By Speed Post

F.No.A.12012/04/2009-AD.III(B)
Government of India
Ministry of Finance
Department of Revenue
Central of Excise & Customs

.....

New Delhi, dated the 22 May,2013

To

The All Chief Commissioners
under Central Board of Excise & Customs.
(By name as per Annexure-I).

Subject: Recommendations of 6th Central Pay Commission –Applicability of revised Group 'D' pay scales to Casual Labourers with Temporary Status.

Sir/Madam,

I am directed to refer to your letters mentioned in Annexure –I (Copy enclosed) on the subject cited above and to inform you that a reference was made to DOPT Estt.'C' Section for one time relaxation in Para-8 of DOPT's Scheme dated 10.9.1993 for regularization of said Casual Labourers who are with temporary status or without temporary status to Group 'C' posts of Multi-Tasking Staff with reference to DOPT's letter dated 17.2.2009.

2. Now , the DOPT has given approval for the regularization of **438 daily wage casual labourers with temporary status, who were in position on 1.10.1993** in the field formatins of CBEC in accordance with the DOPT's OM No.51016/2/90-Estt.(C) dated 10.9.1993 subject to the following conditions:-

(i)they should be in existence on 1.9.1993 as per DOPT's OM No.51016/2/90-EStt/(C) dated 10.9.12993.

(ii) they are imparted training as per the training curriculum to be designated by the Department concerned in terms of Department of Expenditure's OM dated 24.12.2008(copy enclosed); and

iii)the ratio of "two out of three" vacancies in erstwhile Group 'D' is maintained.

iv)the referring department (through appropriate authorities) to ensure that there was no irregularity in engaging the services of the said employees.

(v)regularization is subject to orders issued by DOPT vide OM No.49014/1/2004-Estt.(C) dated 26.04.2004(copy enclosed)

3. You are requested to examine the case of regularization of services of Casual Labourers who are with temporary status to Group 'C' posts of Multi-Tasking Staff subject to the above said 5 conditions mentioned by DOPT.

4. You are also requested **to send the number and nams of Casual Workers with temporary status who satisfied the said 5 conditions with a written undertaking to this effect to the Board immediately** for taking further necessary action.

Yours faithfully,

(M.L.Sharma)
Under Secretary to the Govt. of India

Encl: As above.'

Annexure-I

Information received from CCAs regarding number of DWCLs with temporary status with reference to DOPT's OM No.49011/31/2008-Estt. (C) dated 17.02.2009

S.No.	No. of DWCLs at present with temporary status who were in position on 1.10.1993	Your Reference letter Number
CC,CX, Ahmedabad	37	F.No.II/03-20/CCO/Estt./2010/1901 dt. 16-7-2010
CC,CE, Bangalore	13	C.No.II/39/53/2010-CCE(Bangalore Zone) dated 20.08.2010
CC,CE, Bhubaneswar	11	C.No.II(39)6/CC/Admn./BBSR/2009/20779-A dated 28.07.2010
CC,CE, Chandigarh	17	C.No.114/Zone-14/Admn./DWCLS/10/1202 dated 10.8.2010-
CC,CE,Chennai	05	C.No.II/39/140/2010-CCA.Est. dated 28.07.2010
CC,CE,Cochin	17	C.No.II/39/04/2003 CCKZ I/1692 dated 4.8.2010
CC,CE ,Coimbatore	37	C.No.II/39/147/2009-Est(CCO) dated 30.07.2010
CC,CE, New Delhi	17	C.No.II-3(11)Et.I/A.O/02/4687 dated 12.07.2010
CC,CE, Hyderabad	07	C.No.II/39/7/2010-Estt CC(HZ)/1942 dated 19.11.2010 -
CC,CE,Jaipur	01	C.No.II-26(1)CCU/JPR/2006/09 dated 23.06.2010
CC,CE,Kolkata	23	C.No.II(31)6-DC/CCO/CE/Kol./10/15500 dated 28.10.2010
CC,CE and ST,Lucknow	15	C.No.II(3)77-CCSC/LKO/TS/C.Lab./2010/1470 dated 1.10.2010
CC,CE ,Mumbai-I	44	F.No.II/22-1/Adm./CCU/MCX-I/2010/6466 dated 13.08.2010
CC,CE,Meerut	42	C.No.II(3)CCO/MRT/Admn./55/10/5701 dated 14.9.2010
CC,CE, Mumbai-II	08	F.No.II/3A-2/2008 B.IV/869 dated 13.07.2010
CC,CE ,Nagpur	03	C.No.I(22)7/2010/CCU/NZ/6957 dated 11.10.2010
CC,CE ,Pune	01	F.No.II/39-18/CCC/PZ/10/514/12194 dated 6.8.2010
CC,CE ,Ranchi	15	C.No.II(3)6-ET/Comr./R/04/15506 dated 10.4.2010

CC,CE ,Shillong	40	C.No:II(39)5/ET.III/2010/Pt.I/ 7224 dated 28.06.2010
CC,CE, Vadodara	09	F.No.II/39-23/CCO/2010/4082 dated 13.09.2010
CC,CE ,Vizag	13	C.No.II/27/5/2009-CC(VZ) dated 22.07.2010
CCC, Ahmedàbad	08	F.No.II/2-14/ACCTT/2010-CCO/4313 dated 23.09.2010
CCC(P),Chennai	11	F.No.S2/482/08-CCO(Admn.) datd 3.9.2010
CCC,New Delhi	08	C.No.CCCU(DZ)Admn./84/20 10/30644 dated 9.9.2010
CCC(P),New Delhi	05	C.No.CCPU(DZ)Admn/32/10/ 2010/Vol.IV/147 dated 06.01.2011
CCC,Mumbai-I	19	F.No.S/II-24(03)/2010(Unit-VI)/79 dated 30.08.2010
CCC,Mumbai-II	05	F.No.S/V-30(Misc.)03/2010 CCO M-II dated 23.07.2010
CCC, Mumbai-III	05	F.No.S/II-40(09)CCO_III/Admn./07 dated 8.10.2010
Dte. of Logistics	02	F.No.207/1/2008-DL/Pt.I dated 10.1.2011
Total:	**438**	

F.No. 1/1/2008-IC
Government of India
Ministry of Finance
Department of Expenditure
Implementation Cell

New Delhi, the 24th December, 2008

OFFICE MEMORANDUM

Subject: Clarifications regarding pay fixation of existing Group 'D' employees in the revised pay structure.

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Consequent upon the acceptance of the recommendations of the Sixth Central Pay Commission by the Government, related to Group 'D' cadres in Central Government, all existing Group 'D' employees are requested to the upgraded to the pre-revised Group 'C' scale of Rs.2750-4440 corresponding to the grade pay of Rs.1900 in PB-1 (Rs.5200-20200) in the manner prescribed in the CCS (Revised Pay) Rules, 2008 (attention is drawn towards Note 1 below Rule 7 of CCS (Revised Pay) Rules, 2008, which prescribes the procedure for fixation of pay of Group 'D' employees n the revised pay structure). Further, in future, posts will be created only in PB-1 and there shall be no recruitment in -1S pay band save in exceptional circumstances as indicated in para 2.2.10 of the Report of the Sixth Central Pay Commission.

Following the notification of the CCS (Revised Pay) Rules, 2008, this Department has received references from some administrative departments, seeking clarification regarding various aspects of placement of existing Group 'D' employees in the revised pay structure. The matter has been considered in this Department. The points of doubt raised by administrative departments and the clarifications thereto are issued as under:-

Sl.No.	Point of doubt	Clarification
1.	How will the pay of those Group 'D' officials who do not possess the minimum qualification and have retired/died in harness from 1.1.2006 till date be fixed in the revised structure? Whether they will be placed in -1S pay band or in the pay band PB-1?	Those Group 'D' employees who did not possess the minimum qualification and who have retired/died in harness between 1.1.2006 and date of notification of Revised Pay Rules will be granted pay band -1S and the grade pay corresponding to their pre-revised pay scale as notified in CCS(RP) Rules, 2008.

2	What will be the training curriculum, period and the procedure for placement of those Group 'D' officials in PB-1 band who do not possess the minimum prescribed qualification?	Each administrative department concerned will design a training curriculum suited to its requirements. As far as possible, the training programme should not exceed 3 months and it may be imparted during working days for not more than 2 hours per day. The Department concerned will bear the expenditure for training.
3	In the case of those Group 'D' officials who were in the pre-revised scale of Rs.2550-55-2660-60-3200 (e.g. Peon) and who are to be placed in the pay band PB-1 with Grade Pay of Rs.1800 w.e.f. 1.1.2006 and are subsequently granted ACP/Promotion, it is not clear as to what will be their grade pay. If the grade pay remains unchanged, the officials will not be getting any benefit on promotion/ACP. In case they are granted next higher grade in the hierarchy of revised pay structures, it will put seniors viz. Daftry/Senior Peons etc at a disadvantageous position.	Government servants who have been granted financial upgradation to a higher scale under the ACP Scheme will be granted the grade pay corresponding to the higher pre-revised pay scale that was granted to them under ACP. However, in case of erstwhile Group 'D' employees, all such eligible employees will be granted grade pay of Rs.1800 in PB-1, irrespective of their pre-revised Group 'D' pay scale whether granted to them on regular appointment/promotion or under ACP.

(ALOK SAXENA)
DIRECTOR

To:

All Ministries/Departments of Government of India as per standard mailing list

Ministry of Personnel, Public Grievances and Pensions(Department of Personnel & Training)
O.M. No.49014/1/2004 -Estt (C)
dated the 26th April, 2004

(XXXI)

Subject:- Introduction of New Pension Scheme- Modification of scheme for grant of temporary status.

The undersigned is directed to say that the scheme for grant of temporary status and regularisation of casual workers in Central Govt. Offices formulated in pursuance of the judgement dated 16.2.90 of the Central Administrative Tribunal, Principal Bench in the case of Raj Kamal & Others Vs Union of India has been reviewed in the light of introduction of New Pension Scheme in respect of persons appointed to the Central Government service on or after 1.1.2004 and it has been decided to modify the scheme as under:-

(i) As the new pension scheme is based on defined contributions, the length of qualifying service for the purpose of retirement benefits has lost its relevance, no credit of casual service, as specified in para 5 (v), shall be available to the casual labourers on their regularisation against Group `D' posts on or after 1.1.2004.

(ii) As there is no provision of General Provident Fund in the new pension scheme, it will not serve any useful purpose to continue deductions towards GPF from the existing casual employees, in terms of para 5 (vi) of the scheme for grant of temporary status. It is, therefore, requested that no further deduction towards General Provident Fund shall be effected from the casual labourers w. e. f. 1.1.2004 onwards and the amount lying in their General Provident Fund accounts, including deductions made after 1.1.2004, shall be paid to them.

2. The existing guidelines contained in this Department's OM No. 49014/2/86-Estt. (C) dated 7.6.88 may continue to be followed in the matter of engagement of casual workers in the Central Government Offices.

Sd/-
(Smt. Pratibha Mohan)
Director

SP3871

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C.No.II/39/04/2003 CC KZ I 1652

Dt.04.08.2010

To

The Under Secretary (Ad.III-B)
Ministry of Finance
Department of Revenue
CBEC, New Delhi.

11 AUG 2010
SP-9816

Sir,

Sub:- Recommendations of 6th Central Pay Commission – Applicability of revised Group 'D' pay scales to Casual Labourers with Temporary Status – reg.

Please refer to your letter F.No.A.12012/04/2009 AD.III B Dated 11.06.2010 on the above subject.

As desired, the required report in the prescribed format is enclosed herewith.

Yours faithfully

Encl: As above

(RANJIT JACOB KOSHY)
ADDITIONAL COMMISSIONER(CCO)

D.No. 1839/2010-Ad.III-B
6/9.

PROFORMA

Data on the number of Daily Wage Casual Labourers

1. **No. Of DWCLs at present with temporary status who were in position on 01.10.1993** : 17

2. **No. of DWCLs without temporary status** **Period of Engagement**

(a)	4	More than 15 Years
(b)	70	Between 10 Years and 15 Yerars
(c)	Nil	Between 1 year and 10 years
(d)	Nil	Less than 1 year