From
Sri Raghumani Gomango, OAS (SAG)
Additional Secretary to Govt.

To
All Collectors.


Madam/Sir,

In enclosing herewith the FD’s Resolution No. 17815 Dtd. 30/05/2018 on the subject noted above, I am directed to request you to revise the monthly consolidated remuneration of the employees conferred with “Temporary Status” governed by FD’s Resolution No. 31715/F dtd. 04.09.2012 as per the directives contained in the FD’s Resolution cited above (enclosed) and Remuneration Matrix at Annexure–I. The differential remuneration may prudently be calculated and raised to this end by 30.11.2018 positively to facilitate allotment of the funds for the purpose.

This may be treated as Urgent.

Yours faithfully,

Additional Secretary to Govt.

Copy forwarded to all PA, ITDAs/ DWOs/ Inspector of Schools (SSD)/ DI of Schools (SSD)/ OMTES/ Headmasters & Headmistresses of Schools (SSD)/ FE-II Section/Finance Section / Expenditure & Accounts Section/ Pre-Matric Scholarship Section/ Edn-I Section/ Edn.-II (Insp.) Section for information and necessary action.
GOVERNMENT OF ODISHA  
FINANCE DEPARTMENT  

RESOLUTION  

No. [178/5]/F, Dated 30.05.2018  

FIN-BUDS-MISC-0009-2012  

Sub: Revision of monthly consolidated remuneration for the employees conferred with ‘Temporary Status’ governed by Finance Department Resolution No.31715/F, dated 04.09.2012.

As per para 5(b)(i) of Finance Department Resolution No.31715/F, dated 04.09.2012, the employees conferred with ‘Temporary Status’ are eligible for consolidated remuneration equal to entry point Basic pay + Grade pay i.e. Rs.5740/- only per month. They will not be eligible to any other allowances like DA, HRA etc.

2. In the meanwhile, State Government have implemented the revised pay scale based on recommendations of the Fitment Committee constituted for implementation of 7th Pay Commission. Besides, State Government in G.A. Department have revised the remuneration of Group-C and Group-D (Contractual Employees) vide Notification No. 19574/GEN dated 12.09.2017 governed by the Odisha Group-C and Group-D posts (Contractual appointment) Rules, 2013.

3. After careful consideration, Government have been pleased to revise the monthly consolidated remuneration of the employees conferred with ‘Temporary Status’ w.e.f. 01.01.2016. After revision, the consolidated remuneration of an employee conferred with ‘Temporary Status’ shall be as per the Matrix at Annexure-I appended to this resolution. The remuneration will be as per the number of years completed shown in the example to the remuneration matrix at Annexure-I. Para-5 (b) (i) and (ii) of Finance Department Resolution No. 31715/F, dated 04.09.2012 stand substituted by the Matrix (Annexure-I).

4. The revised remuneration shall be paid from the month of May, 2018 onwards. The 40% arrear accrued on such revision of consolidated remuneration w.e.f 01.01.2016 shall also be paid. The payment of balance 60% arrear will await further instructions from the Finance Department.

ORDER: Ordered that the Resolution be published in the extraordinary issue of Odisha Gazette for general information of public. Ordered also that copies of the Resolution be forwarded to all Departments of Government/ all Heads of Departments/ all Collectors/ Registrar, Orissa High court/ Registrar, Odisha Administrative Tribunal.

By order of the Governor  

Principal Secretary to Government
Remuneration Matrix of the employees conferred with 'Temporary status' w.e.f. 01.01.2016

( Figures in Rupees)

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Example: If an employee is conferred with 'Temporary Status' on 01.10.2012, he is continuing in the 4th year as on 01.01.2016 from the date of conferment as 'Temporary Status'. On revision, he will get the consolidated remuneration of Rs.9360 w.e.f 01.01.2016 as shown against the 4th year because he is continuing in 4th year as on 01.01.2016 with 'Temporary Status' counting the period from the date of conferment w.e.f 01.10.2012. On completion of 4th year on 30.09.2016, his remuneration as on 01.10.2016 will become Rs.9830 that is beginning of 5th year. On completion of 5th year on 30.09.2017, his remuneration will become Rs.10,330 on 01.10.2017 (beginning of 6th year) and so on.
Memo No. 178/6 /F, Dated 30-05-2018

Copy forwarded to the Director of Printing, Stationary and Publication, Odisha, Cuttack for publication of the Resolution in the next issue of the Odisha Gazettee and supply 200 copies to the Finance Department.

Joint Secretary to Government

Memo No. 178/7 /F, Dated 30-05-2018

Copy forwarded to Secretary to the Governor/ Principal Secretary to Chief Minister/ Private Secretary to Minister, Finance/ all Departments of Government/ all Heads of Departments/ Registrar, Orissa High Court, Cuttack/ Registrar, OAT/ Director, MDRAFM, Bhubaneswar/ Director General, GAA, Bhubaneswar/ Secretary, OPSC, Cuttack/ Secretary to OLA/ Director of Treasuries & Inspection, Odisha, Bhubaneswar/ All RDCs/ All Collectors for information.

Joint Secretary to Government

Memo No. 178/8 /F, Dated 30-05-2018

Copy forwarded to Principal Accountant General, (A & E), Odisha Bhubaneswar/ Accountant General (G&SSA), Bhubaneswar/ Principal Accountant General (ERSA), Bhubaneswar/ Deputy Accountant General, Odisha, Puri for information.

Joint Secretary to Government

Memo No. 178/9 /F, Dated 30-05-2018

Copy forwarded to all Officers/Branches of Finance Department for information.

Joint Secretary to Government

Memo No. 178/20 /F, Dated 30-05-2018

Copy forwarded to State Head, Portal Group, IT Centre, Secretariat for information and necessary action. They are requested to upload this Resolution in website of Finance Department.

Joint Secretary to Government
Sub:- Scheme for Grant of 'Temporary Status' and absorption of Casual/Daily wage labourers engaged in different Government establishments prior to 12.04.1993 against regular Group 'D' vacancies.

A ban has been imposed on engagement of persons on daily wage basis, Work Charged Employees and NMRs in Government establishments as per the Finance Department Circular No. 17815(45)/F dated 12.04.1993. It was specifically been stipulated therein that violation of this, would result in fixation of personal responsibility on the officer engaging such persons and also the person disbursing their wages.

2. These workers put-forth their claims for absorption against regular vacant posts at different levels. Keeping in view various judicial pronouncements, the State Government have framed and operationalised a scheme for absorption of NMR/DLR workers engaged in Engineering Departments and Job Contract workers of Settlement & Consolidation organisation under Revenue & Disaster Management Department in the Finance Department Resolution No. 22764/F dated 15.05.1997. The scheme provides for absorption of NMR/DLR/Job Contract workers engaged prior to 12.4.1993 against regular vacant posts subject to conditions prescribed therein.

3. However, persons engaged on casual/daily wage basis prior to 12.4.1993 in Government establishments other than Engineering Departments, are still continuing on temporary basis on daily wage. They are not entitled to any other service and terminal benefits. They have been raising demands for regularization of their services/absorption against vacant posts in regular establishment.

4. Government after careful consideration of the matter have been pleased to formulate the following scheme for the benefit of casual/daily wage labourers engaged in different Government establishments prior to 12.04.1993 by conferring them with 'Temporary Status' in the first instance and then to provide scope for their absorption against regular Group 'D' vacancies.
5. Scheme for Conferment of 'Temporary Status': In order to provide appropriate emoluments and terminal benefit, 'Temporary Status' would be conferred on the casual/daily wage labourers engaged in Government establishments prior to 12.04.1993. Such conferment of 'Temporary Status' would be without reference to creation/availability of regular Group 'D' posts.

(a) Eligibility:

(i) To be eligible for conferment of 'Temporary Status' such persons must have been engaged prior to 12.04.1993 i.e. before the imposition of ban on such engagement.

(ii) They must have rendered continuous service since their initial engagement. Engagement of at least 240 days in a year shall be construed as a complete year of engagement for this purpose.

(iii) Date of initial engagement i.e. prior to 12.04.1993 and continuity of service shall have to be certified by the concerned Head of Office and countersigned by the concerned Heads of Department.

(b) Service Conditions:

(i) On conferment of 'Temporary Status' one would be eligible for consolidated remuneration equal to entry point basic pay + grade pay in Pay Band 1-5 i.e. Rs. 5740/- (basic pay Rs. 4440/- + grade pay Rs. 1300/-) only per month. They will not be eligible to any other allowances like DA, HRA etc.

(ii) Their consolidated remuneration will be enhanced by 5% annually subject to satisfactory performance.

(iii) Unless their services are dispensed with/terminated in accordance with the para – (b) (vi) and (vii), the casual/daily wage labourers with 'Temporary Status' will continue as such till attaining the age of 60 years. On attaining the age of 60 years, they would cease to be employed and on such cessation, a casual/daily wage labourer with 'Temporary Status' shall get Rs. 1.50 lakh as one time 'cessation of engagement' benefit, in case the employee concerned could not be absorbed against any regular post in accordance with the scheme of absorption as enumerated in para-6.

(iv) They will be eligible to avail 15 days Casual Leave per year.

(v) Female employees would be entitled to Maternity leave admissible to regular employees.

(vi) Despite conferment of 'Temporary Status', the services of a casual/daily wage labourer can be dispensed with by giving a notice of one month in writing. The person concerned can also quit the service by giving a written notice of one month.

(vii) Their services can be terminated in case of involvement in criminal case/misconduct/ delinquency/incapacitation etc.

(viii) The period of service rendered by a person as casual/daily wage labourer and the period of service rendered with 'Temporary Status' will not be counted towards retirement and other service benefits in
6. Scheme for absorption of casual/daily wage labourers (engaged prior to 12.04.1993) and conferred with 'Temporary Status' against regular Group 'D' vacancies:

(i) A separate category wise gradation list/seniority list of casual/daily wage labourers (engaged prior to 12.04.1993) and conferred with 'Temporary Status' in accordance with paragraph-5 shall be prepared by the appointing authority after taking into consideration the length of engagement in the establishment. The gradation list/seniority list shall be finalised only after observing the procedural formalities like publication of the provisional gradation list/seniority list, invitation of objections and consideration the objections filed, if any.

(ii) If the existing vacancies in Group 'D' posts of the respective offices where the casual/daily wage labourers (engaged prior to 12.04.1993) and conferred with 'Temporary Status' have been working are required to be filled up in the interest of public service, then, the same shall be filled up as per the extant recruitment rules following provisions of ORV Act and Instructions issued by Government from time to time, from among the eligible casual/daily wage labourers conferred with 'Temporary Status' strictly on the basis of the gradation list/seniority list.

(iii) There shall be no open recruitment against the vacant Group 'D' posts till the list of casual/daily wage labourers conferred with 'Temporary Status' is exhausted or unless eligible persons from the list of casual/daily wage labourers conferred with 'Temporary Status' are not available. In this regard, relaxation of the relevant provisions by the competent authority would be necessary, in case of Group 'D' posts for which regular recruitment rules has been framed. However open recruitment may be made to fill up the vacant reserved posts, if any, as per the provisions of ORV Act.

(iv) The candidates must be within the age limit prescribed for first appointment to the corresponding regular post after deduction of the number of years of engagement as casual/daily wage labourer. The appointing authority may allow age relaxation equivalent to the period for which they have worked continuously as casual/daily wage labourer.

(v) They must have the minimum educational qualification prescribed for the post against which they are required to be absorbed.

(vi) They must be medically fit for the post being considered for absorption. The medical fitness certificate of the candidate shall be
ensured in accordance with rule- 49, 50 and 51 of Odisha Service Code and executive instructions issued by Government in this regard.

(vii) For determination of the Date of Birth of the candidates, the criterion as laid down in rule 65 and 66 of the Odisha General Financial Rules, Volume-I, and other instructions issued by Government in this regard shall be followed.

(viii) The absorption shall be subject to verification of character and antecedents of the candidate.

(ix) On absorption in the regular establishment, they shall be eligible to draw the minimum of the pay band with grade pay attached to the corresponding post and other allowances as admissible under rules from time to time.

(x) The date of absorption shall be reckoned as the first appointment to the service for the purpose of retirement and other service benefits.

(xi) Such absorption can be made only against existing Group 'D' vacant posts. Under no circumstance posts will be created for such absorption.

(xii) Prior concurrence of Finance Department would be necessary for filling up of base level vacancies in the Group 'D' Cadres in terms of Finance Department OM No. 10954/F dated 14.03.2001. While issuing the order of absorption, the appointing authority shall record the UOR No. and date in which concurrence of Finance Department has been obtained for such absorption.

7. This Resolution shall come into force w.e.f. its date of issue.

This has been concurred in by G.A. Department vide UOR No.468/GAD dated 11.07.2012 and Law Department vide UOR No.1623/L dated 30.07.2012.

ORDER: Ordered that the Resolution be published in the extraordinary issue of Odisha Gazette for general information of public. Ordered also that copies of the Resolution be forwarded to all Departments of Government /all Heads of Departments / all Collectors / Registrar, Orissa High Court / Registrar, Odisha Administrative Tribunal.

By order of the Governor

Principal Secretary to Government
Memo No.31716/F., Dated 04.09.2012
Copy forwarded to: the Director of Printing, Stationery and Publication, Odisha, Cuttack for publication of the Resolution in the next issue of the Odisha Gazette and supply 200 printed copies to Finance Department.

Deputy Secretary to Government

Memo No.31717(42)/F., Dated 04.09.2012
Copy forwarded to: All Departments of Government for information.

Deputy Secretary to Government

Memo No.31718(5)/F., Dated 04.09.2012
Copy forwarded to: Secretary to the Governor/Principal Secretary to Chief Minister/Private Secretary to Minister, Finance/Private Secretary to Chief Secretary/Private Secretary to Development Commissioner for information.

Deputy Secretary to Government

Memo No.31719(230)/F., Dated 04.09.2012
Copy forwarded to: All Heads of Departments/ Registrar, Orissa High Court, Cuttack/ Registrar, O.A.T/Director, MDRAFM, Bhubaneswar/Director General, GAA, Bhubaneswar/ Secretary, OPSC, Cuttack/ Secretary to the O.L.A/D.T.I(O), Bhubaneswar/All R.D.Cs/ All Collectors for information.

Deputy Secretary to Government

Memo No.31720(4)/F., Dated 04.09.2012
Copy forwarded to: Principal Accountant General (A & E), Odisha, Bhubaneswar/Accountant General (G&SSA), Bhubaneswar/ Accountant General(ERSA), Bhubaneswar /Deputy Accountant General, Odisha, Puri for information.

Deputy Secretary to Government