maintain a minimum reserve strength of Casual labourers, worked out on need based manner against requirements for maintenance and upkeepment of various assets like tools and plants, IB and Circuit Houses, Division, Circle and Zone establishment, providing assistance to the skilled WC staff for their effective functioning; and emergency needs of the field Divisions. The Scheme envisages retrenchment of Casual labourers who have less than 15 years of services as on 01.04.2005. There are 4010 Casual labourers having more than 15 years of services as on 01.04.2005. The Scheme envisages retention of the aforesaid 4010 Casual labourers for meeting of the aforesaid needs of the Department. The Department will follow a policy of progressive reduction of the aforesaid strength of 4010 Casual labourers by encouraging Casual labourers to voluntarily separate from the Department after availing the compensation package provided under the Scheme. The Scheme aims at meeting short term extra requirement of Casual labourers through master-roll or by contracting out works for limited duration rather than by retaining a high number of Casual labourers on the rolls of the Department on round the year basis, many a time without being fully occupied.

9.4 The reserve strength of 4010 Casual workers are to be distributed Circle-wise as shown in **Table:D.**

Table : D

**DISTRIBUTION OF THE RESERVE STRENGTH OF 4010 CASUAL WORKERS UNDER PWD AP
(BASED ON AVERAGE WORKLOAD AND MAINTAINABLE ASSETS)**

(Casual staff in Nos.)

<i>Sl. No.</i>	<i>Name of Circles</i>	<i>Staff in position</i>	<i>Reserve strength(Revised)</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
A	EASTERN ZONE		
1	ALONG CIRCLE	852	237
2	BASAR CIRCLE	954	288
3	BOLENG CIRCLE	1177	218
4	JAIRAMPUR CIRCLE	1750	542
5	TEZU CIRCLE	1079	403
TOTAL OF EASTERN ZONE		5812	1688
B.	WESTERN ZONE		
1	CAPITAL CIRCLE	1689	656
2	NAHARLAGUN CIRCLE	3253	871
3	RUPA CIRCLE	2072	795
TOTAL OF WESTERN ZONE		7014	2322
GRAND TOTAL P.W.D.		12826	4010

10. Regularization and termination of Casual workers

- 10.1 **Regularization.** As per existing vacancies under Permanent category the eligible WC staff borne on Temporary category shall be regularized as per prescribed procedure.

The effective vacancies of 393 posts (Para 6.1) as on 01.04.2005 and subsequent vacancies as may occur in future shall be filled up by regularizing the services of casual workers fulfilling the laid down criteria. Recruitment shall be governed by provisions of CPWD Manual III (1984 Edition), the relevant RRs and orders of the Government issued from time to time.

- 10.2 **Retention under Reserve Strength.** The 4,010 Casual workers to be retained as the Reserve Strength of PWD shall be those casual workers who have put in service of 15 years or above as on 01.04.2005 provided that they are not incapacitated for any reason. However, they may exercise option voluntarily to get separated from department for one time settlement with compensation package as approved under the Scheme. Vacancies so created due to exercise of volunteer options shall not be filled-in. However, urgent requirement of labour shall be recruited on Master Roll as indicated in Para 9.3.

- 10.3 **Termination of casual workers.** All casual workers of 8,816 Nos. (with less than 15 years of service as on 1.4.2005) shall be served one month notice and termination shall be done to those who voluntarily opt to get separation from department against one time settlement with compensation package as approved under the Scheme. On attaining the age of 60 years, they shall stand terminated with compensation package as per Industrial Dispute Act 1948.

- 10.4 **Master Roll:** Casual workers with less than 15 years as on 1.4.2005, who do not opt for separation from department, shall be re-appointed on Master Roll (as daily wage earners) till they volunteer to get separated from the department. *Ex-gratia* payment of any amount shall not be paid after the expiry of package period.

Casual workers so retained will be deployed in different works as dictated by changing demands and shall not be confined to one trade or one station. Engagement shall be made against specific schemes and specific terms through written orders of Superintending Engineer which will clearly outline the terms of appointment.

- 10.5 **Compensation package for Casual staff:** The Scheme envisages a common compensation package as a one-time settlement for all workers who exercise option voluntarily. The compensation package will consist of a one-time settlement with 15 days' wages for every completed year or part thereof exceeding six months as per Industrial Dispute Act 1948.

Additional *ex-gratia* payment. In order to give additional relief to the casual workers who opted voluntarily for separation from the department, an *Ex-gratia* payment at the rate of Rs. 2,000/- for every completed year or part thereof exceeding six months shall be paid.

Ex-gratia payment of any amount will not be applicable to workers, if voluntary option is exercised after 45 days from the date of issue of this Office Memorandum.

- 10.6 **Ban on engagement of Casual labour.** As per the recent Cabinet decision of 08.08.2005 conveyed vide No.LAB(MW)-12/2004 Dated 12.08.2005, there shall be a total ban on engagement of Casual workers without specific government approval. Action will be initiated against the field officers engaging Casual workers without approval of the competent authority.

11. Appointing and disciplinary authority

- 11.1 The Superintending Engineer shall continue to be the appointing and disciplinary authority for all categories of the WC staff within the Circle.

- 11.2 The trade-wise seniority list of WC staff and the casual workers on the roll of the Department shall be maintained at Circle level by the Superintending Engineer.

12. Transfer and posting

- 12.1 **Inter Division transfer within same Circle.** Transfer of WC staff and casual workers from one Division to another within the Circle shall be made by the Superintending Engineer.

12.2 **Inter Circle transfer.** Transfer of WC staff and casual workers from one circle to another shall be done by the Chief Engineer in consultation with the Superintending Engineers of the concerned Circles.

12.3 **Inter Zone transfer.** Transfer of WC staff from one Zone to another shall be done by consent of the Chief Engineers of the two Zones. The Chief Engineer of the originating Zone shall issue the transfer order and the Chief Engineer of the receiving Zone shall issue the final posting order.

12.4 **Principle governing transfer.** Transfer of a WC staff from one establishment to another shall be done either on contra transfer basis within the same trade, or along with transfer of the post.

13. **Deployment**

13.1 **Deployment of Workers.** Deployment of WC staff and Casual workers within the Division covering different sub division, sections, stations, worksites etc. shall be decided by the Executive Engineer at his discretion in the interest of work.

14. **Retirement of WC staff**

14.1 **Retirement age.** Notwithstanding the provision in the Manual and subject to further review, the retirement age of WC staff under PWD, Arunachal Pradesh, shall be at par with that of the employees borne on regular establishment under the State Government.

15. **Benefits from the scheme**

The following benefits are expected from this scheme:

- 1) This Scheme will help to regulate and streamline the appointment, promotions and other service conditions of the WC staff, under the PWD, AP, and thus help to remove uncertainty and adhoc approach.
- 2) It provides an opportunity, albeit of limited scope, to the casual workers under the roll of the Department to get regularized to WC category and thus better their service conditions.
- 3) By rationalizing the trade list on the basis of need analysis and weeding out the unproductive workers with appropriate compensation package, the Department can reduce the size of unsustainable labour force and thus cut down the expenditure on unproductive wages bills. Resource thus saved can be used for creation of durable public assets.

16. **Funding**

Designated Plan resources may be allocated in the Annual Plan of the Department for implementation of the provisions of the Scheme. In order to generate additional resources for implementing the Scheme, if required, the state PWD may mobilize loan or loans from reputed financial institution like UTI, HUDCO etc with approval from the Government. Such loans shall be negotiated and repayment managed by the State Finance Department.

17. **Removal of difficulties**

The Scheme is subject to modification from time to time as may be considered expedient by the Government, to make it responsive to the emerging situations dictated by changing global or national economic scenario, or to be inconformity with the relevant laws or covenant in force, and to overcome any impediment experienced during the process of its implementation.

18. **Constitution of Screening Committee**

There shall be Screening Committee Constituted headed by Additional Deputy Commissioner of each district with Superintending Engineer, Executive Engineer, Extra Assistant Commissioner/Circle Officer, one authorized member of AAPWU and Construction Workers Board as member for proper checking of records and evaluation of financial package.

19. **Indemnity to the Governor of Arunachal Pradesh**

The Governor of Arunachal Pradesh is indemnified from any liability, legal or pecuniary, arising out of the provisions in any part or whole of this Scheme.

Sd/=Otem Dai
Commissioner (PWD)
Government of Arunachal Pradesh
Itanagar.

Memo No.SPWD-100/2005 /991-1010

Dated Itanagar the 13th August/ 2007

Copy to: -

1. The Secretary to Governor, Arunachal Pradesh, Itanagar.
2. The Commissioner to Hon'ble Chief Minister, Arunachal Pradesh, Itanagar.
3. The PS to Hon'ble Minister (PWD), Arunachal Pradesh, Itanagar.
4. The PS to all Hon'ble Minister, Arunachal Pradesh, Itanagar.
5. The PS to Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.
6. The PS to all Commissioners/ Secretaries Govt. Arunachal Pradesh, Itanagar.
7. The Senior Government Advocate, Guwahati High Court, Itanagar Permanent bench, Naharlagun, for appraisal of the Hon'ble High Court at the earliest. This is in continuation to this office letter of even No. Dated 19/06/2007.
8. The Chief Engineer (WZ/EZ), PWD, Itanagar. They will ensure that there is no compulsory removal/retrenchment of labourers which may cause any adverse criticism on State Govt.. Necessary instruction to this effect may be passed on to Superintending Engineers/Executive Engineers. Implementation of Scheme shall be completed in time bound manner as envisaged in the Scheme.
9. The Chief Engineer (S&I/D&P), PWD, Arunachal Pradesh, Itanagar
10. The Director IPR&P, Naharlagun with request to publish in next Gazette and make available 1000 spare copies to this office.
11. The all Head of the Departments, Arunachal Pradesh.
12. The all Deputy Commissioners, Arunachal Pradesh with request to constitute a Screening Committee as per Para 18 of the Scheme.
13. All Addl. Dy. Commissioners, Arunachal Pradesh to take necessary action as per Para 18 of the Scheme.
14. The Chief Engineer (PHED/WRD/HPD/Power (WZ)/(EZ), RWD, Arunachal Pradesh, Itanagar.
15. The Superintendent of Police, Arunachal Pradesh.
16. The all Superintending Engineer, Arunachal Pradesh, PWD.
17. The all Executive Engineer, Arunachal Pradesh, PWD.
18. The President/Secretary All Arunachal Pradesh Workers Union (AAPWU).
19. The Chairman Arunachal Pradesh Building & Others construction Workers Welfare Board.
20. Office copy.


(Takar Riba)
Under Secretary (PWD)
Government of Arunachal Pradesh
Itanagar.