

**Government of Punjab
Department of Personnel
(P.P.-3 Branch)**

Subject:- Policy for Welfare of Adhoc, Contractual, Daily Wages, Work Charged and Temporary employees.

Special Chief Secretaries/ Additional Chief Secretaries/ Financial Commissioners/ Principal Secretaries/ Administrative Secretaries to Government of Punjab, kindly refer to the above cited subject.

2. Various appointments to 'Group C' and 'Group D' level posts, have been made on contract/temporary basis on the basis of imminent requirement and exigencies of service. Some of such employees have now put in a period of ten (10) years of service and more with the Government of State of Punjab and they have given their prime years of life in service of the State. The work and nature of duties on which they are discharging service are still subsisting. There is a lot of uncertainty in their minds regarding their future as most of them have become over age for employment. The nature and process of their engagement at the initial stage may not have been strictly same as that of regular employees under the Service Rules. The Government is of the opinion that now at this stage, to relieve them or to replace them in this capacity in service with another set of people would be unjustified and improper. Thus, being a Welfare State and to protect the interest of these contractual/ temporary employees, the Government is formulating the present policy, under Article 162 read with entry 41 of list-II of the Seventh Schedule of Constitution of India, to ensure that such employees do not suffer from uncertainty and harassment and to grant them a security of tenure. The Government has taken a policy decision to continue such desirous suitable employees, who fulfill the eligibility conditions, in service till the age of fifty-eight (58) years by placing them in a special cadre. The present policy is being framed only in relation to Group C & Group D posts of administrative departments and Entities of the Government of the State of Punjab.

3. The provisions of the policy are as under:-

"1. In this policy, unless the context otherwise requires:-



- a) 'Beneficiary Employee' means those employees working against Group C' and 'Group D' level posts who fulfill the eligibility conditions specified in clause 2 of policy and on applying under this policy is considered for grant of benefits specified under the present policy;
- b) 'Special Cadre' shall mean a separate dying cadre created by the Government for purposes of placing the Beneficiary Employees in engagement till the age of fifty- eight (58) years and a beneficiary employee will hold the post in this cadre on which he is placed as a measure personal to him, and shall carry the post with him, which post shall be abolished when the employee working against such post is relieved upon attaining the age of fifty-eight (58) years or earlier, as the case may be, for whatever reason;
- c) 'Competent Authority' means the authority competent to appoint a person on the post, under the relevant Service Rules, governing the service conditions of such post in the administrative department.
- d) 'Department' means any Department of the Government of Punjab.
- e) 'Entity' means and includes any Statutory or Non Statutory bodies, Boards, Corporations, Forums, Public Sector Undertakings, Municipalities, Commissions, Authorities, Societies, Autonomous Bodies including any other state instrumentalities created, funded and substantially managed by the Government.
- f) 'Government' means the Government of the State of Punjab.
- g) 'Group C' and 'Group D' posts mean the posts notified by the Department of Personnel, Government of Punjab from time to time; and
- h) 'Service Rules' mean all relevant, general or specific rules governing recruitment, services conditions, of the cadre post in the Department, including the Punjab Civil Services Rules and other rules, policies and instructions of the Government of Punjab, amended from time to time.

2. Eligibility Conditions essential for consideration for grant of benefits under the present policy:-

The employees, who fulfill the following conditions will be considered for placement in the special cadre created under this

policy upon making an application in accordance with this policy;
namely:-

- a) The applicant should have worked on adhoc, contractual, daily wages, work charged or temporary basis for a continuous period of minimum ten years till the issuance of present policy;
- b) The applicant must have the requisite qualifications and experience for the post in terms of relevant Service Rules, if any, at the time of placement in the Special Cadre; and
- c) The work and conduct of the applicant must have remained satisfactory as per the assessment of the department or employer during the period of ten (10) years service.

Note :

- i. For calculation a period of ten years, the employee must have worked for a period of minimum 240 days in each of these ten calendar year.
- ii. Notional breaks will not be considered while calculating a period of ten years.

3. The policy shall not be applicable to a person who:-

- a) has been engaged in an honorary capacity, or on a part time basis; or
- b) has already attained the age of superannuation or has already resigned on his own or has not been retained by the Department; or
- c) has been engaged on outsourced basis; or
- d) is on an incentive based engagement; or
- e) does not possess the requisite qualifications and experience for the post prescribed under the Service Rules if any at the time of placement in the Special Cadre; or
- f) has been engaged or continues in service on account of any interim order(s), direction(s) of any Court or Tribunal; or
- g) has been convicted of any offence involving moral turpitude or charges have been framed against him in a Court of Law relating to such offence.

4. Placement of Beneficiary Employees in a special cadre till attaining the age of fifty-eight (58) years:-

For the purpose of grant of continuation to the contractual/ ad-hoc/

temporary employees etc. and giving them security of tenure, subject to good work and conduct, till the age of fifty-eight (58) years, they will be placed on a post, which shall not be a cadre post, by creating special cadre of posts personal to them in the rank that they are working on and the said posts will be carried by them on whichever post they are consequently placed and would stand automatically abolished when they are relieved on attaining the age of fifty-eight (58) years.

It is clarified herein that these employees will not be placed in the regular cadre of sanctioned posts in the service under the statutory service rules and will form a special cadre of posts created especially for them.

5. Creation of Posts:

Necessary number of category-wise posts in the service of the State Government and its entities equal to number of the persons to be regularized shall be deemed to have been created and sanctioned in case sufficient number of posts are not available.

Provided that such deemed to have been created and sanctioned posts in excess of the already sanctioned posts shall be posts personal to the incumbent and shall stand abolished on the vacation of the post by the incumbent.

6. Process for placing a person against a post in the special cadre under this policy:-

a) The process of placement of beneficiary employee, subject to clause 2 and 3 of this Policy, shall commence on the submission of the Application Form by an employee seeking placement under this Policy. The Application Form, as specified in Schedule-A of this Policy shall be submitted to the Administrative Department or Entity within a period of three (3) months from the date of coming into force of this Policy.

Provided that in case the Department or Entity is satisfied that the person was prevented by sufficient cause from making the application within the said period of three (3) months, it may entertain the application within a further period of three (3) months but not thereafter. Such person shall, however, be placed in the

Special Cadre from the date his application is accepted.

- b) Application form must be accompanied with all required documents as prescribed and incomplete application form shall be liable to be summarily rejected.
- c) After the application form has been submitted by the person, within the time period as prescribed under sub- clause (a), same shall be processed by the Department or Entity concerned by verifying the information provided in the Application Form including but not limited to his credentials, eligibility, service records etc. On being found eligible and suitable in the said verification by the Department, the name of such person shall be mentioned in a separate register to be maintained by the Department or Entity for each category of post. The register shall be prepared and maintained as specified in Schedule-B of this Policy;
- d) The Department or Entity shall draw a list of the persons found suitable as above and who are to be placed in the Special Cadre, on the basis of seniority, in the following manner: -
- (i) the seniority list of the persons in each Department or Entity for each post shall be prepared separately by the Administrative Department or Entity concerned on the basis of the length of service on that post from initial engagement of ad-hoc, temporary, contractual basis etc;
 - (ii) where two or more persons were engaged under the same recruitment process on the same post, their seniority shall be determined as follow:
 - (a) if such initial engagement is subject to any process for determination of merit and merit list was prepared, then their seniority shall be determined in accordance of their merit.
 - (b) if two or more persons are having the same merit, the person who is older in age shall be senior to a younger person; and
 - (c) if no merit list was prepared at the time of initial engagement, person older in age shall be senior to a younger person.
- e) Person whose name has been entered in the register as per seniority determined in the manner above, will be placed against the relevant



post in the special cadre by passing the general or specific order(s) by the competent authority,

- f) After carrying out this exercise, all Departments and Entities shall prepare and submit their respective lists of eligible persons whose services have been placed in the special cadre to the Department of Finance, Government of Punjab.
- g) The order(s) to be passed by the Department or Entity with regard to placement of beneficiary employee, either by way of general or specific order(s), such order must contain the reference of this Policy.

7. Service conditions of beneficiary employees :

The beneficiary employees, who are being placed in special cadre posts and will be allowed to continue in service till the age of fifty eight (58) years, will be subject to the following services conditions, namely :-

- a) They would not form a part of regular cadre of posts under the Service Rules. They will be placed only against the posts created in the special cadre. They will be treated as a fresh appointees from the date of passing of their order of placement in the special cadre.
- b) They shall not be entitled to any such or other benefits like seniority , experience etc. from the initial date of his joining or his engagement from any other retrospective date, before the date of passing of general or special order of their placement under this policy;
- c) They will be subjected to the rigors of the Government Employees (Conduct) Rules, 1966 to regulate their conduct in relation to the matters provided in those rules.
- d) They will be allowed to continue subject to their work and conduct remaining satisfactory. In case of any complaint of act of omission or commission amounting to misconduct against them, they will dealt with under The Punjab Civil Services (Punishment and Appeal) Rules, 1970 which shall be applied for procedural purposes only;
- e) They will be granted salary, pay and allowances as determined by the Department of Finance, Government of Punjab; and

- f) So far as the placement on the next higher post and other aspects, which have not been touched upon in the present policy, the same would be clarified later on by issuing of proper amendments or instructions.
8. The Department or Entity concerned shall however not be precluded from filling the available sanctioned posts on regular basis as per requirement from time to time.
9. No Department or Entity shall, from the date of coming into effect of this policy, further engage any person on adhoc, contractual, daily wages, work charged, temporary basis, without specifically recording reasons and taking a prior approval from the Government. These engagements would be permissible for an engagement for pre-defined period or tenure and requirement of manpower having specialized skills either for the Central or the State Government Schemes, requirement under the Disaster Management Act, 2005 or on account of official exigencies.

Provided that such employment on adhoc, contractual, daily wages, work charged, temporary basis, shall not continue after the expiry of the purpose of the engagement or scheme, completion of the task or expiry of pre-defined period whichever is earlier.

Provided further that, where the period of contract of the contractual employees have expired but the assigned task has not been completed or contract for specific purpose is still needed, then the Department or Entity may continue the existing contract, after the approval of the Council of Ministers.

10. Any person engaged by any Department or Entity under clause 9 as above, shall not be entitled to claim regularization/placement under this policy.

This policy shall supersede all previous instructions/policies issued regarding regularization of services of employees/ workers."

4. This policy is issued as per the decision of the Council of Ministers meeting held on 21.02.2023 conveyed vide letter no. 1/96/2022-1Cabinet/979 dated 23.02.2023.



5. The above said policy is not applicable to the Department of School Education, as "Policy for Welfare of Adhoc, Contractual, Temporary Teachers (Nation Builders) and other employees in School Education Department" already issued vide I.D. No 11/07/2022-4PP3/850-852 dated 07.10.2022.



Deputy Secretary Personnel

To

All Special Chief Secretaries/ Additional Chief Secretaries/
Financial Commissioners/ Principal Secretaries
& Administrative Secretaries to Govt. of Punjab.

I.D. No. 11/07/2022-4PP3/ 350

Dated Chd 16-05-2023

I.D. No. 11/07/2022-4PP3/ 351

Dated Chd 16-05-2023

A copy is forwarded to Deputy Secretary, Co-ordination with reference to their letter no.1/96/2022-1Cabinet/979 dated 23.02.2023 for their information.



Deputy Secretary Personnel

Service Matter Solutions Punjab <https://smspunjab.in>

Schedule-A

Application Form

(A) **PERSONAL DETAILS:-**

- (a) Name of the Applicant
- (b) Date of birth
- (c) Residence:-
- (i) Permanent
- (ii) Correspondence
- (d) Name of Department/Entity in which working
- (e) iHRMS code (if any)
- (f) Educational Qualifications:-
- (i) On the date of initial engagement
- (ii) At present
- (g) Length of service in the Department/Entity
- (h) Any break in service:- Give details
- (i) Post against which engaged by Department/Entity
- (j) Mode of engagement:-
- (i) By open competitive exam, if yes
- copy of result, if have attach
- (ii) By interview
- (iii) Any other means
- (k) Any FIR/Departmental Enquiry/Conviction/ Trial in Court

Signature of Applicant

Date

Place

(B) **OFFICE DETAIL**

- (a) Name of the Department/Entity
- (b) iHRMS code of the Applicant
- (c) Mode of engagement:-
- (i) By open competitive exam.
- If yes, attach copy of result (if available)
- (ii) By interview
- (iii) Any other means
- (d) Length of service in Department/Entity
- (e) Any break in service
- (f) Type of engagement in Department/Entity
- (g) Engagement against sanctioned or not
- (h) Engagement against Group 'C' or 'D'

(i) Education qualification on the date of
engagement whether as per the qualification
for the post mentioned in Service Rules or not.

(j) Any FIR/Departmental Enquiry/Conviction/Trial in Court

Signature

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Schedule-B

(Register)

Sr No	Name of the Applicant	iHRMS code (if have)	Category of post ('A', 'B', 'C' or 'D')	Pay Matrix	Date of engagement into the Department/Entity on that post	Type of engagement (Adhoc / Contractual / Daily wage / work Charged/ Temporary)	Length of service on that post	Category regarding reservation	Against sanctioned/ non-sanctioned post	Engaged by transparent or non-transparent way
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